

# ESSEX COUNTY COUNCIL MEETING 10 July 2012

## Answers to Questions (Standing Order 16.11.3)

| Agenda Item 16(b)                          |                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| Written Questions (Standing Order 16.11.3) |                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 1.                                         | <p><b>By Councillor J Young of the Cabinet Member for Communities and Planning</b></p> <p>Would the portfolio holder for planning consult with the Chair of Essex Fire Authority to amend planning policies to promote the installation of sprinkler systems? Suffolk County Council and Suffolk Fire Authority have done a great deal to spread good practice in this area which we could learn from.</p>           |
|                                            | <p><b>Reply</b></p> <p>Thank you for your question.</p> <p>Essex County Council has no powers to create planning policy, and therefore it would be a decision for each District, Borough and City Council to formulate and adopt a policy of this nature, should they wish.</p> <p>However, I will undertake to raise this matter on your behalf at the next meeting of the Essex Planning Officers Association.</p> |
| 2.                                         | <p><b>By Councillor G Butland of the Cabinet Member for Education, Lifelong Learning and the 2012 Games</b></p> <p>What plans has he to tackle the issue of low academic achievement in Braintree District? Has his department identified the reasons for the district having the lowest percentage of pupils achieving 5+ A*- C grades GCSEs, during the period 2007-11, of any of the districts in Essex?</p>      |
|                                            | <p><b>Reply</b></p>                                                                                                                                                                                                                                                                                                                                                                                                  |

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|    | <p>While it is true that Braintree district has had the lowest level of achievement over the past five years for the percentage of pupils achieving 5 A*- C grades at GCSE, there has been a sustained improvement for the district from 52.7% in 2007 to 72.2% in 2011.</p> <p>Furthermore in the main indicator used for the measurement of school performance (achieving 5A*- C including English and Maths) the district is placed 7<sup>th</sup> in the County with an increase in performance of 10% over the past five years.</p> <p>There are a variety of challenges that have been identified in the district and a range of support specific to each school's individual needs has been implemented. A few examples include the County Council supported the closure of two poorly performing secondary schools in Witham, which were replaced by academies under the sponsorship of the Academies Enterprise Trust. This initiative was promoted by the Department for Education and was one of the first examples nationally of a high performing school converting to academy status and sponsoring two new academies to replace two lower performing schools. £50 million was invested to replace the buildings of the two schools, turned academies and these projects have just been completed.</p> <p>At Honywood School a new and innovative curriculum has been implemented and at Alec Hunter School a transition curriculum in English and Maths has been developed over the last two years, which sees pupils taught using the same methods at both Primary and Secondary schools. This has significantly reduced the dip in performance between the two phases.</p> <p>In the coming academic year, our efforts will be evaluated and built upon. The County Council is determined to find a balance of supporting our hardworking teachers and pupils while challenging them to raise their aspirations and reach their potential. But improvement will not come from just this alone and I would also encourage strong involvement from local councillors, school governors and parents all of whom are crucial parts of a thriving school community.</p> |
| 3. | <p><b>By Councillor D Kendall of the Cabinet Member for Highways and Transportation</b></p> <p>Would the Cabinet Member for Highways and Transportation please clarify the following points regarding the Greater Essex Bus Timetable</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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|  | <p>Book which was recently published by Here to There Publishing Limited :</p> <ul style="list-style-type: none"> <li>• What involvement have the Members and officers of Essex County Council had in the publishing of this book in terms of pricing, size, weight, size of print, prior to it going to print?</li> <li>• Which Bus User groups across Essex were consulted and asked for their views on this book prior to it being published?</li> <li>• When the last Bus Timetable Book was produced by Essex County Council for sale at £1, over 10,000 copies were sold. How many books do the County Council expect to be sold at the new price of £13.50?</li> <li>• Will the County Council consider subsidising any future Essex Bus Timetable Books to ensure that the pricing is affordable to the many bus users who have no internet access and who rely on the book for their bus information?</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|  | <p><b>Reply</b><br/>Thank you for your questions regarding the bus timetable. Please see my responses to your questions below:</p> <ul style="list-style-type: none"> <li>• <b>What involvement have the Members and officers of Essex County Council had in the publishing of this book in terms of pricing, size, weight, size of print, prior to it going to print?</b></li> </ul> <p>There is a misconception that the new bus timetable that retails at £13.50 is produced by Essex County Council. To clarify, this book is produced by a commercial company called 'Here to There Publishing'. They have taken it upon themselves to gain the information from traveline and we have no input on how the book is produced. The publishing company released their book at a time when ECC was not producing the bus timetable.</p> <ul style="list-style-type: none"> <li>• <b>Which Bus User groups across Essex were consulted and asked for their views on this book prior to it being published?</b></li> </ul> <p>We are not able to comment on the actions of 'Here to There Publishing' however we are monitoring the commercial book and gaining feedback from customers, while on a wider note we make our decision on how we will provide this information in the future. We are also currently in the process of assessing ECC's overall publications</p> |

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|    | <p>with an equality impact assessment and ECC's policy of moving printed publication towards digital by default.</p> <ul style="list-style-type: none"> <li>• <b>When the last Bus Timetable Book was produced by Essex County Council for sale at £1, over 10,000 copies were sold. How many books do the County Council expect to be sold at the new price of £13.50?</b></li> </ul> <p>Unfortunately, as the book is produced by a commercial company we cannot comment on their expected sales. However, I can give you some background on the old timetable book produced by ECC. It was sold through wholesalers to WH Smiths, local newsagents, Libraries and Travel Information Centres. The retail cost of the book was £1 but it actually cost £7.15 to produce (excluding ECC Staff Costs). In fact, due to the retail agreement ECC only received between 60-75p per book in revenue from sale of each book. Unfortunately the sales of the book had dropped considerably between 2009 and 2011. The last run of timetable books produced by ECC was released in June 2011. We produced 8,840 books and sold in the region of 4,700 copies. With sales being so poor the retailers were in the position of requesting less from ECC as stocks of the book were not shifting.</p> <ul style="list-style-type: none"> <li>• <b>Will the County Council consider subsidising any future Essex Bus Timetable Books to ensure that the pricing is affordable to the many bus users who have no internet access and who rely on the book for their bus information? '</b></li> </ul> <p>Fortunately there are already a wide range of alternative options for customers who do not have access to the internet. These include via telephone, at the roadside, individual service leaflets from Essex County Council and commercial bus operators and other publications such as the public transport map.</p> <p>However in line with my letter to you on 28 June 2012 regarding the same issue, I am looking into options to improve the issues with the timetable book for next year's publication.</p> |
| 4. | <p><b>By Councillor J Whitehouse of the Cabinet Member for Highways and Transportation</b></p> <p>How are incidents to Highways logged and how does this relate to the decision as to when repairs are carried out? One of my residents told me last week that £260 of damage had been done to her car by a pothole. When she telephoned Highways to report it, knowing that it had already been reported by another resident, she was told there was</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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|    | <p>no record of the previous complaints.</p> <p>The officer who spoke to her also said that there is no money to repair the potholes. In the light of the announcement about funding for potholes, will you please ensure that such erroneous information is not given?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|    | <p><b>Reply</b></p> <p>Thank you for your question.</p> <p>I am sorry to hear of the circumstances you have raised and that a resident feels they have not received the standard of service they would expect in their dealings with the Council. If you are able to provide me with details, I will look into the specifics of the case you mention.</p> <p>In terms of reporting potholes and other defects these are best reported using the facility on Essex County Council's website, <a href="http://www.essex.gov.uk/high/faultreporting">www.essex.gov.uk/high/faultreporting</a> or by telephoning the Contact Essex call centre on 0845 603 7631. Both of these reporting methods result in the pothole or defect being logged onto the database that will enable the progress of the inspection or repair to be tracked. I am pleased to confirm that a new facility, that will enable Members and Customers to track the progress of the potholes and defects they register online, is due to be introduced in the autumn.</p> |
| 5. | <p><b>By Councillor J Whitehouse of the Cabinet Member for Highways and Transportation</b></p> <p>Where does the North Essex Partnership sit in the Essex County Council structure, particularly relating to democratic accountability?</p> <p>Officers at NEPP are taking a very rigid line with regard to parking permits. Where does the Member discussion about such matters take place? How do Members influence the decisions?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|    | <p><b>Reply</b></p> <p>Thank you for your question.</p> <p>The North Essex Parking Partnership is one of two Joint Committees that have been delegated powers by the Council's Executive for car parking enforcement and administration. As a result the Joint Committees are responsible for decisions relating to those areas. The existence of the Joint Committees is acknowledged within the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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|  | <p>Council's Constitution and they are recognised as decision making bodies within their remit.</p> <p>The membership of the Joint Committees is the Cabinet Member for Highways at the County Council together with an Executive Member (where a Cabinet System is in existence) or appropriate Portfolio Holder (where a Committee system is in existence) of each member authority. The appointed members for NEPP are:</p> <p>Councillor Derrick Louis (Essex County Council)<br/>Councillor Susan Barker (Uttlesford District Council)<br/>Councillor Jon Clempner (Harlow District Council)<br/>Councillor Pam Sambridge (Tendring District Council)<br/>Councillor Wendy Schmitt (Braintree District Council)<br/>Councillor Gary Waller (Epping Forest District Council)<br/>Councillor Martin Hunt (Colchester Borough Council)</p> <p>The NEPP meets at least four times a year to discuss aspects of the NEPP, including collection charges for on street parking within permitted parking areas, the administration of residents parking schemes and collection of charges for permits, issuing penalty charge notices and the enforcement of the same, and deciding on how any surplus is reinvested in parking services.</p> <p>Each member authority is able to send up to two officers to support the Executive Member in attendance, and where appropriate the Joint Committee is able to request advice and guidance from officers with expert knowledge or arrange for expertise from an external source to be obtained. It is also open to the Joint Committee to consult on issues to be addressed within their authorities where necessary.</p> <p>In terms of Members discussing and influencing decisions there are three ways to do this.</p> <p>Firstly, on an informal basis, either myself as the Essex County Council representative, or Councillor Barker, who is the current Chairman, are always pleased to listen to any concerns and take them up on your behalf.</p> <p>Secondly, by attending the meeting where you will be able to take part in the public statements/questions session.</p> <p>Thirdly, all decisions of the Joint committee are subject to the County Council's call in provisions and scrutiny arrangements and are published on the ECC's website in the same way as a Cabinet member decision and provide an opportunity for scrutiny and challenge</p> |
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|    | <p>where necessary.”</p> <p>With regard to the specific issues you have raised, if you are able to provide me with details I will be happy to look into this matter further for you.”</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 6. | <p><b>By Councillor D Kendall of the Leader</b></p> <p>Would the Leader of the Council please clarify the following regarding the ‘<i>Essex Works</i>’ magazine:</p> <ul style="list-style-type: none"> <li>• When was the decision made to discontinue the Essex Works printed magazine and change it to an online e-magazine and who made the decision?</li> <li>• What is the cost of printing and distributing an edition of the Essex Works magazine and how many are printed per edition?</li> <li>• How much revenue does an edition of the Essex Works magazine generate from selling advertising space?</li> <li>• How are the many Essex residents, who do not have internet access, particularly the elderly, expected to receive the latest updates on Council services?</li> <li>• Why has this issue not been considered first by a Scrutiny Committee prior to a final decision being made?</li> </ul> |
|    | <p><b>Reply</b></p> <p><b>When was the decision made to discontinue the EssexWorks printed magazine and change it to an online e-magazine, and who made the decision?</b></p> <p>The decision to discontinue the EssexWorks printed magazine and change it to an online e-magazine was made in summer 2011 and ratified by Cllr Peter Martin. An email was sent to all councillors from Cllr Kevin Bentley informing them of this fact and setting out the rationale behind the move.</p> <p><b>What is the cost of printing and distributing an edition of the</b></p>                                                                                                                                                                                                                                                                                                                                               |

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| <p><b>EssexWorks magazine and how many are printed per edition?</b></p> <p>The previous printed magazine came out six times a year and was delivered to 600,000 homes in Essex, at a cost of about £500,000 a year – about £83,300 per edition. The recent “taster” magazine mailout, sent to the same amount of homes, cost £36,000.</p> <p>In March 2011, Communities Secretary Eric Pickles tightened up the publicity rules for councils to guard against campaigning with public funds and protect the local press. There are strict conditions on all publicity generated by local authorities, specifically to stop municipal newspapers or magazines being published more than four times a year. These provisions also extend to web-based editions of publications. Last week, he announced he was considering tightening these rules further.</p> <p><b>How much revenue does an edition of the EssexWorks magazine generate from selling advertising space?</b></p> <p>The previous printed magazine carried occasional in-house adverts, such as fostering or ACL, which brought in negligible amounts of revenue. In March and June 2011 (the final two printed magazines) external advertising was introduced to offset costs and this saved approximately £40,000 per issue. However, our advertising partner was unable to make this approach financially viable and the partnership was discontinued. Although incorporating advertising in the e-magazine is not part of current plans, it has not been ruled out for the future.</p> <p><b>How are the many Essex residents, who do not have internet access, particularly the elderly, expected to receive the latest updates on Council services?</b></p> <p>It is our priority to ensure those without internet access can still read the magazine and before undertaking this venture an Equality Impact Assessment was completed. Those without the internet at home can read the magazine in local libraries and we will encourage residents to share printed copies with friends and neighbours without internet access. In extreme cases, we have arrangements to print and post low resolution copies of the magazine for individuals who can access it in no other way. One of the reasons for the recent “taster” magazine mailout was to assess the effectiveness of this approach and evaluate if more needs to be done.</p> <p>The EssexWorks magazine is not a vehicle for communicating key service updates. It provides general information about what the Council is doing and celebrates the wider County of Essex. We have other vehicles for communicating updates to service users and those who might be impacted which are more targeted and take in to account</p> |
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|    | <p>the specific needs of the audience.</p> <p>Examples:</p> <ul style="list-style-type: none"> <li>• Self Directed Support – a step by step guide</li> <li>• Courses for people with learning disabilities</li> <li>• Hadleigh Farm London 2012 Olympic Games Mountain Bike Event</li> <li>• adoption newsletter</li> <li>• Information, Advice and Guidance (with the National Careers Service)</li> <li>• Sadlers Farm newsletter (highways update)</li> <li>• Fact sheets for transition pathways</li> <li>• Flyer for electrical appliance testing – for over 65s and adults with learning difficulties</li> <li>• Telecare information</li> </ul> <p><b>Why has this issue not been considered first by a Scrutiny Committee prior to a final decision being made? ’</b></p> <p>It is not feasible for every decision to go to a scrutiny committee. However, if a member of the appropriate scrutiny committee - in this case Executive Scrutiny - wished to raise it then he/she would request the chairman of that committee to put it on the agenda. This would then be for the chairman of the scrutiny committee to decide. If the chairman decides not to raise it as an issue then, (if the member wasn't happy) this could be raised at the Scrutiny Board for them to decide.</p> |
| 7. | <p><b>By Councillor G Butland of the Leader</b></p> <p>Would the Leader of the Council agree that:</p> <ul style="list-style-type: none"> <li>(i) housing conditions are a significant contributor to the issues that the Community Budgets pilot is seeking to address;</li> <li>(ii) local authorities and other public bodies such as, Central Government agencies and the Police, have substantial land banks which could be released for affordable and social housing;</li> <li>(iii) too often such bodies, quoting the Local Government Act 1972, seek only to obtain the best consideration possible when disposing of land and rarely use that part of the Act that allows a local authority or other public body to sell land at a consideration which is less than the best which can reasonably be obtained, if it considers the disposal “will help it to secure the promotion or improvement of the economic, social or environmental well-being of its area” provided the consideration foregone does not exceed £2m; and</li> <li>(iv) the use of this dispensation should be encouraged across the</li> </ul>                                                                                                                                                                  |

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|  | public sector in Essex and should figure prominently in the final submission to Government?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|  | <p><b>Reply</b></p> <p><b>Would the Leader of the Council agree that:</b></p> <p><b>(i) housing conditions are a significant contributor to the issues that the Community Budgets pilot is seeking to address;</b></p> <p>Yes, the community budgets work is looking at 4 main thematic areas (Health and Wellbeing; Families with Complex Needs; Community Safety; and Economic Opportunity) and housing is an important 'enabling' and 'supporting' issue for these areas.</p> <p>Under the Assets Enabler workstream, it is proposed to develop a Single Estate Strategy for public sector assets in Essex. For participating authorities this will create a forum under which to review potentially surplus assets and their future uses. For participating Housing Authorities, this would place them in direct contact with other public sector land owners and the future of sites can be set out as options, including for provision of social housing.</p> <p><b>(ii) local authorities and other public bodies such as, Central Government agencies and the Police, have substantial land banks which could be released for affordable and social housing;</b></p> <p>Essex County Council does not hold a landbank of surplus land. The land we hold is predominantly surplus school sites. We work constructively with Local Planning Authorities to enable appropriate development of surplus ECC sites with a mixture of housing</p> <p><b>(iii) too often such bodies, quoting the Local Government Act 1972, seek only to obtain the best consideration possible when disposing of land and rarely use that part of the Act that allows a local authority or other public body to sell land at a consideration which is less than the best which can reasonably be obtained, if it considers the disposal "will help it to secure the promotion or improvement of the economic, social or environmental well-being of its area" provided the consideration foregone does not exceed £2m.</b></p> <p>'Best consideration', more commonly known as 'best value', does not mean (as the question notes) simply that the land is sold for the</p> |

highest value but that it can be used for other purposes such as the development of social housing. There are a number of instances across Essex where councils have disposed of land to housing associations for a nominal figure to facilitate regeneration or the development of social housing; for example Basildon Borough Council transferred its interests in Fryerns and Craylands to Swan Housing for £1. The impact of the Roanne case though does to an extent limit the (s123) clause and full OJEU procurement will be required if the activity is considered to be 'public works'.

In all property transactions, there is a balance when analysing what can be considered as 'best value' and how the disposal of an asset will contribute to the aims and objectives of the Local Authority. As such the provision of social housing is one of a number of considerations, alongside areas such as whether the use of the land will support economic development, or whether it will deliver a capital receipt that can be used to fund activities elsewhere.

ECC is not a housing authority and needs to consider reinvestment into one of its priorities such as highways and social care which have financial pressures of their own. ECC has contributed land to the value of £15m (in 2012 prices) towards the creation of 500 units social housing in the last 20 years using section 25 consent.

**(iv) the use of this dispensation should be encouraged across the public sector in Essex and should figure prominently in the final submission to Government? '**

It should be noted that this dispensation does not apply to all of the public sector and only Local Government.

However, as per the answer to question (i), the assets enabling work stream recognises the importance of physical assets such as buildings and aims to develop a Single Estate Strategy across Essex.