

Place Services and Economic Growth Scrutiny Committee

10:00	Tuesday, 17 January 2017	Committee Room 1, County Hall, Chelmsford, Essex
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Quorum: 5

Councillor D Louis
Councillor S Barker
Councillor K Bobbin
Councillor T Cutmore
Councillor I Grundy
Councillor C Guglielmi
Councillor T Hedley
Councillor J Huntman
Councillor D Kendall
Councillor C Pond
Councillor S Robinson
Councillor A Turrell
Councillor K Twitchen
Councillor A Wood

Chairman

For information about the meeting please ask for:

Christine Sharland, Scrutiny Officer

Lisa Siggins Committee Officer

Telephone: 033301 34594

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www.essex.gov.uk/scrutiny



Essex County Council

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Part 1

(During consideration of these items the meeting is likely to be open to the press and public)

		Pages
1	Apologies for Absence The Committee Officer to report receipt (if any)	
2	Minutes To approve as a correct record the Minutes of the meeting held on 24 November 2016.	7 - 12
3	Declarations of Interest To note any declarations of interest to be made by Members in accordance with the Members' Code of Conduct	
4	Questions from the Public A period of up to 15 minutes will be allowed for members of the public to ask questions or make representations on any item on the agenda for this meeting. On arrival, and before the start of the meeting, please register with the Committee Officer.	
5	Greater Essex Growth And Infrastructure Framework To consider report PSEG/01/17 together with a briefing provided by Councillor Kevin Bentley, Cabinet Member for Economic Growth, Infrastructure and Partnerships on the Greater Essex Growth and Infrastructure Framework	13 - 18
6	Jobs, Welfare And Skills Scrutiny Report To receive report PSEG/02/17 providing an update on this scrutiny report. Councillor Kevin Bentley, Cabinet Member for Economic Growth, Infrastructure and Partnerships, will be in attendance to answer those questions submitted in advance seeking clarification on his written response to the scrutiny report.	19 - 28

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|-----------|--|----------------|
| 7 | <p>Third Party Responsibilities And Flood Enforcement Scrutiny Report</p> <p>To consider report PSEG/03/17 providing an update on recommendations 2 and 3 set out in this Scrutiny Report. Councillor Simon Walsh, Cabinet Member for Environment and Waste, and Councillor Eddie Johnson, Cabinet Member for Highways and Transport, will be in attendance for this item.</p> | 29 - 42 |
| 8 | <p>Call In Of Decision - FP/686/12/16 Proposed One Way 7.5 Tonnes Weight Limit On Oak Road, Rivenhall</p> <p>To consider report PSEG/04/17 on this call in, and receive confirmation on the outcome of an earlier informal meeting between the Councillor responsible for the call in and the Cabinet Member.</p> | 43 - 54 |
| 9 | <p>Call In Of Decision - FP/687/12/16 Proposed 20mph Speed Limit On The Three Arch And Eastham Estate, Brentwood</p> <p>To consider report PSEG/05/17 on this call in, and receive confirmation on the outcome of an earlier informal meeting between the Councillor responsible for the call in and the Cabinet Member.</p> <p>Important Note
 <i>Please note that there are two informal meetings being held on 9 January ie after the publication of this agenda, to consider the two call ins identified at items 8 and 9 above. The outcomes of those meetings may have implications for the ordering and the timing of those items in this agenda. Furthermore it may be necessary for the Committee to incorporate an adjournment into its proceedings and for this meeting to continue into the afternoon.</i></p> | 55 - 66 |
| 10 | <p>Work Programme</p> <p>To receive report PSEG/06/17 concerning the Committee's work programme.</p> | 67 - 70 |
| 11 | <p>Date of Next Meeting</p> <p>To note that the next Committee activity day will be on Thursday 23 February 2017.</p> | |
| 12 | <p>Urgent Business</p> <p>To consider any matter which in the opinion of the Chairman should be considered in public by reason of special circumstances (to be specified) as a matter of urgency.</p> | |

Exempt Items

(During consideration of these items the meeting is not likely to be open to the press and public)

To consider whether the press and public should be excluded from the meeting during consideration of an agenda item on the grounds that it involves the likely disclosure of exempt information as specified in Part I of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act.

In each case, Members are asked to decide whether, in all the circumstances, the public interest in maintaining the exemption (and discussing the matter in private) outweighs the public interest in disclosing the information.

13 Urgent Exempt Business

To consider in private any other matter which in the opinion of the Chairman should be considered by reason of special circumstances (to be specified) as a matter of urgency.

Minutes of the meeting of the Place Services and Economic Growth Scrutiny Committee, held in Committee Room 1 County Hall, Chelmsford, Essex on Thursday, 24 November 2016

Present:

Councillor S Barker Councillor D Louis (Chairman)
Councillor T Cutmore Councillor M Mackrory
Councillor M Danvers Councillor C Pond
Councillor I Grundy Councillor S Robinson
Councillor C Guglielmi Councillor A Turrell
Councillor J Huntman Councillor A Wood

The following Officers were present in support throughout the meeting:

Christine Sharland - Scrutiny Officer
Lisa Siggins - Committee Officer

1 Apologies for Absence

Apologies were received from Councillors Hedley, Twitchen and Kendall who was substituted at the meeting by Councillor Mackrory. Originally Councillor Maddocks was scheduled to substitute for Councillor Twitchen but had to send his apologies on the day.

2 Minutes

The Minutes of the Committee meeting held on 20 October 2016 were approved as a correct record and signed by the Chairman.

3 Declarations of Interest

With reference to Minute 5 on Fuel Poverty Councillor Barker declared a personal interest in that her son is an Energy Officer at Basildon District Council.

4 Questions from the Public

There were no questions raised by members of the public.

5 Fuel Poverty

The Committee considered report PSEG/31/16 on Fuel Poverty, together with a PowerPoint presentation from Paul Hinsley, Acting Head of Environment Team.

In October 2014 a motion on Fuel Poverty was referred by full Council to Councillor Walsh as the former Chairman of the Scrutiny Board. A copy of the motion was attached at Appendix A to the report, and a literature review at Appendix B. More recently the Scrutiny Board had referred the motion to this Scrutiny Committee.

In response the Committee's briefing had been organised by way of a progress

report about work undertaken by Essex County Council and its partners on action being taken to address fuel poverty across Essex.

In his presentation Mr Hinsley confirmed:

- A household is considered to be fuel poor if its required fuel costs are above average (the national median level); and, if the residents were to spend that amount, then they would be left with a residual income below the official poverty line.
- 21% of all households living in properties with the lowest energy ratings (E, F or G) are fuel poor. This is compared to only 2% of households that live in properties with the highest energy ratings (A, B or C).
- 20% of households in the private rented sector are fuel poor.
- 78% of households in fuel poverty are classed as vulnerable, that is one containing children, the elderly, or someone with a long term illness or disability.
- An overview of fuel poverty in Essex, including a district by district breakdown. It was pointed out that fuel poverty was high in rural areas.
- Current differences in tariffs including for those who are on pre-pay meters. The action being taken in Essex to address the issue and make residents aware of the options available to them.
- Future opportunities e.g. Essex Energy Partnership, Community Energy Schemes, and sharing best practice with District and Borough Councils.

The Committee discussed their concerns about the issue of energy companies charging customers higher rates when on pre-paid meter schemes, which was linked to such customers being considered to be "high risk" with low credit ratings. The Committee felt strongly that this was both unfair and disproportionate. However, attention was drawn to the fact that prepayment tariffs are being phased out and replaced by smart meters.

The Committee took the opportunity to discuss energy switching and whether or not customers are aware of their options by the energy providers. It was felt that Councillors, working in partnership, could help to make residents and their communities more aware of the options open to them to reduce their fuel bills.

In summary the Committee agreed that it would be helpful if Members could be advised on how they could raise their local residents' awareness of the benefits of reviewing their own household fuel tariffs, and the replacement of pre-payment meters.

On behalf of the Committee, the Chairman thanked Paul Hinsley for a very informative and interesting briefing on fuel poverty in Essex.

6 LED Lighting

The Committee received a Report PSEG/32/16 with a briefing paper appended thereto, which was in response to the request made by the Committee on 22nd September (Minute 9).

At the meeting the Committee received a briefing, including a PowerPoint Presentation from Councillor Johnson The Cabinet Member for Highways and Transport who was supported by Keith Tovee, Asset Manager - Lighting and Richard Dimmock, Street Lighting Operations Manager

During the presentation the following issues were covered:

- LED lighting is street lighting that uses light emitting diodes (LED) as its light source
- It is a more efficient delivery of light for the energy used compared to existing discharge lighting 50%+ savings expected.
- It has an extended LED life compared to existing discharge lighting (4-6 years to 20 years).
- It has become more of a standard design with installation costs now in line with existing discharge lighting
- Phase 1 in the County has been completed as a successful pilot where 1562 lanterns were converted to LED technology
- Phase 2 has concentrated on "all night" operating lighting - with a programme to invest £9.222m on the replacement of approx. 19,000 street lanterns to LED technology. As of 18th November 2016; 3305 have been completed
- Phase 3 options are currently under discussion with an option being focusing on high energy street lighting which attract high maintenance costs. These currently operate a part night protocol.
- LED in Maintenance Operations - LED technology is currently being fitted in illuminated sign lights (approximately 40% by April 2017) Promoting to convert the remaining sign lights to LED in 2017/18
- LED Effects on Maintenance - LED technology helps to resolve lamp and control gear issues and could resolve up to 50% of the defects currently received. Due to less energy being consumed this could reduce the stress on the aging private electrical network

Members were shown photographs which illustrated the difference between the effects of conventional and LED lighting on road conditions and actual samples of LED lights were shown at the meeting.

On behalf of the Committee the chairman thanked Councillor Johnson and Mr Tovee and Mr Dimmock for an informative briefing session.

7 Pavement Parking

The Committee considered report PSEG/33/16 on Pavement Parking. Members had requested the briefing at its meeting on 22 September 2016 (Minute 9).

At the meeting the Committee received a briefing, including a PowerPoint Presentation from Councillor Johnson, the Cabinet Member for Highways and Transport, who was supported by Liz Burr, Head of Network and Safety/Traffic Manager Highways.

The presentation summarised the following key issues:

- The pertinent legislation and an overview of pavement parking, including consideration of obstruction to pedestrians and traffic flow, practicalities around Traffic Regulation Orders.
- Specific local issues for Essex. There is difference in legislation between Essex and London, which has a separate ban for pavement parking.

Members took the opportunity to ask questions in order to clarify their understanding the complex issues associated with pavement parking, and the implications associated with the use of Traffic Regulation Orders as a tool to restrict or permit such parking. It was confirmed requests for parking restrictions would have to be undertaken through the appropriate Essex Parking Partnership.

On behalf of the Committee the Chairman thanked Councillor Johnson and Liz Burr for providing Members with an informed and

8 Work Programme

The Committee noted report PSEG/34/16 concerning the Committee's work programme, and agreed the change of date for the January meeting from 19th to 17th January 2017.

9 Future Meeting Dates.

The Committee noted report PSEG/35/16 setting out the following future meeting dates:

- 22nd June 2017
- 20th July 2017
- 21st September 2017
- 19th October 2017
- 23rd November 2017
- 14th December 2017
- 18th January 2018
- 22nd February 2018
- 22nd March 2018
- 19th April 2018

10 Date of Next Meeting

It was noted that there would not be a formal meeting in December. However, it

was agreed that proposals for a workshop being planned as part of corporate review of scrutiny workshop should be moved from Thursday 15th to Tuesday 13th December 2016 following Cabinet and Member Development session.

There being no urgent business the meeting closed at 2.20 pm

Chairman

		AGENDA ITEM 5
		PSEG/01/17
Committee:	Place Services and Economic Growth Scrutiny Committee	
Date:	17 January 2017	
GREATER ESSEX GROWTH AND INFRASTRUCTURE FRAMEWORK		
Enquiries to:	Christine Sharland, Scrutiny Officer Christine.sharland@essex.gov.uk	

Purpose of report

To receive the Cabinet's response to recommendation 4 set out in the 'Third Party Responsibilities and Flood Enforcement in Essex' scrutiny report namely:

'That the Cabinet be requested to provide the Committee with a briefing paper in Spring 2016 that explains how the County Council itself co-ordinates its own activities in order to identify and address overall infrastructure needs in Essex, including flood risk management and preventative measures associated with new development. The Committee will provide a scoping document setting out the key questions that it will ask the Cabinet to address.'

Background

In November 2015 (Minute 8) the Committee endorsed the Scrutiny Report 'Third Party Responsibilities and Flood Enforcement in Essex'. The scrutiny report contained five recommendations, which were duly sent to the relevant Cabinet Members. The Report can be accessed via the following link: [Scrutiny Report](#)

Alternatively the Scrutiny Report may be found on the Essex County Council website www.essex.gov.uk From the Home Page, click on 'Your Council', then on 'Meetings and Agendas', then on 'Public Documents' followed by 'Scrutiny Reports'. Finally, select the scrutiny report from the list reports that have been published.

At the time a scoping document was not produced by the Committee to shape the briefing given that the County Council was already working with Partners to address infrastructure matters in Essex. Consequently it was considered sensible to provide Members with a better understanding on the framework that was being developed, which would inform any proposals for future scrutiny projects if appropriate.

Analysis

Councillor Kevin Bentley, Cabinet Member for Economic Growth, Infrastructure and Partnerships, together with officers, will be attending this meeting to provide a briefing on the Greater Essex Growth and Infrastructure Framework (GIF).

Given the relevance of the work that had been commissioned as part of the Greater Essex Devolution Programme to address the current infrastructure shortfalls, it was felt sensible to provide the Committee with a briefing on the GIF at a more advanced stage and in doing so illustrate what is happening in Essex.

A briefing paper has been provided by Cabinet Member and is attached at the Appendix to this report.

Action required by the Committee at this meeting:

To note the Cabinet's response to the Committee's recommendation set out above, and to identify any particular issues that could be considered for further investigation by a scrutiny committee in the future.

Note

Aside from the matters specifically referred to by the Cabinet Members as part of this item, two other recommendations from the scrutiny report will be the subject of separate items to this Committee namely:

- *At today's meeting there will be an update from Cabinet Members on various initiatives identified in recommendations 2 and 3 including 'Where does water go?', and the Maldon Highway Enforcement Pilot Project; and*
- *at the meeting on 23 February there will be an item about IS and Communications support in raising public awareness about the Council's services such as flood management (recommendation 5).*

Appendix

Greater Essex Growth and Infrastructure Framework (GIF)

Place Services and Economic Growth Scrutiny Committee Meeting on 17 January 2017

Briefing Paper prepared on behalf of Councillor Bentley, Cabinet Member for Economic Growth Infrastructure and Partnerships, by Graham Thomas, Head of Commissioning- Strategic Planning, Housing Growth & Development

Introduction

Following the Scrutiny Report on Third Party Responsibilities and Flood Enforcement in Essex published in November 2015 this contained a recommendation which asked:

“That the Cabinet be requested to provide the Committee with a briefing paper in Spring 2016 that explains how the County Council itself co-ordinates its own activities in order to identify and address overall infrastructure needs in Essex including flood risk management and preventative measures associated with new development. The Committee will provide a scoping document setting out the key questions that it will ask the Cabinet to address.”

Due to both portfolio holder changes, and the work that had been commissioned to produce a Greater Essex Growth and Infrastructure Framework (GIF) earlier in 2016, it was felt sensible to address this question at time when the GIF was at a much more advanced stage.

Background

The GIF was initiated by Essex County Council and delivered with support from the Housing and Connectivity and Infrastructure and Growth Workstreams of the Greater Essex devolution programme. David Marchant Chief Executive Officer of Castle Point District Council and Cllr Phil Turner Leader of Basildon Borough Council are the Chief Executive and Leader sponsors of the GIF. ECC with the support of sub-regional leads, have managed this project on behalf of all the Councils in Essex under the Cabinet leadership of Cllr Kevin Bentley.

Why did we undertake this work

It is widely understood that considerable investment will be needed in Essex to address current infrastructure shortfalls and support the Local Plan growth ambitions over the next 20 years. The definition of infrastructure used in the GIF is very wide ranging to include a broad range of issues including flood prevention, health, education, social care, green space, transportation, etc. This work was commissioned to help answer a number of important questions/activities including:

- To provide a clear understanding of the scale and distribution of population, housing and economic growth over the next 20 years (up to 2036).

- To determine the scale and cost of the infrastructure required to support planned growth.
- Engage with utility companies, the NHS, Network Rail at a bigger than local scale given these partners can be difficult to engage at a more local level.
- To determine the scale of the funding gap for infrastructure, by type i.e. schools, transport etc.
- To assemble the evidence to support bids to Government and other funding partners to support infrastructure investment needed to deliver the housing and economic growth in all areas of Essex.
- To use this work, to bring about better service planning for infrastructure.
- Provide an evidence base for more effective engagement with Central Government; the Greater London Authority and the South East Local Enterprise Partnership; as part of our duty to cooperate responsibilities.

The principle of the GIF is supported by all 15 councils in Essex, and all, are actively engaged to refine the document to produce a strategic position for each district, the four sub-regions and an overall Greater Essex position. Kent, Surrey and West Sussex have recently completed similar exercises to help them develop their infrastructure needs pipeline and supported various discussions and bids to government for infrastructure funding. Others such as Norfolk and Suffolk are now following the work the Essex Councils have done, and have now commissioned their own GIF.

At the outset it was understood that the investment of time and resources with this work was an investment in pulling together in one place, different source of relevant data. Whilst, we will have a 2016 GIF document, equally important we will also have the datasets behind this, which can be updated and interrogated. The intention is to refresh the GIF in 2017 and 2018, thereafter every two years.

How was this work undertaken

Consultants (AECOM) were commissioned in April 2016 to conduct the project on behalf of all 15 Essex Councils.

Phase 1 comprised a desktop exercise to identify the resource gap between forecast infrastructure needs in 2036 and planned infrastructure. This included exploring the planned growth, population change and economic trends likely to affect infrastructure needs, the likely cost of that infrastructure and comparing those costs against forecast resources.

- This work commenced in early-April, including initial meetings with relevant services, and existing coordination groups, to collate data about current infrastructure and forecast need.
- AECOM held a workshop with all local authorities on 18 May 2016 and separate meetings with officers from the two unitary authorities.
- Four further workshops with external partners around Utilities, Transport, Health and Floods themes were also held.

- The Phase 1 report detailing initial findings was received and shared in the week of 11 July 2016.

Phase 2 consisted of further and more detailed engagement to validate the draft report produced in Phase 1. The revised draft document was circulated on 14 September 2016.

- AECOM held meetings with each local authority and other contributors to work through the draft report in detail.
- AECOM followed-up verbal comments received with local authorities.
- An External Reference Group for the project was established comprising representatives from all four sub-regions with reps from the Integrated Growth Forum and Essex Planning Officers' Association.
- The revised GIF document was circulated to all local authorities and other stakeholders who contributed to the first draft document. Comments were sought by 29 September 2016.

Phase 3 of the project provided a further round of consultation at the request of the External Reference Group, to refine the GIF document still further. This closed on 31 October, with the revised document was then distributed on 2 December to all partners.

There is one final phase of consultation underway, which is due to be completed by early 2017.

Conclusions and Outcomes from the GIF

Early estimates from the GIF, while subject to revision in the final version, indicate:

- Greater Essex authorities are required to accommodate housing and economic growth over the 20 year period to 2036 delivering on average 8,980 dwellings per year. This compares to the average completions of 4,630 dwellings per year for Essex (2004 to 2015).
- 179,660 dwellings have been assessed as required between 2016 and 2036.
- ONS Population projections forecast a population increase of 298,700 people (an increase of 17%).
- 79,000 additional jobs are forecast by the East of England Forecasting model (an increase of 10%)
- Local authorities across Greater Essex have identified housing supply trajectories for approximately 137,660 homes between 2016 and 2036
- Delivering the necessary local infrastructure to support that growth from now to 2036 is estimated to cost at least £10.4 billion. This represents an estimate of capital delivery costs only and does not include the additional annual revenue requirements and maintenance costs.
- The study has reviewed the potential costs of delivery alongside currently identified secured funding, potential funding from public, private and developer contributions highlighting a remaining funding gap of as much as £4.4 billion.
- The study has also identified the need to secure regional and cross boundary project funding to facilitate major transport projects costing £26.5 billion and £5 billion respectively, with a remaining funding gap of around £11 billion.

Opportunities the GIF presents

The GIF has been commissioned to support and inform strategic and long-term decision-making in a variety of contexts. It provides the following uses:

- The GIF is evidence which will support funding bids to Government and other funding providers to support new infrastructure investment.
- This work will enable us to develop a public affairs strategy to secure investment in regional and national scale projects that benefit Essex which will include engagement with Central Government, to demonstrate the challenges and impacts faced in supporting growth across Greater Essex
- We can use this work to demonstrate to the Planning Inspectorate that all of the local authorities are fulfilling our “Duty to Cooperate” requirements to plan for infrastructure across a much wider area.
- Use the GIF to have a more effective engagement with the Greater London Authority on the new London Plan, which has population, housing and economic implications for our area.
- This work provides the basis to review our existing capital project pipelines, and to help to prioritise our funding to achieve the biggest possible impact.
- This work provides the opportunity to engage NHS England with their review of Hospitals in Essex to ensure health decisions align with population change.
- The GIF will inform the Essex Economic Commission’s evidence base and in-turn the Economic Plan for Essex.
- This work informs us that planning for larger scale (Garden Community) development is more likely to meet the full infrastructure costs.
- This work will provide the intelligence to the public sector to develop a coherent market offer and drive increased housing supply across Essex, particularly in areas of high demand and housing need including key workers and care leavers.

Next steps

1. Continued development of document into January incorporating Southend and Thurrock revisions
2. Likely soft launch in February/March 2017
3. Roll out of supporting datasets to local authorities for use in planning
4. Late-2017 refresh of the document
5. Late-2018 refresh of the document
6. Refresh every two years thereafter

		AGENDA ITEM 6
		PSEG/02/17
Committee:	Place Services and Economic Growth Scrutiny Committee	
Date:	17 January 2017	
JOBS, WELFARE AND SKILLS SCRUTINY REPORT (Minute 7/October 2016)		
Enquiries to:	Christine Sharland, Scrutiny Officer Christine.sharland@essex.gov.uk	

Purpose of report

This report provides an update on this scrutiny report.

In addition Councillor Kevin Bentley, Cabinet Member for Economic Growth, Infrastructure and Partnerships, will be attending this meeting and will be available to answer those questions submitted in advance seeking clarification on his written response to the scrutiny report.

Background

At the Committee's meeting on 22 September, Councillor Bentley attended to provide an oral response to the above Scrutiny Report entitled 'We can work it out: The case for a locally determined employment, skills, careers advice and welfare for work system in Essex'. He undertook to provide a detailed written response to the sixteen recommendations, which the Committee had reached on the basis of the evidence collated by the Task and Finish Group that undertook the in depth review.

His written response was submitted to the Committee on 20 October and is set out in the original committee report that may be accessed via the following link: [October committee report](#). For ease of reference Councillor Bentley's letter and formal response is also attached at the Appendix to this report.

Councillor Bentley had indicated that he was unable to attend the October meeting due to prior engagements. However, he suggested that if the Committee had any further questions that it wished to direct to him, then it would be helpful if a set of written questions could be sent to him following the meeting and in turn he would provide a written response to those questions. Even though the Committee had welcomed his written response, it did not consider it in any detail preferring for him to attend a future meeting to provide another update and answer their oral questions.

A full copy of the Jobs Skills and Welfare Scrutiny Report may be found on the Essex County Council website www.essex.gov.uk. From the Home Page, click on 'Your Council', then on 'Meetings and Agendas', then on 'Public Documents' followed by 'Scrutiny Reports'. Finally, select the scrutiny report 'Jobs, Skills and Welfare Report Final' from the list reports that have been published. Or via the following link: [Scrutiny Report](#)

Current Situation

Since the October meeting the following action has been taken on the Committee's behalf:

- The Chairman has sent letters to the relevant Secretaries of State and Ministers to lobby the Government on the basis of a number of recommendations set out in the scrutiny report including the devolution of skills control.
- In addition the Scrutiny Report has been sent to:
 - National Local Association
 - Essex Chamber of Commerce
 - Essex Federation of Small Businesses
 - National LGA
 - Institute of Directors (Essex)
 - Federation of Essex Colleges
 - South East Local Enterprise Partnership
 - All contributors to the Scrutiny Report
- The Chairman has sent an invitation to the Essex Employment and Skills Board to attend a Committee meeting to provide a briefing on its activities as well as receive its feedback on the Scrutiny Report.

Although it had been hoped that the Board might be able to address the Committee at this meeting, it was necessary to take into consideration the work already scheduled for this meeting together with the receipt of two call ins before Christmas. Consequently it is confirmed that the Board will be attending the next meeting on 23 February instead.

- A press release was issued on 7 December 2016, and is attached at the Appendix to this report.

Updates

- **Local Government Association (LGA)**

Councillor Mark Hawthorne MBE, Chairman, LGA People and Places Board; and Councillor Sir Richard Leese CBE, Chair LGA City Regions Board have written to Councillor Finch as the Council's Leader to invite Essex County Council to be involved in a programme of work to design a model for a locally integrated service for employment and skills.

An update will be provided at the meeting.

- **Questions for the Cabinet Member**

As part of the planning for this meeting Councillor Kendall, a member of the original Task and Finish Group that undertook the in depth investigation, took the opportunity to propose the following questions that he wished the Cabinet Member to answer at the meeting:

‘Recommendation 1 - What steps is he going to take to ensure that Scrutiny Committee members get proper feedback from the Essex Employment & Skills Board on this report? Does he agree that one of the Board should come before the Committee to give their collective view on the report?

(Note The Chairman on behalf of the Committee invited the Board to a Committee meeting in line with Minute 7/ October 2016. The invitation has been accepted, and arrangements are being made for the Board to be represented at the Committee meeting on 23 February)

Recommendation 5 - Councillor Bentley is meeting with Councillor Gooding to discuss parity of vocational and academic attainment. Can we have some feedback from that meeting?

Recommendation 6 - Can Councillor Bentley ask an Essex MP to sponsor this report and push it forward at Westminster?

Recommendation 13 - What progress has been made on transport connectivity?

Recommendation 15 - A third of schools in Essex do not have employability for life. What steps are being taken to improve this situation?

Does Councillor Bentley support feasibility work being done around an ECC Traded Connexions type service?

NEET numbers are down in Essex, but what else can be done to drive them down further?

Recommendation 16 - Can all members be sent a copy of the final version of the White Paper report?’

At the meeting in October 2016 (Minute 7) Councillor Kendall had also sought reassurance that on an officer level a person would be identified as accountable for taking the delivery of the recommendations of the Scrutiny Report forward, and maximise the benefits that could accrue from the Scrutiny Committee’s in depth investigation.

Action required by the Committee at this meeting:

To seek clarification on any outstanding points in relation to the Cabinet Member’s written response to the Jobs, Welfare and Skills Scrutiny Report, and note feedback received.

Response from Councillor Bentley dated 3 October 2016

Dear Derrick

Many thanks for inviting me to the recent Place Services Scrutiny Committee to discuss the Jobs, Skills and Welfare Report. As I made clear at the meeting, I very much welcome the findings of the report and am grateful for the depth of work that has gone into this. ECC has been lobbying on an ongoing basis for greater devolution of skills funding and responsibility from central government for some time now – whether it be through ministerial contact, meetings with senior Civil Servants, the ongoing Essex devolution discussions, or contributions to policy and lobbying of membership organisations such as the LGA. We have also shown a great commitment to ensuring that skills provision is shaped by economic need by establishing an Employment and Skills Board. I'm also pleased to report that this has been recognised by other Councils who are looking to implement this approach in their own areas.

Time has moved on since the report was first put together and the points regarding the need for a place based approach I'm hopeful will be resolved as part of the upcoming Essex Area Review. We have a good opportunity to make the case for more localised control and more business-led approach. Alongside any future discussions with government around devolution more generally I feel that this is the best way to target our approach. I would also support the committee should it wish to make its own representations to Government regarding the importance of local determination in setting the skills agenda.

In terms of the recommendations that you have made for ECC to act upon, I am more than happy to work with partners to look into each one of these suggestions and I have set out below my response to each individual recommendation as you requested me to do so below.

Please also let me know if you feel there is anything I can do to support you with the public affairs piece.

Best wishes
Cllr Kevin Bentley

A. That the Cabinet be recommended to lobby Central Government in the following matters:

- 1. To work more effectively with ECC and the employer-led Essex Employment and Skills Board to shape local provision for jobs, skills and welfare across the county to meet local needs.** Agreed, this has been at the heart of our ongoing calls for devolution of employment support, careers advice and skills.
- 2. To transfer responsibility for employment, skills, careers advice and welfare to work to ECC, so that it may determine multi-annual, area based budgets that deliver a more effective and responsive skills system, with the ability for**

capacity and provision to be adjusted to reflect changing local needs. We have made this case to Government previously and through our ongoing devolution discussions, we have made the case for accountability for these areas to be transferred to a new combined authority, with the strategic responsibility for overseeing delivery and decision making resting with an Essex Employment & Skills Commissioning Board, this being a strengthened version of the existing Essex Employment and Skills Board (ESB).

3. To create a statutory duty that requires all education, employment, skills and welfare to work providers delivering in Essex to be accountable to ECC.

Wider reference to Education would pick up schools and would be in direct conflict with Government policy on academies. Our skills devolution asks would transfer all relevant post-16 budgets to a new combined authority thus making providers accountable to it through contractual arrangements and payment by results models.

4. To implement a single overarching strategy framework across the DWP, BIS, DfE and other relevant Departments to support systemic change that gives autonomy to local areas to design, commission and deliver local provision that meet local needs. I agree and devolution of skills as I've set out would provide this.

5. To introduce national indicators and incentives for schools, which recognise the parity of vocational and academic attainment, and measure employability as well as employment outcomes. I will meet to discuss this point specifically with Cllr Gooding as this falls within the Education and Lifelong Learning Portfolio and report back accordingly.

6. To remove existing barriers to data sharing between Government departments and local partners:

a) To enable more effective multi-agency working with those individuals with the most complex needs; and

b) To track the success of interventions and individuals more effectively in order to evaluate the medium term economic and social impacts (costs and benefits) of employment, education, skills, careers advice and welfare interventions locally. Based on this evaluation, the best interventions to meet local needs long term can be determined.

I agree and this has been a continual ask of Government departments through both Community Budgets and Devolution processes.

7. To delegate greater autonomy to Jobcentre Plus district managers through the place based budgets so that where appropriate budgets can be pooled with local partnerships to deliver better outcomes for local communities. I agree and this would be a natural outcome of skills devolution as I've set out.

8. To enable greater local determination of national funding streams for more effective support of local projects, which deliver sustainable job outcomes in key growth sectors; and extend multi-agency and key worker approaches to vulnerable people (e.g. through ECC's Family Solutions) to enable them to move from unemployment and dependency to employment and independence. See responses to recommendations 1-4.

9. To work with ECC to develop a locally bespoke Work and Health Programme, based on appropriate unit costs, to improve the employment

prospects for the long term unemployed and for those with health problems.

Our preference would be to see this funding devolved as above, however, any devolution settlement would not be secured ahead of DWP's arrangements for its forthcoming Work & Health Programme. ECC officers have been part of an LGA working group that has attempted to reach agreement with DWP on a more localised programme that is better reflective of local needs and integrated with local services. At the time of writing this has not been successful and we await DWP's response following a meeting between the Minister for Disabled People, Health and Work and LGA board chairs.

10. To co-invest with ECC, using health and welfare funding, in employment and skills provision with a view to reducing more costly demand pressures for the NHS and DWP in the future. See response to recommendation 9. There would appear to be little appetite from DWP for this as the Work & Health Programme has provided a genuine opportunity for such co-investment, both from local authorities and through remaining European Social Fund. We will continue to work collectively through the LGA to lobby on this issue and pursue this through our devolution asks when we are clearer as to how devolution mechanisms might evolve.

B. That the Cabinet be recommended for ECC to act:

11. To work in partnership with local schools and employers to deliver clearer vocational pathways for young people aged 14 and over, improving careers advice and expanding the successful local education and industry programme to all schools to improve advocacy and signposting to young people by the end of March 2018. The ESB commissions annually the Skills Evidence Base, which identifies those parts of the economy most vital to our growth ambitions and where industry is experiencing and/or foreseeing skills shortages, high vacancies and difficulties in recruiting and retaining a skilled workforce. It has identified seven key sectors where we need to increase the pipeline of new talent entering employment, particularly from education.

With this as the backdrop the ESB, in partnership with ECC, oversees the "The Essex Education and Industry STEM Programme", currently working with 30 secondary schools across the county to improve their links to these key industry sectors, highlight the breadth of career opportunities and build links between students and employers, potentially culminating in Apprenticeships. As an example of how this programme has helped to develop clear pathways for students, the programme delivered a successful 'Construction Taster Day' in 2015/16, for 150 year 9 students, supported by the likes of Morgan Sindall, Kier, Lakehouse, Barnes Construction and Ingleton Wood. Now those students have moved to year 10, and to further develop their interest in the sector, we are working to secure a range of relevant industry visits and work experience placements over the coming months. When these same students move to year 11, we will refer those interested in Apprenticeships to our Apprenticeship Promotion and Brokerage team, to be matched to Apprenticeship opportunities.

This will be expanded in 2016/17 through funding we have secured from central Government's Careers Enterprise Company where we will establish formal links between companies in our key sectors and senior leadership teams in every one of the secondary schools in the county, in order to help schools better prepare their students for the world of work.

In addition, the ESB has produced new look key sector factsheets that will be made available to all school age students across Essex that will serve to promote future opportunities in each sector.

12. To develop a work experience programme involving public, private and voluntary sector organisations to support Essex pupils to be more work-ready, offering more opportunities for placements within ECC by the end of March 2018. See recommendation 11 above. The focus for internal ECC opportunities needs to be on possible Apprenticeships linked to the forthcoming Apprenticeship Levy and Apprenticeship targets that will be set for public sector organisations including ECC.

13. To work closely with skills, welfare to work and transport providers to identify ways of improving the transport connectivity that enable local people to access employment and skills opportunities. I will look into this but this will be challenging due to the viability of routes and budgets.

14. To collaborate with local CCGs and other Health partners to support those with physical and mental health issues into employment. Some of this is already being done. We are exploring how this might be more significant but instrumental to this is the need for local influence/tailoring of the Government's forthcoming Work & Health Programme, designed to support those furthest away from the job market back to work, particularly those out of work due to health reasons. See response to recommendation 9.

15. To consider the feasibility and delivery of the following pilot projects by March 2018:

(a) To create a clearer vocational route for individuals from age 14, working with schools and skills providers; See response to recommendation 11. Building upon the work with employers and schools, we are in parallel working closely with our skills providers to ensure that there are increased opportunities for individuals to undertake vocational routes in priority sectors. Through the ESB we are:

- ensuring that our provider base is responding to industry and offering industry relevant qualifications. An example of this is the work that we have been doing with Colchester Institute to help them to begin delivery of new IT and digital related apprenticeship standards developed through the Government's Apprenticeship trailblazer initiative. Some of these qualifications will begin delivery in September 2016 with more to follow from May 2017.
- ensuring that colleges have sufficiently qualified teaching staff with appropriate industry experience through the establishment of a Tutor Golden Hello and Training Grant Programme. This programme is a direct response to feedback received from providers that they are unable to offer employer led qualifications due to either not being able to offer competitive salaries to attract staff from industry or not having sufficient funding to upskill existing staff. This programme will run through the 2016/17 financial year and has the ambition to upskill or recruit a minimum of 30 tutors therefore positively impacting on the vocational training of hundreds of young people throughout Essex.
- developing a Tutor CPD programme which has so far provided opportunities for more than 30 engineering and manufacturing tutors to

gain a better insight into local industries and businesses, the technology and processes they use, the roles that they have available and the skills challenges these employers face. These insights have directly helped providers with curriculum development, lesson planning and have enabled them to provide enhanced information, advice and guidance to their students. We will be exploring how to roll this activity out to all of the ESB priority sectors in 2016/17 and beyond.

- co-investing ECC capital funding in technical facilities in our colleges that enable students to be taught the advanced and higher level technical skills in industry standard conditions and technology. A number of skills capital projects have already been completed or are underway, focusing on the ESB's priority sectors. These include the;
 - construction of an Advanced Manufacturing and Engineering Centre in Harlow, funded by Harlow College with match funding from SELEP and ECC. The Centre is scheduled to open in December 2016.
 - creation of a STEM Innovation Centre, Braintree, funded by Colchester Institute with match funding from SELEP and ECC. The Centre is scheduled to open in Spring 2017.
 - purchase of specialist training equipment to support enhanced curriculum delivery in advanced manufacturing and engineering, care, construction, health, IT and digital.
 - Support to Single Local Growth Fund capital bids for new technical facilities at Stansted Airport, in Colchester, in Basildon and in Braintree, the results of which we should know at the Autumn Statement.

(b) To expand multi-agency and key worker approaches, employed by ECC's Family Solutions Service, to wider cohorts of disadvantaged and vulnerable residents in Essex. See response to recommendation 14. This is part of a wider issue of how to support those who are a distance from the job market.

(c) To develop industry focused careers information for schools, supporting RoQA accreditation and extending the education and industry programme and Employability for Life resources to all Essex schools. See recommendation 11. ROQA is well supported and about 2/3 of our schools either have the award, are refreshing their award or are in the process of working towards it. Arrangements for the Employability for Life Charter to be accessed on-line by schools are in process.

(d) To develop invest to save initiatives through early intervention and prevention, and to reduce welfare dependency and costs to health services in the future. See response to recommendation 14.

(e) To investigate the feasibility of an ECC traded Connexions type service. We can do some feasibility work around this though there would be existing competition from Southend and Thurrock's Connexions services and other private concerns. We believe Southend's continues to be subsidised by the unitary authority. We should recognise that the numbers of 16-19 year olds who are NEET (not in employment, education or training) have been at record low levels in Essex over recent years, thanks to new arrangements in place and without an ECC Connexion service.

16. With particular reference to the forthcoming Work and Health White Paper, the Committee wishes to be afforded an opportunity to input into the County Council's consultation response to the Government and Select Committees, and for the conclusions reached in this scrutiny report to be reflected in that response. This White Paper is due out for consultation at the end of October. I would be very happy to share with you the final version of the report. Some of the conclusions in it will I'm sure be reflective of some of the recommendations within this paper.

PressRelease

Communications PO Box 11, Chelmsford CM1 1LX

07 December 2016

PR 5980

Key role for Essex County Council in developing employment and skills

Narrowing the skills gap in the county is vital to maintain the county's position as a major engine for UK growth and Essex County Council has a key role to play in this, according to Cllr Derrick Louis, Chairman of the Place Services and Economic Growth Scrutiny Committee.

Following an investigation by that Committee, which examined employment, skills, careers advice and welfare to work in Essex, the Council is writing to Government Ministers asking for greater powers to deliver schemes locally.

The Scrutiny Committee's report 'We can work it out', concludes that Essex County Council is better placed to take the lead in providing employment and skills.

Essex County Council is at the heart of skills programmes in the county, working more closely with schools, businesses and employment services locally. The Council is lobbying the Government for greater independence to deliver more effective co-ordination and provision of employment, skills, careers advice, and welfare to work to deliver better outcomes for local residents and businesses.

Councillor Derrick Louis, Chairman of the Place Services and Economic Growth Scrutiny Committee, said: "Essex is a key engine for the UK's economic growth as a number of innovative and forward thinking businesses invest in the county. We want to make sure that we have the skills these businesses need to continue to grow and prosper and that the people of Essex can play a role in and benefit from this growth. "We want the people of Essex to share in the county's growing economy and we want companies to be able to expand in Essex, safe in the knowledge that there is a skilled and enthusiastic workforce right on their doorstep. Having made our report to Cllr Kevin Bentley, Deputy Leader of ECC and Cabinet Member for Economic Growth, Infrastructure and Partnerships, he has welcomed our report and agreed to take forward the relevant recommendations including supporting the Committee as it lobbies government."

The full report ['We can work it out: The case for a locally determined employment, skills, careers advice and welfare to work system in Essex'](#) is available online.

		AGENDA ITEM 7
		PSEG/03/17
Committee:	Place Services and Economic Growth Scrutiny Committee	
Date:	17 January 2017	
THIRD PARTY RESPONSIBILITIES AND FLOOD ENFORCEMENT SCRUTINY REPORT: UPDATE (Minute 6/ 22 September 2016)		
Enquiries to:	Christine Sharland, Scrutiny Officer Christine.sharland@essex.gov.uk	

Purpose of report

To receive an update from Cabinet Members on the following recommendations 2 and 3 set out in the above scrutiny report:

‘2. That the Cabinet Members for Transport, Planning and Environment; Infrastructure; and Highways Delivery be requested to provide progress reports to the Committee on the following matters in June 2016 so that the outcomes of the particular pieces of work identified can be reviewed:

- (1) The Committee supports those projects such as the LLFA ‘Where does water go?’ that is assisting in the mapping of watercourses and the development of highways asset databases that will contribute to the creation of comprehensive records for more effective flood management across Essex in the future. An update is requested on the production of the databases that are being developed to enhance flood management.
- (2) Given the benefits that could accrue from the co-ordination of LLFA and HA activity, the Committee welcomes the steps taken so far to formalise flood enforcement activity. Nevertheless an update is sought on what outcomes may accrue as a result of the Teams working more closely together and the formal Memorandum of Understanding (MoU).
- (3) Given the implications for enhanced enforcement activity, the early success of the Maldon Highway Enforcement Pilot Project is welcomed by the Committee. Consequently when that Project is reviewed in early 2016 the Committee would wish to receive an update on any proposals that may be considered by the Cabinet Member for extending the project to other parts of the county, and its impact upon local flood alleviation.

3. That, in view of the links between flood management and planning that the review has highlighted, the Cabinet Member for Transport, Planning and Environment be recommended to engage LPAs in the matter of:

- raising the profile of surface water drainage in strategic planning and development management in the way that flood management and preventative measures are implemented across Essex; and
- establishing the principle of seeking Community Infrastructure Levy (CIL) to address local flooding issues as appropriate eg ensure it is added to the strategic list for contributions.

The Cabinet Member is requested to provide the Committee with a response in April 2016.'

Background

In November 2015 (Minute 8) the Committee endorsed the Scrutiny Report 'Third Party Responsibilities and Flood Enforcement in Essex'. The scrutiny report contained five recommendations, which were duly sent to the relevant Cabinet Members. The Report can be accessed via the following link: [Scrutiny Report](#)

Alternatively the Scrutiny Report may be found on the Essex County Council website www.essex.gov.uk From the Home Page, click on 'Your Council', then on 'Meetings and Agendas', then on 'Public Documents' followed by 'Scrutiny Reports'. Finally, select the scrutiny reports from the list reports that have been published.

Interim Cabinet Member responses were reported to the Committee in March 2016 (Minute 8), and May 2016 (Minute 9).

On 22 September 2016 (Minute 6) Councillor Walsh, Cabinet Member for Environment and Waste, and Councillor Johnson, Cabinet Member for Highways and Transport, provided a detailed update in respect of recommendations 2 and 3 that relate to their Cabinet portfolios. The original briefing paper setting out that update is attached at the Appendix to this report.

The following link can be used to access the full report submitted to the Committee in September: [September committee report](#)

Analysis

Councillor Walsh, Cabinet Member for Environment and Waste, and Councillor Johnson, Cabinet Highways and Transport, have been invited to this meeting to give oral updates on those matters referred to in the aforementioned recommendations as they relate to their portfolios.

This item provides the Committee with a further opportunity to ask questions of Cabinet Members on matters relating to this particular Scrutiny Report with the aim of drawing this particular scrutiny project to a conclusion.

As part of the planning for this meeting Councillor Guggleilmi took the opportunity to propose the following questions that he wished Cabinet Members to answer at the meeting:

‘There is an on-going frustration at the lack of enforcement from Essex County Council (ECC), against riparians when complaints are raised with regard to properties, which have been subjected to flooding because of the lack of fulfilling their maintenance obligations.

Within the September briefing paper prepared by the Lead Local Flood Authority Manager on 22nd September 2016 (*reproduced at the Appendix to this report*), it is stated:

‘3.15 The pilot Highway Enforcement Project has built a strong working relationship with the Flood and Water Management Team, the immediate need to secure a memorandum of understanding with them to use the Land Drainage Act 1991 was fundamental to allow the Highways Enforcement Team to potentially recharge landowners who fail to undertake works to their watercourses.’

1. What progress has been made?
2. Have all Parish Councils in Essex been made aware of the “Where Does Water Go” (WDWG) projects, which involves Parish Council and other volunteer groups in mapping and collecting data on local ordinary watercourses?
3. Is there a clear Enforcement Strategy that sets out how ECC will respond and deal with alleged breaches?
4. Can Parish Councils be provided with some clear information on who to contact in case of flooding in their area? What response can they expect from ECC, especially in an emergency?
5. Is there a protocol in place with District and Borough Councils when flooding occurs, beside Gold Command in very extreme cases? In my particular situation Tendring DC has a very good track record when responding to a flood emergency, even though it is not their direct responsibility, but I am not aware that there is a formal agreement with ECC. Is this something that should be considered?’

Councillor Pond, who was a member of the original Task and Finish Group that conducted the in depth investigation, has drawn attention to the update sought in recommendation 2(3) on an evaluation of the Maldon pilot and its roll-out to the rest of Essex.

Action required by the Committee at this meeting:

To note the Cabinet Members' responses in respect of recommendations 2 and 3, and for Committee Members to clarify any related points that may be outstanding so that this particular review may be drawn to a final conclusion.

Note

Aside from the matters specifically referred to by the Cabinet Members as part of this item, two other recommendations from the scrutiny report will be the subject of separate items to this Committee namely:

- *At today's meeting there will be a briefing to provide an overview on how the County Council itself co-ordinates its own activities in order to identify and address overall infrastructure needs in Essex including flood risk management and preventative measures associated with new development (recommendation 4); and*
- *at the meeting on 23 February there will be an item about IS and Communications support in raising public awareness about the Council's services such as flood management (recommendation 5).*

Appendix



Cabinet Office
County Hall
Chelmsford
Essex CM1 1QH

To: Councillor Derrick Louis
Chairman of the Place Services and Economic Growth Scrutiny Committee

13 September 2016

Dear Cllr Louis,

Scrutiny Report on Third Party Responsibilities and Flood Enforcement

Having been closely involved in the scrutiny review itself, we are both mindful that the Committee would find it useful to have an update on the progress we have made in relation to those matters highlighted in the recommendations. Officers have developed the attached report helping to identify actions taken across our two portfolios to coordinate flood prevention and enforcement activity since the publication of the report.

With particular reference to recommendation 4 concerning *how the County Council itself co-ordinates its own activities in order to identify and address overall infrastructure needs in Essex including flood risk management and preventative measures associated with new development*, we confirm that work is underway to coordinate a cross-portfolio update to the Committee.

Similarly we understand that arrangements are to be made for the Committee to receive a briefing on IT and Communication support across the Council's frontline services including the Flood Management Team.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Simon Walsh', with a stylized, elongated flourish extending to the right.

Cllr Simon Walsh
Cabinet Member for Environment
and Waste

A handwritten signature in black ink, appearing to be 'Eddie Johnson', with a circular flourish at the top and a long, straight line extending downwards.

Cllr Eddie Johnson
Cabinet Member for Highways
and Transport

Report title: Third Party Responsibilities and Flood Enforcement in Essex Scrutiny Report; Update on recommendations	
Report to: Place Services and Economic Growth Scrutiny Committee	
Report author: Lucy Shepherd Lead Local Flood Authority Manager	
Date: 22 nd September 2016	For: Discussion
Enquiries to: Lucy Shepherd, Lead Local Flood Authority Manager, lucy.shepherd@essex.gov.uk ; John Meehan, Acting Head of Environment and Flood Management, john.meehan@essex.gov.uk ; Peter Massie, Head of Commissioning Essex Highways, peter.massie@essex.gov.uk	
County Divisions affected: All Essex	

1. Purpose of Report

To report back to the Committee on progress against the recommendations outlined in the Scrutiny Report on Third Party Responsibilities and Flood Enforcement in Essex.

2. Recommendations

- 2.1 Note the progress made against the recommendations included within the Scrutiny Report on Third Party Responsibilities and Flood Enforcement in Essex.

3. Summary of issue

- 3.1 The Scrutiny Report on Third Party Responsibilities and Flood Enforcement in Essex was endorsed and published by the Place Services and Economic Growth Scrutiny Committee in November 2015. An update on progress towards delivering the recommendations outlined in the report is provided below by recommendation in sequence.
- 3.2 A full list of recommendations taken from the Scrutiny Report on 'Third Party Responsibilities and Flood Enforcement in Essex' has been highlighted within **Appendix 1**.
- 3.3 Befitting the partnership approach to this piece of work Action points falling within the remit of both Essex County Council's (ECC) Flood and Water Management Team and Essex Highways are covered within the report.

Recommendation 2a) Where Does Water Go?

- 3.4 The Committee requested:

'An update on the production of the Where Does Water Go databases that are being developed to enhance flood management.'

- 3.5 Where Does Water Go (WDWG) projects involve Parish Council and other volunteer groups mapping and collecting data on local ordinary watercourses.
- 3.6 The project has been a great success and in 2015/16. We gained a total of 62 volunteers who have contributed 496 hours in total.
- 3.7 **Table 1** below shows those parishes or groups that have been involved in 2015/16, and those who we are engaged in new projects in 2016/17.

Table 1: Volunteer Groups involved in WDWG Project

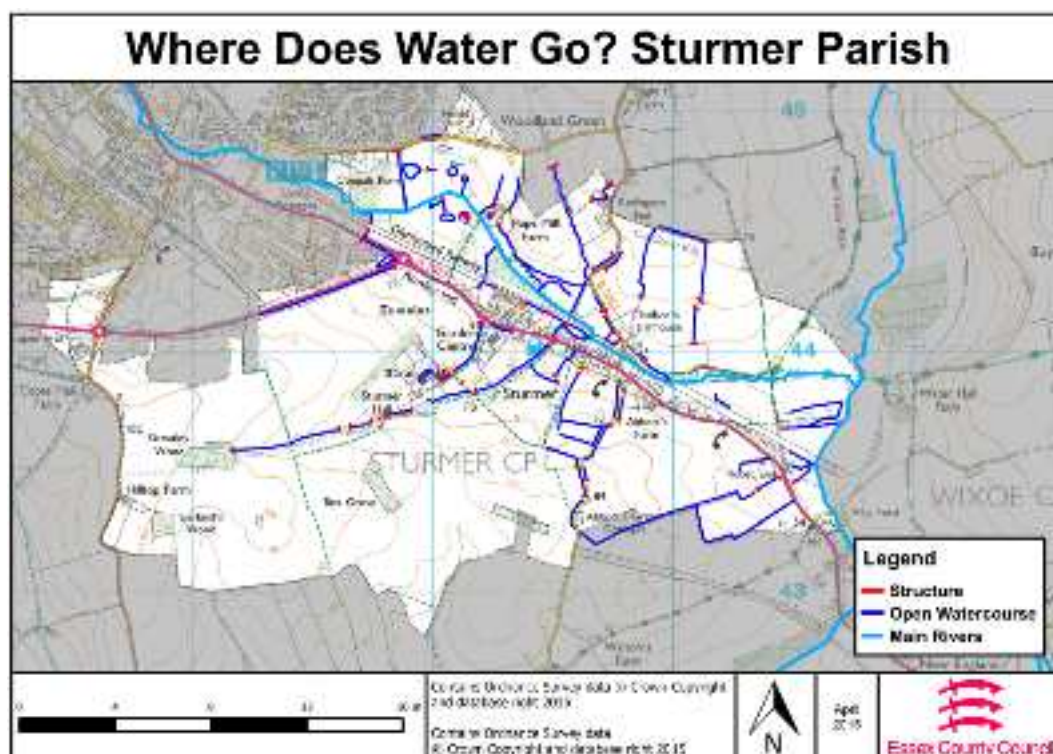
WDGW Projects 2015/16	WDGW Projects 2016/17
Canvey Island (Rural Areas)	Purleigh Parish Council
Rawreth (later dropped out)	Chapel and Wakes Colne
Halstead	Mundon
Wickham Bishops	Utling and Langford
Gold Hanger	Elsenham
South Woodham Ferrers	Berden
Steeple Bumpstead	Radwinter
Thaxted	Runwell PC
Coggeshall	
Bowers Gifford and North Benfleet	
Messing (later dropped out)	
North Fambridge	
Heybridge (later dropped out)	

- 3.8 ECC's Flood Assets Officer is currently in the process of digitising maps, photographs and reports collected by our volunteer groups in 2015/16. **Figure 1** demonstrates an example of a good dataset collected during a historic WDWG project with *Sturmer Flood Action Group*.
- 3.9 The datasets provided to us by volunteers are used by the Flood and Water Management Team to populate our flood risk 'Asset Register'. ECC have a statutory requirement to hold this register under the Flood and Water Management Act 2010.
- 3.10 On average our WDWG projects log 150 flood assets each, we've had 15 projects to date, so that's up to a third of our total asset database at just under 7000 assets.
- 3.11 Information is used on a daily basis as part of our watercourse regulation, and statutory planning role.
- 3.12 Known drainage assets are held in a highways database (*Confirm*) and information about them is being updated in line with Essex Highways delivery team work. For example, the gully records are updated as part of the gully cleansing programme, so that the levels of silt in each gully prior to cleansing

is loaded into the database. This will provide evidence to guide priority decisions concerning where to target available funds.

- 3.13 Where specific works are undertaken to assets, any formal data surveys will be uploaded to database also, for example, the work following the Canvey Island flooding incident will be used to update records in the database. This provides a growing understanding of assets and their condition.

Figure 1: Sturmer Flood Action Group dataset



Recommendation 2b) and 2c)- Highways and Flood Team joint Enforcement and MoU update

- 3.14 The Scrutiny Committee requested:
'an update on what outcomes may accrue as a result of the Teams working more closely together and the formal Memorandum of Understanding (MoU)', and that

'...Maldon Highway Enforcement Pilot Project... to receive an update on any proposals that may be considered by the Cabinet Member for extending the project to other parts of the county...'

- 3.15 The pilot Highway Enforcement Project has built a strong working relationship with the Flood and Water Management Team, the immediate need to secure a memorandum of understanding with them to use the Land Drainage Act 1991 was fundamental to allow the Highways Enforcement Team to potentially recharge landowners who fail to undertake works to their watercourses.

- 3.16 Landowner liaison has proved a very successful resolution as the Enforcement team has not had to proceed with any formal action to date. Having the ability to utilise the LDA 1991 under the MoU was a vital persuasive tool in the teams work, as the ability to recharge for works is not an option under the Highways Act 1980.
- 3.17 In total the pilot team dealt with just fewer than 100 enforcement cases during the project (including other highway matters such as overhanging vegetation and weight restrictions).
- 3.18 A further positive outcome was improved links with asset management and capital project teams to promote partnership and sharing of information, providing a more joined up service for the customer.
- 3.19 Traditionally Highways has had very limited resource to undertake enforcement issues. By working together with the Flood and Water Management Team, Highways has improved its legislation knowledge and more importantly its practicable application.
- 3.20 Further to a number of meetings to discuss the pilot outcomes, the project came to an end in March 2016. However, recent developments have now meant that additional funding has been made available to extend the Enforcement Pilot for a further 12 months, with an expected start in October 2016. The team will target known flooding sites that coincide with proposed maintenance works on areas of the network with lower condition scores. This will mean that not only are flooding issues remedied, but that benefit of capital investment in roads maintenance is maximised.

Recommendation 3) Flood and Water Management and Planning

- 3.21 The Scrutiny Committee requested:

'raising the profile of surface water drainage in strategic planning and development control in the way that flood management and preventative measures are implemented across Essex; and
- 3.22 Officers have been regularly attending the Essex Planning Officers Association Development Management Forum to raise the profile of surface water drainage and flood risk in strategic planning.
- 3.23 Recent relationship meetings have taken place with the majority of LPAs to review progress during ECC's first year as a statutory consultee for surface water flood risk on major planning applications (10+ homes, building floorspace 1000sq.m+ or 1ha+). We also presented key statistics in a report to the Essex Flood Partnership Board in April 2016.
- 3.24 The Essex SuDS Design Guide (Figure 2) and SuDS Adoption Policy are actively promoted amongst partners. In addition, we also contributed to the drafting of the Essex County Council Developers Guide to Infrastructure

Contributions. We will continue to encourage the pre-application discussion with us, both directly with developers and via LPAs.

'establishing the principle of seeking Community Infrastructure Levy (CIL) to address local flooding issues'.

- 3.25 Flood and Water Management Officers have also been working closely with colleagues from spatial planning to respond to Local Plan consultations, Infrastructure Delivery Plans and CIL consultations, CIL 123 list and funding gap consultations.

Figure 2: SuDS Design Guide



- 3.26 Our aim is to actively promote our Surface Water Management Plans as the primary evidence base for LPAs to determine their flood risk management infrastructure, and also to provide an indicative idea of the cost of delivery.
- 3.27 To date we have successfully secured developer S106 contributions for flood alleviation schemes in Castle Point Borough Council and Colchester Borough Council.

Recommendation 4: Infrastructure update

- 3.28 Work is underway to coordinate a cross-portfolio update to the Committee on ECC and partners approach to infrastructure, including flood elements.

Recommendation 5: IT and communications support

- 3.29 The Flood and Water Management team are working closely with IT and Communications support around Recommendation 5, and will provide case study material for the proposed briefing to the Scrutiny Committee.
- 3.30 The Flood and Water Management team are continuing to work with IT to improve:
- The performance of mapping tools;
 - information sharing across teams;
 - use of social media; and
 - new software that will improve the service.

4. List of appendices

Appendix 1: Recommendations from the Scrutiny Report on 'Third Party Responsibilities and Flood Enforcement in Essex'

5. List of Background papers

None

APPENDIX 1

List of Recommendations taken from the Scrutiny Report on Third Party Responsibilities and Flood Enforcement in Essex

1. That the Cabinet Member for Transport, Planning and Environment; Infrastructure; and Highways Delivery be advised that the Committee commends the LLFA and HA for the positive way that they are taking forward the County Council's flood management role, and in particular the framework of preventative measures being developed as featured in this scrutiny report.
2. That the Cabinet Members for Transport, Planning and Environment; Infrastructure; and Highways Delivery be requested to provide progress reports to the Committee on the following matters in June 2016 so that the outcomes of the particular pieces of work identified can be reviewed:
 - a) The Committee supports those projects such as the LLFA 'Where does water go?' that is assisting in the mapping of watercourses and the development of highways asset databases that will contribute to the creation of comprehensive records for more effective flood management across Essex in the future. An update is requested on the production of the databases that are being developed to enhance flood management.
 - b) Given the benefits that could accrue from the co-ordination of LLFA and HA activity, the Committee welcomes the steps taken so far to formalise flood enforcement activity. Nevertheless an update is sought on what outcomes may accrue as a result of the Teams working more closely together and the formal Memorandum of Understanding (MoU).

c) Given the implications for enhanced enforcement activity, the early success of the Maldon Highway Enforcement Pilot Project is welcomed by the Committee. Consequently when that Project is reviewed in early 2016 the Committee would wish to receive an update on any proposals that may be considered by the Cabinet Member for extending the project to other parts of the county, and its impact upon local flood alleviation.

3. That, in view of the links between flood management and planning that the review has highlighted, the Cabinet Member for Transport, Planning and Environment be recommended to engage LPAs in the matter of:

- raising the profile of surface water drainage in strategic planning and development control in the way that flood management and preventative measures are implemented across Essex; and
- establishing the principle of seeking Community Infrastructure Levy (CIL) to address local flooding issues as appropriate eg ensure it is added to the strategic list for contributions.

The Cabinet Member is requested to provide the Committee with a response in April 2016.

4. That the Cabinet be requested to provide the Committee with a briefing paper in Spring 2016 that explains how the County Council itself co-ordinates its own activities in order to identify and address overall infrastructure needs in Essex including flood risk management and preventative measures associated with new development. The Committee will provide a scoping document setting out the key questions that it will ask the Cabinet to address.

5. That the Task and Finish Group conduct a short supplementary scrutiny review of the IT and Communications support provided for the delivery of frontline flood management services using the website and social media, with the aim of reporting to the Committee early in the New Year.

		AGENDA ITEM 8
		PSEG/04/17
Committee:	Place Services and Economic Growth Scrutiny Committee	
Date:	17 January 2017	
CALL IN OF DECISION - FP/686/12/16 PROPOSED ONE WAY 7.5 TONNES WEIGHT LIMIT ON OAK ROAD, RIVENHALL		
Enquiries to:	Christine Sharland, Scrutiny Officer Tele no 03330134569 Christine.sharland@essex.gov.uk	

On 12 December 2016 Councillor James Abbott called in - FP/686/12/16 Proposed one way 7.5 tonne weight limit on Oak Road, Rivenhall. A copy of his notification of call in is attached at Appendix A.

Councillor Abbott, as the Local Member, acquired the agreement of the Committee's Chairman to call the decision in.

For ease of reference a copy of the report accompanying the Cabinet Member's decision is attached at Appendix B.

A copy of the full decision papers can be found on the Council's website www.essex.gov.uk From the Home Page, click on 'Your Council', then on 'Meetings and Agendas', then on 'Decisions' and enter the full FP reference number.

Alternatively you can use the following electronic link:

http://cmis.essexcc.gov.uk/essexcmis5/Decisions/tabid/78/ctl/ViewCMIS_DecisionDetails/mid/422/Id/6997/Default.aspx

In line with normal practice an informal meeting was arranged for 9 January 2017 for Councillor Abbott to discuss his call in with Councillor Johnson, the Cabinet Member for Highways and Transport. However, as this agenda has been published prior to that meeting it will be necessary to provide an oral update confirming if the call in has been withdrawn formally following the informal meeting, or if it is referred to this meeting for the Committee's consideration.

A note of the informal meeting will be published with this agenda once it has been written and agreed following that meeting.

If this call in is not withdrawn following the informal meeting then it will be considered by the Committee at this meeting in which case the format that will be followed is set out below:

Format for the Committee's consideration of this Call In

The focus of any consideration by the Committee at today's meeting should be the Cabinet Member's decision to abandon the proposal to introduce a one way 7.5 tonne weight limit on Oak Road, Rivenhall, and in particular the specific reasons given for the call in as set out at Appendix A to this report. All parties to the call in will be reminded of the Committee's expectation that only the issues raised in the 'Notification of Call In' will be considered and that if anyone wishes to raise new matters then they may only do so with the permission of the Chairman.

In line with the Call In Procedure, the format for consideration of this call in will be held according to the following stages:

1. Councillor Abbott, as the local member who has called in the decision with the support of the Chairman, will be given the opportunity to make the case for calling in the decision, including an allocation of time to any other contributors whom he may wish to call as set out in stage 1 and 2.

Please note that 30 minutes in total is allocated for stages 1 and 2, and that everyone addressing the Committee should ensure that their speeches are relevant to an issue identified in the Notification of Call In, unless the Chairman agrees otherwise.

2. Other interested parties will then provide evidence to the Committee. A maximum of three minutes is allowed for each individual to address the Committee, and up to three witnesses will be permitted all subject to the discretion of the Chairman.
3. As the decision maker Councillor Johnson will then be given the opportunity to answer the case and seek to justify the decision taken, and he may call other contributors to support his case.

Please note that 30 minutes in total is allocated for this stage. Everyone speaking must ensure that their speech is relevant to an issue in the Notification of Call In, unless the Chairman agrees otherwise or they are responding to an issue raised at the meeting by the person calling in the decision.

4. There will then be an opportunity for other members of the Committee to ask questions of anyone who has provided information in support of or in opposition to the call in and to discuss any issues in open debate.
5. The Scrutiny Committee shall then consider whether:
 - to accept the decision be implemented without further delay;
 - to refer the decision back to the person who made it (i.e the Cabinet Member, Councillor Johnson) with such recommendations as the Committee think appropriate; or
 - to refer the matter to the Full Council (although Full Council cannot itself overturn the decision and can only itself allow the decision to be implemented or refer to the Cabinet Member who made it.

6. A member of the Committee must move a motion to do one of the above actions, and another member must second that motion. The Committee will then vote upon that motion.

Action required by the Committee:

The Committee will be advised in advance of this meeting of the outcome of the informal meeting and confirm what action may be necessary at this meeting.

If the call in is referred to the Committee for consideration then the procedure set out above should be followed. Ultimately a member of the Committee must move a motion to do one of the following actions:

- **to accept the decision be implemented without further delay;**
- **to refer the decision back to the person who made it (i.e the Cabinet Member, Councillor Johnson) with such recommendations as the Committee think appropriate; or**
- **to refer the matter to the Full Council (although Full Council cannot itself overturn the decision and can only itself allow the decision to be implemented or refer to the Cabinet Member who made it.**

Another member of the Committee must second that motion. The Committee will then vote upon that motion.

Appendix A

Notification of Call-in

Decision title and reference number Proposed One Way 7.5 tonne weight limit on Oak Road, Rivenhall Ref FP/686/12/16	
Cabinet Member responsible Councillor Johnson, Cabinet Member for Highways and Transport	Date decision published 7 December 2016
Last day of call in period 12 December 2016	Last day of 10-day period to resolve the call-in 12 December 2016

Reasons for Making the Call in

I wish to call in this decision as it is flawed on a number of grounds.

The documents do not include any specific information to evidence the concerns of the farmer in terms of the location of the field in question and his grain store. I think I know where these are located, but someone reading these decision papers not familiar with the area would likely have very little idea as to what is being discussed.

In any case it should be possible to amend the order to allow for specific access. The objector already is allowed access via the existing weight restriction in Oak Road for his agricultural vehicles so presumably could for the new order.

There is no evidence in the decision as to how many HGVs of the objector would need to be diverted (if there is a need) in any given time period. It is believed that reference is being made to an arable field which has an access from Oak Road. If the field is the one I believe it to be, the grain store can be accessed off Braxted Road directly without diversion - as HGVs can still go in that direction. Furthermore, the proposed weight restriction does not extend to any part of Braxted Road and so access is not altered at all in or out of that location.

The documents do not explain that there was unanimous support for the proposal from residents of Oak Road, whose safety is directly threatened by having HGVs running down the footways, sometimes very close to their homes. They regularly ask me about the progress of this longstanding scheme and having spent years working it through its various stages they will be shocked if it is abandoned at this late stage.

The same objector raised a series of access concerns about another BDLHP scheme at the railway bridge in respect to his agricultural HGVs and amendments were made to accommodate his requirements and that scheme has now been implemented.

There is no evidence supplied to explain why up to 16 additional HGVs could be diverted through Kelvedon and Feering by the new order. Only HGVs that currently access the A12 northbound via Oak Road would be the ones being diverted. Those HGV drivers are trying to get on to the A12 northbound and would similarly do so via the Colemans bridge junction after being diverted. There is no reason given as to why such drivers would choose to turn off to Kelvedon and Feering when they have achieved their objective of getting on to the A12 northbound.

Finally, the decision to abandon this very long standing and strongly supported scheme is not a balanced one. The benefit to local residents of reducing HGV traffic along Oak Road and greatly reducing incidents of vehicles running down the footways greatly outweighs what would appear to be the diversion of a likely relatively small number of local agricultural HGV movements which it may be possible anyway to allow unfettered access for by amending the order and indeed the objector already runs his vehicles through the existing weight limit further along Oak Road.

Signed: Cllr James Abbott (The Place Services and Economic Growth Committee has given his agreement to the Local Member calling this decision in)	Dated: 12 December 2016
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Appendix B

Report title: Proposed One-Way 7.5 Tonne Weight Limit on Oak Road, Rivenhall	
Report to: Councillor Eddie Johnson, Cabinet Member for Highways and Transport	
Report author: Mike Thompson – Contract Director, Essex Highways	
Date: 22 November 2016	For: Decision
Enquiries to: Chloe Livingstone Chloe.livingstone@essexhighways.org / 07515 999663	
County Divisions affected: Witham Northern	

1. Purpose of Report

- 1.1 The Council has formally consulted on the introduction of a One-Way 7.5 Tonne Weight Limit on Oak Road, Rivenhall. We received an objection to this proposal and as a result the Cabinet Member is now asked to decide whether or not the scheme should be implemented.

2. Recommendations

- 2.1 It is recommended that the Cabinet Member agrees to implement Option B as set out in paragraph 4.2 below, to abandon the proposal, but agree that the proposal can be resurrected if necessary if improvements have been made by Highways England to the A12 in the vicinity of the Rivenhall junction.

3. Summary of issue

- 3.1 Between 17 December 2015 and 14 January 2016, the Council formally consulted on the introduction of a One-Way 7.5 Tonne Weight Limit on Oak Road, Rivenhall, following a request from the Braintree Local Highways Panel.
- 3.2 The limit was requested in order to prevent heavy goods vehicles from passing each other on Oak Road. Due to its narrowness it is not possible for such vehicles to pass each other without mounting the footway. This is considered to be a risk for pedestrians and to private property at this location where dwellings are situated directly at the back of the footway. It is also likely to cause damage to the footways and street furniture.
- 3.3 More than eight years ago a weight limit in both directions on Oak Road was consulted upon; however objections were received from Kelvedon Parish Council and Feering Parish Council on the grounds that there would be a possibility of an increase in heavy goods vehicles passing through their parishes.

- 3.4 Both Feering and Kelvedon have a large number of heavy goods vehicles passing through their villages already, due to the increase in traffic to and from Tiptree. It was felt that traffic diverted via A12 J23 (Kelvedon South), would continue to follow the signed route through Kelvedon and Feering, rather than returning to Rivenhall End via the A12 to use Braxted Road as a filter route. There was concern that the increase in number of heavy goods vehicles traveling through Kelvedon and Feering would have an impact on the residents' quality of life.
- 3.5 Although the signed route for all traffic from the A12 to Tiptree is the 'B' road network passing through Kelvedon and Feering, there is often congestion at peak times which would likely be exacerbated by an increase in heavy goods vehicles, and therefore the previous proposal was abandoned.
- 3.6 Subsequently the compromise of a one-way weight limit has been proposed to prevent heavy goods vehicles from passing each other, and therefore having to drive on the footways. This would mean that heavy goods vehicles would continue to be able to travel north on Oak Road and would not be displaced to a different route which may include Kelvedon and Feering.
- 3.7 Councillor Abbott and Essex Police are both in support of the current proposals. However, one objection was received to our consultation from a local farmer. The objection was on the grounds that there is a field which is only accessible from this stretch of road, and the farmer considers that agricultural vehicles would need to access this road from both directions. He also expressed concerns over the need for access to another property located on Braxted Road, since HGVs would need to transport goods between the two locations. The farmer felt that even if we offered an alternative proposal to allow access to the field, the additional time lost for HGVs having to detour to the A12 Witham junction before being able to turn around to head northbound on the A12, a route which would include a signalised junction and increased traffic volumes, would be enough reason to maintain his objection.
- 3.8 If the direction of the proposed one way order were to be reversed, the objection would be withdrawn. However, this would subsequently result in objections from Feering and Kelvedon Parish Councils on the grounds that this would likely lead to an increase in HGV traffic through those villages. This would be a new proposal and would require advertising.
- 3.9 Highways England currently have proposals to increase capacity on the A12 in both directions between junction 19 (north of Chelmsford) and junction 25 (A120 interchange). The requirement for our proposals is likely to be impacted by Highways England's scheme which is being designed at present and is scheduled for implementation in 2020.

4. Options

4.1 Option A: Implement the scheme as advertised

This would achieve the highway benefits as described above, however would not satisfy the objector and would potentially put this long-standing agricultural company out of business.

4.2 Option B: Abandon the scheme

This would satisfy the objector, however this would not achieve any additional highway benefits. It would, however, mean that this scheme is not implemented ahead of the proposed A12 improvements, which will allow opportunity for the scheme to be reassessed once we know what impact the Highways England scheme will have.

4.3 Option C: Implement the proposal with a reduced length (from a point south of the field access to its junction with the A12)

This would achieve the desired highway benefits, and would also partially alleviate the objection by continuing to allow the agricultural vehicles access to the field from both directions. As this is a lesser restriction, it would not need to be re-advertised. This will very largely achieve the highways benefits intended for the scheme.

4.4 Option D: advertise an alternative proposal with the reversal of the direction of the one way order

This would satisfy the objector and achieve the desired highway benefits. However, this would result in objections from Kelvedon and Feering Parish Councils on the grounds that this would likely lead to an increase in HGV traffic through those villages.

5. Issues for consideration

5.1 Financial implications:

- 5.1.1 The level 1 estimate cost for this scheme will be £35,000, which includes staff time, civil engineering works, traffic management and fee to be paid to Highways England in order to arrange an agreement for Essex County Council to carry out works on the A12. However, the scheme will need to go through target costing within the Commercial Team and additionally have a Road Safety Audit Stage 2 & 3. This scheme will be fully funded from the Braintree Local Highways Panel 2016/17 budget, of which is currently £407,789.

5.2 Legal implications:

5.2.1 The Road Traffic Regulation Act 1984 gives the Council a statutory duty to exercise its traffic functions to secure the expeditious, convenient and safe movement of traffic of all kinds, including pedestrians and to provide suitable and adequate parking facilities. So far as practical the council is also required to have regard to

- (a) the desirability of securing and maintaining reasonable access to premises;
- (b) the effect on the amenities of any locality affected so as to preserve or improve the amenities of the areas through which the roads run;
- (c) the importance of facilitating the passage of buses and their passengers.

5.2.2 Justifiable speed limits assist with the expeditious, convenient and safe movement of traffic and pedestrians.

5.2.3 In order to give advance it will be also be necessary to enter into a legal agreement with an external highway authority (Highways England) in order to implement signing works on the A12, and for the maintenance period of 12 months following the completion of the works.

6. Equality and Diversity implications

6.1 The Public Sector Equality Duty applies to the Council when it makes decisions The duty requires us to have regard to the need to:

- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc on the grounds of a protected characteristic unlawful
- (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
- (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

6.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

6.3 The equality impact assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic. The Equality Impact Assessment can be found in Appendix C.

7. List of appendices

Appendix A – Objection Report
Appendix B – Scheme Drawing No.
Appendix C – Equality Impact Assessment

8. List of Background papers

Consultation responses

I approve the above recommendations set out above for the reasons set out in the report.	Date
Councillor Eddie Johnson, Cabinet Member for Highways and Transport	6 December 2016

In consultation with:

Role	Date
Executive Director for Corporate and Customer Services (S151 Officer) Margaret Lee	Consent not needed
Monitoring Officer Paul Turner	28 November 2016
Essex Highways Vicky Presland on behalf of Mike Thompson	22 November 2016

		AGENDA ITEM 9
		PSEG/05/17
Committee:	Place Services and Economic Growth Scrutiny Committee	
Date:	17 January 2017	
CALL IN OF DECISION - FP/687/12/16 PROPOSED 20MPH SPEED LIMIT ON THE THREE ARCH AND EASTHAM ESTATE, BRENTWOOD		
Enquiries to:	Christine Sharland, Scrutiny Officer Tele no 03330134569 Christine.sharland@essex.gov.uk	

On 8 December 2016 Councillor David Kendall called in decision FP/687/12/16 proposed 20mph speed limit on the Three Arch and Eastham Estate, Brentwood. A copy of his notification of call in is attached at Appendix A.

For ease of reference a copy of the report accompanying the Cabinet Member's decision is attached at Appendix B.

A copy of the full decision papers can be found on the Council's website www.essex.gov.uk From the Home Page, click on 'Your Council', then on 'Meetings and Agendas', then on 'Decisions' and enter the full FP reference number.

Alternatively you can use the following electronic link:

http://cmis.essexcc.gov.uk/essexcmis5/Decisions/tabid/78/ctl/ViewCMIS_DecisionDetails/mid/422/Id/6998/Default.aspx

In line with normal practice an informal meeting was arranged for 9 January 2017 for Councillor Kendall to discuss his call in with Councillor Johnson, the Cabinet Member for Highways and Transport. However, as this agenda has been published prior to that meeting it will be necessary to provide an oral update confirming if the call in has been withdrawn formally following the informal meeting, or if it is referred to this meeting for the Committee's consideration.

A note of the informal meeting will be published with this agenda once it has been written and agreed following that meeting.

If this call in is not withdrawn following the informal meeting then it will be considered by the Committee at this meeting in which case the format that will be followed is set out below for ease of reference:

Format for the Committee's consideration of this Call In

The focus of any consideration by the Committee at today's meeting should be the Cabinet Member's decision to reject the proposals to introduce a 20mph speed limit on the Three Arch and Eastham Estate, Brentwood, and in particular the specific reasons given for the call in itself as set out at Appendix A to this report. All parties to the call in will be reminded of the Committee's expectation that only the issues raised in the 'Notification of Call In' will be considered and that if anyone wishes to raise new matters then they may only do so with the permission of the Chairman.

In line with the Call In Procedure, the format for consideration of this call in will be held according to the following stages:

1. Councillor Kendall as the councillor responsible for the call in will be given the opportunity to make the case for calling in the decision, including an allocation of time to any other contributors whom he may wish to call as set out in stage 1 and 2.

Please note that 30 minutes in total is allocated for stages 1 and 2, and that everyone addressing the Committee should ensure that their speeches are relevant to an issue identified in the Notification of Call In, unless the Chairman agrees otherwise.

2. Other interested parties will then provide evidence to the Committee. A maximum of three minutes is allowed for each individual to address the Committee, and up to three witnesses will be permitted all subject to the discretion of the Chairman.
3. As the decision maker Councillor Johnson will then be given the opportunity to answer the case and seek to justify the decision taken, and he may call other contributors to support his case.

Please note that 30 minutes in total is allocated for this stage. Everyone speaking must ensure that their speech is relevant to an issue in the Notification of Call In, unless the Chairman agrees otherwise or they are responding to an issue raised at the meeting by the person calling in the decision.

4. There will then be an opportunity for other members of the Committee to ask questions of anyone who has provided information in support of or in opposition to the call in and to discuss any issues in open debate.
5. The Scrutiny Committee shall then consider whether:
 - to accept the decision be implemented without further delay;
 - to refer the decision back to the person who made it (i.e the Cabinet Member, Councillor Johnson) with such recommendations as the Committee think appropriate; or
 - to refer the matter to the Full Council (although Full Council cannot itself overturn the decision and can only itself allow the decision to be implemented or refer to the Cabinet Member who made it.

6. A member of the Committee must move a motion to do one of the above actions, and another member must second that motion. The Committee will then vote upon that motion.

Action required by the Committee:

The Committee will be advised in advance of this meeting of the outcome of the informal meeting on 9 January and confirm what action may be necessary at this meeting.

If the call in is referred to the Committee for consideration then the procedure set out above must be followed. Ultimately a member of the Committee must move a motion to agree one of the following actions:

- **to accept the decision be implemented without further delay;**
- **to refer the decision back to the person who made it (i.e the Cabinet Member, Councillor Johnson) with such recommendations as the Committee think appropriate; or**
- **to refer the matter to the Full Council (although Full Council cannot itself overturn the decision and can only itself allow the decision to be implemented or refer to the Cabinet Member who made it.**

Another member of the Committee must second that motion. The Committee will then vote upon that motion.

Appendix A

Notification of Call-in

Please submit this form to governanceteam@essex.gov.uk.

Decision title and reference number Proposed 20mph Speed Limit on the Three Arch and Eastham Estate, Brentwood Decision reference FP/687/12/16	
Cabinet Member responsible Cllr Johnson. Cabinet Member for Highways and Transport	Date decision published 8 December 2016
Last day of call in period 13 December 2016	Last day of 10-day period to resolve the call-in
Reasons for Making the Call in I would like to call in this decision for the following reasons: 1) The report says that I offered no response to the informal consultation however I didn't receive any details of the consultation. Cllrs Morrissey and Wiles may also have not have responded for the same reasons but I know they both support the scheme. 2) I have sponsored this scheme all the way through the LHP process and have spoken up in support of it whenever it has appeared on a Brentwood LHP agenda so I am very keen for it to go ahead. 3) There are 9 roads in the scheme where speed surveys have been undertaken and only 3 are above 24 mph. One of the roads Beech Avenue is just over at 24.1mph. 4) There is widespread support for the scheme particularly from elderly residents and from families with children.	
Signed: Cllr David Kendall	Dated: 8 December 2016

Appendix B

Cabinet Member Decision

Report title: Proposed 20mph Speed Limit on the Three Arch and Eastham Estate, Brentwood	
Report to: Councillor Eddie Johnson, Cabinet Member for Highways and Transport	
Report author: Mike Thompson, Contract Director	
Date: 14/11/2016	For: Decision
Enquiries to: Chloe Livingstone Chloe.Livingstone@essexhighways.org / 07515 999663	
County Divisions affected: Brentwood South	

1. Purpose of Report

- 1.1. This report seeks permission to start the formal process for making a traffic regulation order in respect of a 20mph speed limit on the Three Arch and Eastham Estate located within the Brentwood South Division, Brentwood.

2. Recommendations

- 2.1 Authorise the publication of proposals to make a traffic regulation order to introduce a 20mph speed limit on the following roads for their entire length:

Orchard Avenue, Beech Avenue , Cherry Avenue, Hawthorn Avenue, Lime Avenue, The Limes, Maple Close, Oaktree Close, Rowan Green West, Rowan Green East, Boleyn Gardens, Knights Way, Eastham Crescent, St Stephens Crescent, Plashet Gardens, Thrift Green, The Boardwalk South, The Boardwalk North, Grangewood Close, Vernon Crescent, Saxon Close and Norman Crescent.
- 2.2 That the Director for Transportation and Infrastructure is authorised to make an order to implement the proposals if there are no objections to the scheme.

3. Summary of issue

- 3.1 The Brentwood Local Highways Panel have commissioned the implementation of a 20mph speed limit on the Three Arch and Eastham Estate in Brentwood.
- 3.2 Essex County Council (ECC) Policy states that mean speeds must be below 24mph for a 20mph speed limit to be introduced.
- 3.3 Speed surveys were most recently carried out in November 2015 on the roads within the Estate. The mean speeds recorded were:
 - Cherry Avenue: 27.1mph
 - Hawthorn Avenue: 21.0mph
 - Orchard Avenue: 25.8mph

- Knights Way: 23.5mph
 - Eastham Crescent: 23.4mph
 - St Stephens Crescent: 15.2mph
 - Lime Avenue: 19.3mph
 - Beech Avenue: 24.1mph
 - Vernon Crescent: 20.4mph
- 3.4 Cherry Avenue, Orchard Avenue and Beech Avenue have mean speeds above 24mph which is outside of ECC Policy.
- 3.5 The Department for Transport has published a policy on speed limits in Circular 01/2013. The Council has an adopted Essex Speed Management Strategy. The need to change speed limits can arise for many reasons, including changes in traffic flows and volumes, changes to the topography of an area (e.g. if new development takes place) and changes to policy and practice or a change in patterns of traffic incidents.
- 3.6 ECC therefore keeps speed limits under review. Where Officers consider that the speed limits on the length of highway should be changed, the proposal is advertised in the press and by site notices. In addition specific consultation is undertaken with the police, other local authorities and the County Councillor(s) for the local Division. Those consultees are asked to respond to the consultation and indicate whether or not they support the proposal.
- 3.7 It is proposed to implement a 20mph speed limit at the below locations and as shown on Drawing No. DC5175/00/001 (Appendix 1):
- Orchard Avenue for its entire length.
 - Beech Avenue for its entire length.
 - Cherry Avenue for its entire length.
 - Hawthorn Avenue for its entire length.
 - Lime Avenue for its entire length.
 - The Limes for its entire length.
 - Maple Close for its entire length.
 - Oaktree Close for its entire length.
 - Rowan Green West for its entire length.
 - Rowan Green East for its entire length.
 - Boleyn Gardens for its entire length.
 - Knights Way for its entire length.
 - Eastham Crescent for its entire length.
 - St Stephens Crescent for its entire length.
 - Plashet Gardens for its entire length.
 - Thrift Green for its entire length.
 - The Boardwalk South for its entire length.
 - The Boardwalk North for its entire length.
 - Grangewood Close for its entire length.
 - Vernon Crescent for its entire length.
 - Saxon Close for its entire length.
 - Norman Crescent for its entire length.

- 3.8 The Council must undertake a statutory consultation process on proposals to make an Order. The Council must place a public notice, notify local residents and consult District and Parish Councils along with the emergency services, utilities and any NHS trust in the area.
- 3.9 Once the consultation process has been undertaken the Council may make the order if it is satisfied that it is advantageous to make the order whilst considering all the representations, despite the mean speeds of Cherry Avenue and Knights Way being outside of ECC Policy.
- 3.10 The Council undertook an informal consultation on proposals, consultees were asked to respond stating whether or not they supported the proposal. The result of this consultation was as follows:
- The Chief Constable does not support this scheme as some of the speeds recorded were too high to meet ECC's own criteria to implement a 20mph limit. Concern was also expressed as to the location of the speed data taken in Knights Way. It was stated that it was highly likely that speeds would have been significantly higher if data had been taken closer to Running Waters / Pondfield Lane.
 - County Member David Kendall was consulted but raised no objection.
 - Brentwood District Councillors Andrew Wiles and Julie Morrissey were consulted but raised no objection.
 - Brentwood District Councillor Gareth Barrett was consulted and supports the scheme
 - Network Management did not oppose the scheme given that the proposal would be facilitated by mass signage. It was stated however that speed compliance was already very good in most cases. It was emphasized that monies spent on the implementation of the proposal may not result in any further improvements to speed.
- 3.11 The statutory consultation process can now be undertaken using the descriptions set out in Paragraph 3.7 and Appendix 1 (DC5175/00/001).

4. Options

- 4.1 Option A - Authorise the publication of proposals to make a traffic regulation order to introduce a 20mph Speed Limit on the Three Arch & Eastham Estate, Brentwood
- 4.2 Option B - Reject the proposals to make a traffic regulation order to introduce a 20mph Speed Limit on the Three Arch & Eastham Estate, Brentwood

5. Issues for consideration

5.1 Financial implications:

The total estimated cost of the scheme is £35,000 which is being funded by the Brentwood Local Highways Panel. The costs of implementing this scheme can be met within this budget. The advertising and design element of the scheme is to be financed from this year's budget (£7,000) and delivered in this financial year. The implementation of the 20mph speed limit is expected to be delivered in the 2017/2018 financial year.

5.2 Legal implications:

The Road Traffic Regulation Act 1984 gives the Council a statutory duty to exercise its traffic functions to secure the expeditious, convenient and safe movement of traffic of all kinds, including pedestrians and to provide suitable and adequate parking facilities. So far as practical the council is also required to have regard to:

- (a) the desirability of securing and maintaining reasonable access to premises;
- (b) the effect on the amenities of any locality affected so as to preserve or improve the amenities of the areas through which the roads run;
- (c) the importance of facilitating the passage of buses and their passengers.

Justifiable speed limits assist with the expeditious, convenient and safe movement of traffic and pedestrians.

6. Equality and Diversity implications

6.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:

- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc on the grounds of a protected characteristic unlawful
- (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
- (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

6.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

6.3 The equality impact assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic. The Equality Impact Assessment can be found in Appendix 2.

7. List of appendices:

Appendix 1 - Site Plan (DC5175/00/001)

Appendix 2 - Equality impact assessment

8. List of Background papers

Essex Speed Management Strategy

(http://www.essexhighways.org/Uploads/Files/strategy_speed_management_strategy.pdf)

Vision for Essex 2013-2017 (http://www.essex.gov.uk/Your-Council/Strategies-Policies/Documents/Vision_for_Essex.pdf)

DFT Circular 01/2013

(https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/63975/circular-01-2013.pdf)

I do not approve the above recommendations set out above for the reasons set out in the report.	Date
Option B is selected (4.2 in the report) to reject the proposals.	6
Councillor Eddie Johnson Cabinet Member for Highways and Transport	December 2016

In consultation with:

Role	Date
Executive Director for Corporate and Customer Services (\$151 Officer)	Consent not needed
Margaret Lee	
Monitoring Officer	Consent not needed
Paul Turner	
Essex Highways	17 November 2016
Vicky Presland on Behalf of Mike Thompson	

		AGENDA ITEM 10
		PSEG/06/17
Committee:	Place Services and Economic Growth Scrutiny Committee	
Date:	17 January 2017	
WORK PROGRAMME		
Enquiries to:	Christine Sharland, Scrutiny Officer Tele no 03330134569 Christine.sharland@essex.gov.uk	

This report provides an update on the Committee's work programme.

➤ **Meeting 23rd February**

At the February meeting arrangements are being made to bring the following three matters forward for the Committee's attention:

1. Corporate Information Services (IS) and Communications Support to Frontline Services

This item has been deferred to the February meeting due to the number of items on today's agenda. Councillor Canning will attend the meeting together with officers to brief the Committee on the topic as highlighted in recommendation 5 set out in the 'Third Party Responsibilities and Flood Enforcement in Essex' Scrutiny Report.

Based upon the original scrutiny review contributors have been given the following key lines of enquiry to develop the content of the briefing:

- How does the County Council organise and manage the provision of IS and communication facilities to its frontline services?
- How is the provision of those services funded, and what is the impact upon the frontline services?
- What is the ability of individual Teams to take forward the delivery of their services using the internet and social media tools?
- Bearing in mind the importance of partnership working across organisations, what are the challenges faced by the Council in terms of compatibility between IS systems and how can problems be overcome?
- To what extent are the Council's own IS systems across the organisation integrated, and what is the programme for any necessary improvements?

- How is the future development of IS and communications being taken forward, and the implications for a frontline service?

2. Passenger Transport

A progress report on a number of new passenger transport initiatives will be provided for the Committee's consideration.

3. Essex Employment and Skills Board

The Essex Employment and Skills Board has accepted an invitation to attend this Committee meeting to provide information on its activities, as well as feedback on the Scrutiny Report: 'We can work it out: the case for a locally determined employment, skills, careers advice and welfare to work system in Essex'.

➤ Meeting 23rd March

At the March meeting Councillor Simon Walsh, Cabinet Member for Environment and Waste, will attend the meeting to update the Committee on the outcome of the changes recently introduced at the Recycling Centres for Household Waste in Essex.

➤ Call ins

Since the last meeting three call ins have been lodged:

(1) **FP/654/11/16 - Waiting restriction in Epping and Theydon Bois**

In November 2016 Councillor Jon Whitehouse supported by Councillors Kendall, Robinson, and Turrell called in decision FP/654/11/16 of the North Essex Parking Partnership (NEPP) with particular reference to the omission of Hornbeam Road, Theydon Bois, and Hartland Road, Epping from proposals to introduce waiting restrictions. However, the call in was subsequently withdrawn without recourse to an informal meeting as Councillor Whitehouse was given reassurance that there would be a recommendation to the next meeting of the NEPP Joint Committee to reinstate Hartland Road as a deferred scheme.

(2) **FP/686/12/16 Proposed one way 7.5 tonne weight limit on Oak Road, Rivenhall; and**

(3) **FP/687/12/16 proposed 20mph speed limit on the Three Arch and Eastham Estate, Brentwood**

These last two call ins will be the subject of separate informal meetings on 9 January 2017. The outcomes of those meetings will be reported to this meeting, and the background on each call in is set out in separate reports elsewhere in this agenda.

Action required by the Committee:

To note the contents of this report and arrangements underway for the Committee's meetings in February and March 2017.
