

DRAFT Essex County Council

Council Size Submission: Template

NOTE: We cannot send the Council a final version because there are a number of pieces of data which are either not finished or not available at the time of publishing the Council agenda. Whilst we wouldn't normally send a draft to Council, it is felt that this is the best way of giving all members the opportunity to comment and discuss the document before it is sent.

DRAFT

Contents

How to Make a Submission.....2

About You2

The Context for your proposal.....3

Local Authority Profile4

Council Size9

Other Issues.....25

DRAFT

How to Make a Submission

It is recommended that submissions on future governance arrangements and council size follow the guidance provided and use the format below as a template. Submissions should be treated as an opportunity to focus on the future needs of the council and not simply describe the current arrangements. **Submissions should also demonstrate that alternative council sizes have been considered in drawing up the proposal and why you have discounted them.**

The template allows respondents to enter comments directly under each heading. It is not recommended that responses be unduly long; as a guide, it is anticipated that a 15 to 20-page document using this template should suffice. Individual section length may vary depending on the issues to be explained. Where internal documents are referred to URLs should be provided, rather than the document itself. It is also recommended that a table is included that highlights the key paragraphs for the Commission's attention.

'Good' submissions, i.e. those that are considered to be most robust and persuasive, combine the following *key success components* (as set out in the guidance that accompanies this template):

- Clarity on objectives
- A straightforward and evidence-led style
- An understanding of local place and communities
- An understanding of councillors' roles and responsibilities

About You

The respondent should use this space to provide the Commission with a little detail about who is making the submission, whether it is the full Council, Officers on behalf of the Council, a political party or group, a resident group, or an individual.

This submission has been prepared by officers from Legal and Assurance, including the Head of Democracy and Transparency, and the Director, Legal and Assurance supported by data and information from the Policy Team, in collaboration with a cross party working group (Chaired by Cllr Tom Cunningham (Con) and comprising Cllr Lewis Barber (Con), Cllr Dave Harris (Lab), Cllr Jaymey McIvor (Con), Cllr Stephen Robinson (Lib Dem), Cllr Kerry Smith (NAG) and Cllr Holly Whitbread (Con) in consultation with the Leader of the Council.

A draft of this document was considered by full Council in December 2022 and approval of the final document was delegated to the Director, Legal and Assurance, following consideration by the Group Leaders (Cllr Kevin Bentley, Leader of the Council and Conservative Group Leader, Cllr Chris Pond, Leader of the Opposition and Non-Aligned Group Leader, Councillor Ivan Henderson, Leader of the Labour Group and Cllr Mike Mackrory, Leader of the Liberal Democrat Group.

This is Essex County Council's formal submission. All members of the Council were invited to complete an electronic survey to provide their views and all members who are in divisions with two members were asked for their input. 36 Members completed the survey and discussions took place within Group meetings between July and December 2022.

The Context for your proposal

Your submission gives you the opportunity to examine how you wish to organise and run the council for the next 15 - 20 years. **The consideration of future governance arrangements and council size should be set in the wider local and national policy context.** The Commission expects you to challenge your current arrangements and determine the most appropriate arrangements going forward. In providing context for your submission below, please demonstrate that you have considered the following issues.

- When did your Council last change/reorganise its internal governance arrangements and what impact on effectiveness did that activity have?
- To what extent has transference of strategic and/or service functions impacted on the effectiveness of service delivery and the ability of the Council to focus on its remaining functions?
- Have any governance or capacity issues been raised by any Inspectorate or similar?
- What influence will local and national policy trends likely have on the Council as an institution?
- What impact on the Council's effectiveness will your council size proposal have?

Essex County Council has operated the Cabinet and Leader model of governance since it established a shadow version following the introduction of the legislation in 2000. Since that point it has undertaken this model of governance and has no current plans to change the overall governance model as it operates effectively and efficiently and is consistent and stable.

A major review of the constitution was undertaken in 2011 and a less significant one was done in 2017. Since then we have operated a policy of continuous improvements to the constitution which is updated regularly.

No governance or capacity issues have been raised by any inspectorate, in fact Essex County Council or its officers frequently support other reviews and are currently appointed as Government Commissioners and Best Value Inspectors for Thurrock Council. As part of the Best Value Inspection, Essex is inspecting their governance, audit, risk, and scrutiny functions.

The Council is a high performing Council with our residents at the heart of what we do, despite the significant scale of Essex. Our strategic programme, known as Everyone's Essex aims to renew our economy by supporting businesses and job creation within the county, seeking equality across the county and enabling residents to maximise their potential and to be ambitious for the people of Essex.

Of the 75 County Councillors currently 56 of them are twin hatted members with a number holding positions of responsibility at their other local authority.

Essex is working with partners to actively explore devolution but there is no agreed deal and negotiations have not started. If a county combined authority should be the preferred solution, there is a further dependency on the relevant legislation being enacted. It is possible that more will emerge during the period of the boundary review, although this no outcome of devolution is itself likely to have a major impact on the functioning of ECC as an authority.

Our Council Size proposal will equalise the demands placed upon members who have large electorates and reduce the caseload size for members in those divisions, we hope that it will make the role more manageable. We hope that three more members would provide further capacity for committees, although we are not proposing to change our committee size. We do not anticipate that the change to Council Size would have any change of the role of the Executive Members as we already have the maximum number of members allowed in the Cabinet.

Local Authority Profile

Please provide a short description of the authority and its setting, in particular the local geography, demographics and community characteristics. This should set the scene for the Commission and give it a greater understanding of any current issues. The description should cover all of the following:

- Brief outline of area - are there any notable geographic constraints for example that may affect the review?
- Rural or urban - what are the characteristics of the authority?
- Demographic pressures - such as distinctive age profiles, migrant or transient populations, is there any large growth anticipated?
- Community characteristics – is there presence of “hidden” or otherwise complex deprivation?
- Are there any other constraints, challenges, issues or changes ahead?

Further to providing a description, the Commission will be looking for a submission that demonstrates an understanding of place and communities by putting forth arguments on council size based upon local evidence and insight. For example, how does local geography, demographics and community characteristics impact on councillor casework, workload and community engagement?

Essex County Council profile and key demographics of Essex:

Essex is the second largest shire county by population and the ninth largest by area. It has had 75 councillors since the last review, implemented in 2005.

The administrative county of Essex covers an area of 3,465 square KM (this is based on the area in hectares clipped to the coastline (Mean High Water mark), which is 346,599.7 hectares and has been rounded to nearest five square km.¹

In 2005 we had a population of 1,345,170; on Census Day 2021 a population of 1,503,520 and our population is expected to rise to 1,573,456 by 2029.

The county council area consists of twelve borough, city and districts. Essex is a diverse county and each of the districts has its own features.

- Basildon: Much of the population is based in the new town of Basildon and in the smaller towns of Billericay and Wickford. There is much employment and retail in the area, as well as much rural villages and country parks
- Braintree: Braintree is a predominantly rural area including the towns of Braintree, Witham and Halstead and many traditional rural Essex villages such as Coggeshall, Finchingfield and Great Bardfield.
- Brentwood: The town of Brentwood, as well as surrounding villages and two much loved country parks.
- Castle Point: The towns of Benfleet and Hadleigh as well as Canvey Island, which was reclaimed from the sea by the Dutch Adventurer Cornelius Vermuyden. The Olympic cycle course was here, now Hadleigh Park and Hadleigh Castle overlooks the Thames where it has been much admired by artists and visitors alike.
- Chelmsford: The County town is the birthplace of radio and many other companies, old and new. It has a thriving retail offer and has experienced huge growth in recent years. The city includes a rural hinterland and a new racecourse. Anglia Ruskin University has a large campus here.
- Colchester: Britain's oldest recorded town and newest City. The historic settlement of Colchester but also ancient coastal communities such as Mersea Island. It is also the home of the famous Wilkin Tiptree jam. It also includes the Dedham Vale AONB. The University of Essex is based here.

¹ Data from <https://geoportal.statistics.gov.uk/datasets/ons::standard-area-measurements-latest-for-administrative-areas-in-the-united-kingdom-v2/about>

Epping Forest: A rural area straddling the M25, including the remaining parts of the ancient Epping Forest as well as the towns of Epping, Chipping Ongar and Loughton as well the larger villages of Chigwell, and North Weald.

Harlow: The new town of Harlow which features a sculpture trail, much high quality modern architecture and attractive riverside walks, as well as modern development and industry.

Maldon: This rural district, popular with visitors includes the Blackwater estuary and the Dengie Peninsula including many coastal villages and a number of islands.

Rochford: A rural and suburban district, which includes the towns of Rayleigh and Rochford as well as the Crouch estuary. Most of Southend Airport lies within the district. Also includes the Broomway path across the Maplin Sands, said to be the most dangerous path in Britain.

Tendring: Situated in the North-East of Essex and includes the 'sunshine coast' of Clacton, Holland on Sea, Frinton and Walton on the Naze as well as the ancient and modern port of Harwich which still sees regular ferry sailings to the Netherlands and to the Baltic sea. It borders with the Stour estuary.

Uttlesford: A rural part of North-West Essex including the ancient towns of Saffron Walden and Stansted Mountfitchet. It also includes the M11 corridor, the river Stort valley, the ancient woodland of Hatfield Forest and Stansted Airport itself, as well as the historic house of

In Essex we have over 300 parish and town councils, these are located within districts as follows:

Basildon:	9
Braintree:	64
Brentwood:	9
Castle Point:	1
Chelmsford:	27
Colchester:	35
Epping Forest:	28
Harlow:	0
Maldon	32
Rochford:	14
Tendring:	27
Uttlesford:	57

The towns of Basildon, Braintree, Brentwood, Clacton and Harlow , Harlow, parts of the cities Chelmsford and Colchester and the mainland parts of the Borough of Castle Point are not parished.

Essex has boundaries with London boroughs, Cambridgeshire, Suffolk as well as the unitary authorities of Southend, and Thurrock and a maritime border with Medway.

We have three major railway lines into London and are served by busy A roads, by the M11 and M25, are home to Stansted and Southend airport and to the port of Harwich. We have two universities and have major educational establishments.

We are 72% rural in nature with two cities and a number of major towns. We have over 300 parish and town councils across the county and large urban areas with no local councils. We have over 350 miles of coastline with vibrant towns and cities including Britain's first at Colchester and sleepy Blackwater salt marshes. We have an area of outstanding natural beauty in the Dedham Vale and Stour Valley, we have the ancient Epping Forest and we have two new towns, Harlow and Basildon both designated in the late 1940s; Essex is an incredibly diverse place.

- The average age of the population of Essex is slightly older than England as a whole with 310K residents aged 65 and overs and lower proportions of 15-39s and slightly higher proportions of those aged 50+. The age groups seeing the fastest levels of growth are amongst the 70-74 age group, this group has grown 44% in the last decade and this is above the national average of 37%. 51.3% of the Essex population is female, and 48.7% are male.
279k residents are aged 0-15, 914k are aged 16-64, and 310k are aged 65+.
- The overall population density in Essex is 435 people per square kilometre which is similar to the England average, Harlow, Castle Point and Basildon have the highest population densities.
- Colchester, Basildon and Chelmsford are the most populous districts in the County, the least populous are Maldon, Brentwood and Rochford.
- There are now over 627K households in Essex, up from 582K in 2011, with increases everywhere across the county but biggest increases are in Uttlesford, Colchester and Harlow in the last ten years.
- Life expectancy saw a steady increased for both men and women in the first decade of the 2000s, however in the last 10 years this trend has levelled off in Essex, Essex continues to generally track the regional pattern although female life expectancy is falling and is below the regional average. Uttlesford has the highest life expectancy for both males and females of all the Essex districts and Tendring has the lowest of all Essex districts for both males and females. The gap between the least and most deprived communities has widened with an eight year difference.²
- Around 76% of the working age Essex population are employed, but this varies from a high of 85% in Rochford to 60-66% in Brentwood and Tendring.³

² [2022 High Level Essex JSNA Summary – Essex Open Data](#)

³ [2022 High Level Essex JSNA Summary – Essex Open Data](#)

- Ethnicity data to be included [Census 2021 data due to be released by ONS on 29 November. ECC Research will compile analysis of the published data, to be published on Essex Open Data a few days later (within a week of ONS publication).]
- The average educational attainment score across Essex is around 50, but this varies from a high of 55 in Brentwood to a low of 44 in Tendring with scores correlating closely with levels of deprivation.
- Civic engagement
Over 96% of our residents speak English as their first language.
- Over 18% of our population living in poverty after housing costs.
- As at April 2022, Local Authorities in Essex are preparing Local Plans to deliver approximately 147,700 additional homes up to 2036 and beyond, of which 39,750 have been completed, 40,300 have the benefit of planning permission and 67,650 remain to secure planning permission as at April 2022. This equates to approximately 7,150 additional homes per annum based on either 'objectively assessed housing need' or the 'Standard Method' for the relevant local authority. Significant additional growth is also being planned in the emerging Local Plans for Southend and Thurrock Unitary Authorities (around 50,000 homes).
- At present there are adopted Local Plans in Essex for Braintree (to 2033); Brentwood (to 2033); Chelmsford (to 2036); Colchester (to 2033); Harlow (to 2033); Maldon (to 2029) and Tendring (to 2033). Local Plans at Basildon (March 2022) and Castle Point (July 2022) have been 'withdrawn' with new Local Plan preparation commencing. Other Local Plans in Chelmsford (to 2041), Maldon (to 2043), Rochford (to 2040), Uttlesford (to 2040), Southend (to 2040) and Thurrock (to 2040) are at early stages of plan preparation. Brentwood has recently adopted a new Local Plan but in doing so is committed to submission of a review for examination within 28 months of adoption. These plans will represent a higher rate of housing site delivery than previous plans. Essex planning authorities have made progress in increasing delivery over the last five years to 2021/22 with some 32,200 new homes being delivered at an average of 6,450 per annum. Net annual housing additions more than doubled from 3,100 in 2013/14 to a high of 7,300 in 2018/19. Delivery fell to 5,598 in 2020/21 largely due to the impact of the pandemic. This has increased to 6,529 homes in 2021/22.
- [Planning methodology, elector numbers and forecast map to be inserted here]

The Council last held ordinary elections in May 2021 and has 52 Conservative Councillors, eight Liberal Democrat Councillors, five Labour Councillors and 10 Councillors who form a non-aligned group who were elected as candidates from the Green Party, Canvey Island Independent Party, Residents for Uttlesford, Loughton Residents Association and three Independents.

The Council has a strong political and strategic aim, which is for Essex to be the best local authority in the country – not by the standards of others, but by the standards of the people, the businesses, and the communities it is our duty to support and serve, in doing this we will:

- renew our economy and we will support our businesses as they seek to recover the ground lost by the hard stop placed on them by the pandemic and create the jobs that underpin our wellbeing

- seek equality so that opportunity is more fairly distributed across Essex – we want all our residents to be able to maximise their potential
- be as ambitious for the people of Essex as the people of Essex are for themselves and their families. Because there is no excellence without ambition. There is no landing on the moon, without first reaching for the stars.

Alongside these themes – Renewal, Equality, Ambition – that run through everything we do, we are focused on four areas where outcomes really matter for the quality of life of our residents, these are the economy, the environment, children and families and promoting health, care and wellbeing for all the parts of our population who need our support.

Essex is served by a single Police, Fire and Crime Commissioner. The health geography in Essex is the most complex in the country with Essex being served by three Integrated Care Boards one of which mainly covers Suffolk and one of which mainly covers Hertfordshire, although both cover significant parts of Essex. The third covers parts of Essex along with the two unitary authorities of Southend and Thurrock. The Essex Health and Wellbeing Board is chaired by the Cabinet Member for Adult Social Care and Health which has played an important role during the last two years. Essex is a member of the South-East Local Enterprise Partnership with East Sussex, Kent, Medway, Southend and Thurrock which is the largest LEP outside of London.

Council Size

The Commission believes that councillors have three broad aspects to their role.

These are categorised as: **Strategic Leadership, Accountability (Scrutiny, Regulatory and Partnerships), and Community Leadership.**

Submissions should address each of these in turn and provide supporting evidence. Prompts in the boxes below should help shape responses.

Strategic Leadership

Respondents should provide the Commission with details as to how elected members will provide strategic leadership for the authority.

Responses should also indicate how many members will be required for this role and why this is justified. **Responses should demonstrate that alternative council sizes have been explored.**

Topic		
Governance Model	<i>Key lines of explanation</i>	<p>➤ <i>What governance model will your authority operate? e.g. Committee System, Executive or other?</i></p> <p>➤ <i>The Cabinet model, for example, usually requires 6 to 10 members. How many members will you require?</i></p> <p>➤ <i>If the authority runs a Committee system, we want to understand why the number and size of the committees you propose represents the most appropriate for the authority.</i></p>

		<p>➤ <i>By what process does the council aim to formulate strategic and operational policies? How will members in executive, executive support and/or scrutiny positions be involved? What particular demands will this make of them?</i></p> <p>➤ <i>Whichever governance model you currently operate, a simple assertion that you want to keep the current structure does not in itself, provide an explanation of why that structure best meets the needs of the council and your communities.</i></p>
	Analysis	<p>Current Position</p> <ul style="list-style-type: none"> Essex County Council currently has 75 councillors, following the last ordinary elections in May 2021. Elections take every four years; the next election is scheduled for May 2025. The Council's political composition following the election in 2021 is: <ul style="list-style-type: none"> Conservative: 52 Liberal Democrat: 8 Labour: 5 Non-Aligned: 10. <p>The non-aligned group is made up of the following members: Green party: 1, Canvey Island Independent Party: 2, Residents for Uttlesford: 2, Rochford District Residents: 1, Loughton Residents Association: 1 and 3 Independents.</p> <ul style="list-style-type: none"> There are currently 75 County Councillors, the total number of seats for Members on committees is 83, taking out the 10 executive members that is an average of 1.2 seats per Non-Executive member. The Council has operated the Strong Leader and Cabinet system of governance in line with the LGA 2000 and the LGPIH Act in 2007 and the Localism Act 2011, it has operated this since it trialled it in 2001. Since its inception, Essex County Council has had ten Cabinet Members and varying numbers of Deputy Cabinet Members to support the workload of the Cabinet. The Leader is appointed by Council at the first annual meeting following the ordinary elections and usually holds office for the full four years. The Leader determines the make-up of Cabinet and holds a portfolio. There are no current plans for this model of governance to change and portfolios are reviewed and rebalanced on at an annual basis to support policy, pressures and workload demands. We currently have ten members of Cabinet and eleven deputy cabinet members supporting the cabinet members. The portfolios of the Cabinet Members are: <ul style="list-style-type: none"> Leader of the Council Deputy Leader and Cabinet Member for Community, Equality, Partnerships and Performance

		<ul style="list-style-type: none"> ○ Adult Social Care and Health ○ Finance, Resources and Corporate Affairs ○ Education Excellence, Lifelong Learning and Employability ○ Waste Reduction and Recycling ○ Children's Services and Early Years ○ Devolution, the Arts, Heritage and Culture ○ Highways Maintenance and Sustainable Transport ○ Economic Renewal, Infrastructure and Planning <ul style="list-style-type: none"> • Our Constitution sets out the decision-making structure of the local authority and the roles of members. • The Cabinet has overall responsibility for strategic decision making and there are no plans to consider a change in governance arrangements. This is because of the size of the local authority and the county we serve and the requirement for it to be agile and flexible at all times. The Council believes that the current structure is best placed to support the residents and challenges that it faces and therefore it would not be beneficial to consider a change at this time. However, the Council is watching developments with devolution closely and will respond to opportunities as and when they arise. • The Corporate Leadership Team (CLT) consists of the Chief Executive and a team of Executive Directors and Directors. They meet regularly as the Corporate Leadership Team (weekly) and Recovery Advisory Board (monthly) to provide overall strategic business management for ECC and monitor the strategic performance of the organisation. They work closely with the Cabinet in considering matters of strategic or corporate significance for the authority and with partners in shaping effective public services in Essex. The team of senior officers making up CLT includes the following roles: <ul style="list-style-type: none"> ○ Chief Executive ○ Executive Director, Children and Families (DCS) ○ Executive Director, Climate, Environment and Customer Services ○ Executive Director, Adult Social Care (DASS) ○ Executive Director, Corporate Services ○ Executive Director, People and Transformation ○ Executive Director, Economy, Investment and Public Health ○ Director, Wellbeing, Public Health and Communities
--	--	---

		<ul style="list-style-type: none"> • The County Council as a collective continues to have important roles in relation to the budget and policy framework following recommendations made by Cabinet. • Non-Executive decisions are made either by full Council, by one of three Committees of the Council or by officers under delegated powers. • All members have role profiles and those in receipt of a special responsibility allowance have specific duties and responsibilities. • Governance processes were tested during the COVID-19 pandemic and overall performed well without any additional delegations being required. There are a small number of urgent decisions where member decisions may be taken without the usual notice or being subject to call-in to scrutiny. The Call in involves an informal process in addition to the formal process with the aim of resolving concerns quickly.
Portfolios	Key lines of explanation	<ul style="list-style-type: none"> ➤ How many portfolios will there be? ➤ What will the role of a portfolio holder be? ➤ Will this be a full-time position? ➤ Will decisions be delegated to portfolio holders? Or will the executive/mayor take decisions?
	Analysis	<p>We have ten members of Cabinet and 11 deputy cabinet members supporting the cabinet members. The portfolios of the Cabinet Members are:</p> <ul style="list-style-type: none"> ○ Leader of the Council ○ Deputy Leader and Cabinet Member for Community, Equality, Partnerships and Performance ○ Adult Social Care and Health ○ Finance, Resources and Corporate Affairs ○ Education Excellence, Lifelong Learning and Employability ○ Waste Reduction and Recycling ○ Children's Services and Early Years ○ Devolution, the Arts, Heritage and Culture ○ Highways Maintenance and Sustainable Transport ○ Economic Renewal, Infrastructure and Planning <p>The roles and responsibilities of the Cabinet and Deputies to Cabinet Members can be found in Article 7 of the Constitution and the detailed portfolio in Article 14, Part 3 of the Constitution.</p>

	<p>Councillor Kevin Bentley became Leader of the Council at the Annual Meeting in May 2021, he had previously served as Deputy Leader for eight years. Councillor Louise McKinlay became the Deputy Leader of the Council in May 2021, having previously served in the Cabinet in the last Council. Cabinet Members are expected to attend Cabinet meetings, full Council, informal meetings, portfolio meetings, attendance at scrutiny meetings, visits and representation on external bodies.</p> <p>Cabinet meets on a monthly basis approximately 11 times a year to take formal decision. Depending on the amount of business on the agenda, the meetings usually last between 1 and 2 hours. The members of cabinet meet informally usually twice a week.</p> <p>The role of a Cabinet Member is very busy and often seen as a full-time role. The members each lead on their portfolios whilst also working on a collective basis. The workload for Executive members is considerable, in a survey undertaken as part of the Independent Remuneration Panel review into Members' allowances in 2021, most Cabinet Members indicated they spent 30-40 hours a week on their portfolio responsibilities, not including the usual casework expected of Members. For the Leader of the Council the figure was higher.</p> <p>Cabinet members work closely with our partners and neighbouring authorities and represent Essex on many boards, they are also expected to attend Scrutiny Committees to report on their work and be scrutinised on decisions made.</p> <p>Cabinet Members are supported by Deputy Cabinet Members, who although they cannot exercise Executive Functions, have the role of: Assisting and working with the designated Cabinet Member, including overseeing specific areas or responsibility within the portfolio, undertaking specific tasks, assisting in performance monitoring, reporting to cabinet in their absence, this is expected to be at least 2 days a week. Deputy Cabinet Members often hold specific responsibilities such as the deputy to the Leader also serves as 'Climate Czar' who leads on our climate action work.</p> <p>Our <u>Constitution</u> sets out the decision-making structure of the local authority and the roles of members. Decision making can be found in Article 5.</p>
--	--

		<p>The Cabinet is responsible for ensuring best value and leading on the preparation of the Council's policies, strategies and its budget of £2,095 million, (gross budget including schools for 2022/23). It takes responsibility for decisions and priorities of that budget and providing collective and individual leadership as part of Cabinet.</p> <p>The majority of decisions are taken by Cabinet members on an individual basis although some decisions that are cross cutting and affect the area of responsibility of more than one cabinet member are usually made at the meeting of Cabinet. From December 2021 to end November 2022 there were 192 Cabinet Member Actions published. 202 Key Decisions and 56 decisions taken at Cabinet.</p> <p>The workload for Executive members is considerable, in a survey undertaken as part of the Independent Remuneration Panel review into Members' allowances in 2021, most Cabinet Members indicated they spent 30-40 hours a week on their portfolio responsibilities, not including the usual casework expected of Members. For the Leader of the Council the figure was higher. Other members with workloads higher than the usual casework requirements would include opposition Group Leaders, Committee Chairmen (across a range of functions including scrutiny) and the deputies to Cabinet Members. Whilst there was considerable variance to the specified time commitments a further 10-12 hours weekly (on top of casework) was common. In some instances Members held multiple responsibilities which, when combined, approached 30 hours weekly. For context, the average time commitment given over to casework, for both Executive and Non-Executive members, was 20 hours per week.</p>
Delegated Responsibilities	<i>Key lines of explanation</i>	<p>➤ What responsibilities will be delegated to officers or committees?</p> <p>➤ How many councillors will be involved in taking major decisions?</p>
	Analysis	<p>Essex County Council's delegations to officers and committees are set out in detail within our scheme of delegation within our constitution.</p> <p>The primary delegated officers are listed within the constitution in addition to any other officer who has been delegated responsibilities.</p> <p>The constitution provides specific delegations to officers as below:</p>

		<p>All officers listed in paragraph 15.3 have delegated authority to exercise any of the Council's functions and powers so far as it is necessary or conducive to do so in order to provide any service for which they have from time to time been given management responsibility. This includes, but is not limited to:</p> <ul style="list-style-type: none"> (i) managing the human and material resources made available for the services they manage and the authority, in accordance with the Council's policies on pay and recruitment; (ii) entering into contracts; (iii) implementing a policy or decision previously approved or taken by the full Council, a committee, the Cabinet or a Cabinet Member; (iv) doing anything to facilitate or which is incidental to the implementation of such a policy or decision; (v) taking enforcement action, serving any notice or making any order; (vi) authorising other officers to take any other steps necessary for or conducive to the performance of any such powers; or (vii) exercising discretion as to the institution of legal proceedings. <p>Specific delegations can be found at Appendix 1.</p> <p>Councillors are involved in all strategic decisions and have significant levels of responsibility. The ten members of Cabinet are the principal decision makers for Essex County Council through the executive functions.</p> <p>During the COVID-19 pandemic all formal and informal meetings took place remotely, many informal ones continue on the basis to support the varying commitments of members. During the pandemic there was a reduction in member expenses.</p>
--	--	--

Accountability

Give the Commission details as to how the authority and its decision makers and partners will be held to account. The Commission is interested in both the internal and external dimensions of this role. **Responses should demonstrate that alternative council sizes have been explored.**

Topic	
-------	--

Internal Scrutiny	The scrutiny function of authorities has changed considerably. Some use theme or task-and-finish groups, for example, and others have a committee system. Scrutiny arrangements may also be affected by the officer support available.
<i>Key lines of explanation</i>	<ul style="list-style-type: none"> ➤ <i>How will decision makers be held to account?</i> ➤ <i>How many committees will be required? And what will their functions be?</i> ➤ <i>How many task and finish groups will there be? And what will their functions be? What time commitment will be involved for members? And how often will meetings take place?</i> ➤ <i>How many members will be required to fulfil these positions?</i> ➤ <i>Explain why you have increased, decreased, or not changed the number of scrutiny committees in the authority.</i> ➤ <i>Explain the reasoning behind the number of members per committee in terms of adding value.</i>
Analysis	<ul style="list-style-type: none"> • There are four Policy and Scrutiny Committees (PSCs) at Essex County Council, each covering a particular area of the authority's activity: Corporate, Health, People and Families, and Place Services and Economic Growth. In addition, a Scrutiny Board (the membership of which includes the chairmen of the PSCs and open to Vice-Chairs) meets on a monthly basis and has overall responsibility for the direction and management of the scrutiny function. • The committees meet on average 8-12 times a year and each has approximately 14 full members with both the Health Overview PSC and the People and Families PSC including co-opted members. Meetings take place in public at County Hall in Chelmsford and all committees encourage public participation. Meetings are also broadcast on the ECC Democracy YouTube channel. • Scrutiny is a high-profile and established part of the democratic process at Essex. The committees work closely with cabinet members and senior officers to review and develop policy, monitor performance and raise issues of public concern. Scrutiny members also regularly form smaller 'task and finish' groups to look closely at particular issues, reporting back to the relevant committee or committees. • The Committees are as follows: <ul style="list-style-type: none"> ○ Corporate Policy and Scrutiny Committee (14 members) ○ People and Familiar Policy and Scrutiny Committee (14 members) ○ Place Services and Economic Growth Policy and Scrutiny Committee (14 members) ○ Health Overview Policy and Scrutiny Committee (12 members). • In addition to the above members participate in Joint Overview and Scrutiny Committees, particularly with regard to the extensive and complex health system within Essex and beyond, with significant parts of the county being served by hospitals in London. • These Overview and Scrutiny committees usually meet between eight and 12 times a year and have informal briefings and task and finish groups. Between November 2021 and November 2022 there have been 37 scrutiny committees. • Each Committee has a Chairman and two Vice-Chairmen's.

- The Committees each have a forward work programme to plan their activity, this goes to each public meeting, cross cutting topics are discussed by the scrutiny board and an annual report of activity goes to Council.
- The work programmes vary, trying to balance the concerns of residents and the ambitions and challenges of the Council.
- Officer support is provided to Scrutiny and our meetings are all recorded and made available live or later via YouTube.
- The work of the Scrutiny Committees helps improve standards and scrutinises the ambitious programme of delivery at Essex.
- Senior Officers and Cabinet are expected to attend Scrutiny Committees on a regular basis.
- Scrutiny Committees often convene task and finish groups, either within the individual committee or with two or more committees. In the last year we have had three separate task and finish groups.
- The meetings usually take place during the day, starting at approximately 10:30am to allow for a pre-meeting and finish in the early to mid-afternoon, often with a follow up review session.
- Some committees undertake visits. For example, in the last year there have been three visits to the Records Office and two to NHS premises.
- There are many informal meetings and groups including Youth Strategy, Corporate Parenting, Local Highways Panels, Constitutional Working Groups, Member Development that members attend and take place between 4 and 8 times a year.
- We have not changed the number of seats or structure of scrutiny committees in the last two terms of office and have no plans to do so following a review.
- Each committee and group has a list of named substitutes to ensure continuity of discussions, it has been challenging since the 2021 election for sufficient members available due to other commitments.
- Some members of the council sit on more than one committee or act as a named substitute.
- Key Attendance Information for formal meetings - Calendar Year 2022:
 - Corporate PSC – 8 meetings (attendance 78% of committee members excluding substitutions so far this year)
 - Health Overview PSC – 11 meetings (attendance 70%)
 - People and Families PSC – 8 meetings (attendance 72%) plus 1 joint meeting with Health PSC
 - Place Services and Economic Growth PSC – 9 meetings (attendance 86%)
- Overall Attendance at scrutiny meetings is 76.5%⁴. Figures exclude private briefing sessions, pre-meetings and any other informal meetings, task and finish groups, and attendance at other scrutiny committees (Chairmen/Vice-Chairmen attend Corporate PSC on a quarterly basis when performance reports are considered. In addition, when a cross-committee item is discussed – one that crosses the remits of 2 scrutiny committees – joint sessions are held). Includes remote attendance at formal meetings.

⁴ attendance figures for all committees correct as of 25/11/2022

	<ul style="list-style-type: none"> • The Place Services and Economic Growth PSC established a review of Local Highway Panels (LHPs) following a request from the Cabinet Member for Highways Maintenance and Sustainable Transport. All 12 borough, city and district areas in Essex have LHPs and they are responsible for making recommendations and setting priorities for highway schemes in their respective areas. • The Task and Finish Group was made-up of 6 scrutiny members and held 6 meetings between December 2021 and March 2022. • The key policy recommendations from the Group were supported by the Cabinet Member and will be taken forward in the coming months. They include a reorganisation of LHPs to ensure schemes can be delivered, additional training for elected members, closer monitoring of highways maintenance performance, and a new LHP reporting mechanism to keep members and residents up to date with the progress of schemes. • The Health Overview PSC and the People and Families PSC established a joint review of Mental Health Services for Young People following a referral from Full Council. The scope of the review was for the Task and Finish Group to understand the services that are currently available for young people who need mental health support and make recommendations on future policy. The Group was made-up of eight scrutiny members plus one co-opted member and held 7 meetings between August and October 2022. • The final policy proposals included improving the training and retention of staff, introducing a single point of contact (hub) in Essex for young people requiring mental health support, and a 'wellbeing hub' in every primary school in Essex. The proposals were considered by Full Council in December 2022 as well as by the people and bodies to whom the recommendations are direct. It is envisaged will inform council activity in this area moving forward. 	
Statutory Function	This includes planning, licencing and any other regulatory responsibilities. Consider under each of the headings the extent to which decisions will be delegated to officers. How many members will be required to fulfil the statutory requirements of the council?	
Planning	<i>Key lines of explanation</i>	<ul style="list-style-type: none"> ➤ <i>What proportion of planning applications will be determined by members?</i> ➤ <i>Has this changed in the last few years? And are further changes anticipated?</i> ➤ <i>Will there be area planning committees? Or a single council-wide committee?</i> ➤ <i>Will executive members serve on the planning committees?</i> ➤ <i>What will be the time commitment to the planning committee for members?</i>
	Analysis	<ul style="list-style-type: none"> • The Council has responsibility for waste and minerals planning as well as its own planning applications, which include applications for some large infrastructure projects. It is also the registration authority for town and village greens. Our Development and Regulation Committee has twelve members and is responsible for exercising these powers and duties.

		<ul style="list-style-type: none"> No executive members sit on the Development and Regulation Committee. The Development and Regulation Committee meet monthly. Members of the Committee are required to undertake monthly training sessions and are also expected to attend site visits when necessary, none have been held in the last year.
Licensing	Key lines of explanation	<ul style="list-style-type: none"> ➤ How many licencing panels will the council have in the average year? ➤ And what will be the time commitment for members? ➤ Will there be standing licencing panels, or will they be ad-hoc? ➤ Will there be core members and regular attendees, or will different members serve on them?
	Analysis	<ul style="list-style-type: none"> Essex County Council has very limited licensing functions and those tend to be dealt with by officers. It would be extremely unusual for a licensing matter to require to be determined by councillors, but any such application would be determined by the Development and Regulation Committee.
Other Regulatory Bodies	Key lines of explanation	<ul style="list-style-type: none"> ➤ What will they be, and how many members will they require? ➤ Explain the number and membership of your Regulatory Committees with respect to greater delegation to officers.
	Analysis	<ul style="list-style-type: none"> Essex County Council has five other committees, these are Audit, Governance and Standards Committee which comprises 10 members of the council, this committee advises on the Council's corporate governance arrangements. Its responsibilities include: <ul style="list-style-type: none"> monitoring the arrangements in place for managing risk and combating fraud and corruption monitoring the adequacy and effectiveness of the external and internal audit services approving the Annual Statement of Accounts and Annual Governance Statement to advise the Council on local Code of Conduct for members and promote, develop and maintain high standards of conduct to grant dispensations under Section 33 of the Localism Act 2011. Senior Management Employment Committee (5 members) <ul style="list-style-type: none"> This committee deals with HR issues relating to Senior officers. Approximately 60-70% of meetings are for the purpose of interviews. Essex Pension Fund Strategy Board (7 members) <ul style="list-style-type: none"> This Board (PSB) ensures that the administration of the (Local Government Pension Scheme) Essex Pension Fund and its Fund investments comply with the relevant regulations and legislation through the Investment Steering Committee (ISC) [subcommittee of the PSB]. Essex Pension Fund Investment Steering Committee (9 members)

		<ul style="list-style-type: none"> ○ This Board assists with ensuring compliance with relevant regulations and legislation and to ensure the effective and efficient governance and administration of the Local Government Pension Scheme. Act as a critical friend to the Essex Pension Fund Strategy Board (PSB) and Investment Steering Committee (ISC) and provide oversight to decisions made by the PSB to ensure due process has been followed. ● Health and Wellbeing Board (3 county councillor members) <ul style="list-style-type: none"> ○ The Health and Wellbeing board is a statutory committee of the Council. Its purpose is to purpose of the Essex Health and Wellbeing Board (EHWB) is to play a pivotal role in all parts of Essex to enable residents to lead healthy lives in ways which extend life expectancy and minimise differences in life expectancy between places. It will do this through delivering, supporting and influencing within the complex local system addressing the wider determinants of health. ● Many of these committees have subcommittees, and they meet between 5 and 12 times a year.
External Partnerships	Service delivery has changed for councils over time, and many authorities now have a range of delivery partners to work with and hold to account.	
<i>Key lines of explanation</i>	<p>➤ <i>Will council members serve on decision-making partnerships, sub-regional, regional or national bodies? In doing so, are they able to take decisions/make commitments on behalf of the council?</i></p> <p>➤ <i>How many councillors will be involved in this activity? And what is their expected workload? What proportion of this work is undertaken by portfolio holders?</i></p> <p>➤ <i>What other external bodies will members be involved in? And what is the anticipated workload?</i></p>	
Analysis	<ul style="list-style-type: none"> ● Essex County Council members are involved in decision making partnerships, regional and national bodies including the LGA. ● Essex County Councillors serve on a number of partnership bodies with decision making responsibility: <ul style="list-style-type: none"> ○ Essex Health and Wellbeing Board – see above. ○ Essex Police, Fire and Crime Panel – holds the Police, Fire and Crime Commissioner to account and exercises certain statutory functions to support the commissioner, including scrutiny of statutory plans and key appointments. ECC appoints one member to the panel ○ Integrated Care Partnerships – Essex has some of the most complex health geography in the country and is served by three separate integrated care boards and integrated care partnerships. These are key bodies in the health landscape and we have the right to appoint one member to each body. 	

- SELEP – ECC is the accountable body for the Southeast Local Enterprise Partnership which covers Essex, Thurrock, Southend, Kent, East Sussex and Medway. It is accountable for the distribution of funds. A joint committee of the six upper tier local authorities makes the final decision on allocation of funds.
- We currently have over 130 outside or other bodies that Councillors are appointed to, some of these in decision making roles, the full list can be found within the constitution at [Appendix 4](#). The workload and frequency that these bodies meets varies considerably.
- Many Councillors are involved in some local advisory bodies such as the district based Highways Panels, Children's Partnership Boards and Youth Strategy Groups, some specific local groups such as the Stansted Airport Community Trust and the Kent, Lee Valley Regional Park Authority and Essex Inshore Fisheries and Conservation Authority as well as a number of Joint Health Overview and Scrutiny Committees with neighbouring councils due to the complex health systems that Essex is part of.
- 56 of our members (75%) are twin-hatted and others sit on their local town councils or attend parish or town council meetings.
- Three cabinet members currently sit on or chair four LGA boards.

Community Leadership

The Commission understands that there is no single approach to community leadership and that members represent, and provide leadership to, their communities in different ways. The Commission wants to know how members are required to provide effective community leadership and what support the council offers them in this role. For example, does the authority have a defined role and performance system for its elected members? And what support networks are available within the council to help members in their duties? The Commission also wants to see a consideration of **how the use of technology and social media by the council as a whole, and by councillors individually, will affect casework, community engagement and local democratic representation. Responses should demonstrate that alternative council sizes have been explored.**

Topic		Description
Community Leadership	Key lines of explanation	<ul style="list-style-type: none"> ➤ In general terms how do councillors carry out their representational role with electors? ➤ Does the council have area committees and what are their powers?

		<ul style="list-style-type: none"> ➤ <i>How do councillors seek to engage with their constituents? Do they hold surgeries, send newsletters, hold public meetings or maintain blogs?</i> ➤ <i>Are there any mechanisms in place that help councillors interact with young people, those not on the electoral register, and/or other minority groups and their representative bodies?</i> ➤ <i>Are councillors expected to attend community meetings, such as parish or resident's association meetings? If so, what is their level of involvement and what roles do they play?</i> ➤ <i>Explain your approach to the Area Governance structure. Is your Area Governance a decision-making forum or an advisory board? What is their relationship with locally elected members and Community bodies such as Town and Parish Councils? Looking forward how could they be improved to enhance decision-making?</i>
	Analysis	<ul style="list-style-type: none"> • Essex County Councillors have a significant number of community leadership roles within their communities, this ranges from attendance at parish and town councils, resident's associations groups and liaising with schools, industry, other local authorities and health providers. Local councils (parish and town) can require significant input from members including attendance and reports and meetings, daily casework and walkabouts on specific issues such as road safety concerns and potholes. The Hedingham division has 34 parishes. Many parts of Essex remain unparished, such as the whole of Harlow, and members serving unparished divisions face different challenges in reaching out to their electorate. • Many councillors hold surgeries in local venues, street surgeries and offer meetings with residents or provide community leadership at local events such as within climate partnerships. Many councillors write newsletters or email updates to their residents and undertake regular leafletting. • The Essex results from the 37 ECC members who completed the LGA Councillors Census in February 2022 that 8.4 hours per week was spent engaging with residents and 5.1 hours per week on community groups, this is from an average of 27.1 weekly hours spent on council business. • The survey that members completed as part of the Boundary Review indicated that members spent this time undertaking the following: <ul style="list-style-type: none"> • Replying to residents' enquiries and managing casework • Liaising with community groups and parish councils • Holding surgeries including traditional, market surgeries and walking surgeries • Writing newsletters, undertaking social media • Meeting residents and site visits

		<ul style="list-style-type: none"> Local committees such as youth strategy and Local Highways Panels take up members time discussing local issues relating to the subject matter. Members have access to the locality and levelling up funds where they can work with and nominate local organisations to deliver services and assist residents within their divisions and district area. During the COVID-19 pandemic, members were also able to nominate organisations to be in receipt of government funding through the summer and winter COVID-19 fund intended to help those within their communities during the height of the pandemic. The information and value the members have within their local communities is necessary to be able to deliver services and support those in such a large county.
Casework	Key lines of explanation	<ul style="list-style-type: none"> ➤ How do councillors deal with their casework? Do they pass it on to council officers? Or do they take a more in-depth approach to resolving issues? ➤ What support do members receive? ➤ How has technology influenced the way in which councillors work? And interact with their electorate? ➤ In what ways does the council promote service users' engagement/dispute resolution with service providers and managers rather than through councillors?
	Analysis	<p>Councillors receive significant levels of case work, which is said to be increasing. Whilst they are largely expected to undertake case work themselves, we provide members with support through our member enquiries service. Members are able to submit or call enquiries received from residents and the team will work with officers across our functions, particularly within the highways service and provide a response within an SLA of 10 working days. In the past 12 months (November 2021 to November 2022) Members Enquiries received 10,128 enquiries, an increase of 5% from the previous year. The average response time was 4.8 working days with 80% of enquiries being highways related, 66% of them being maintenance related (potholes, flooding, lighting etc.). In a recent survey 89% of members rated the service as excellent or good and the same percentage felt they were effectively supported to undertake their role.</p> <p>The LGA Councillor Census was undertaken between January and February 2022, 50% of Essex County Councillors responded, the results show that Essex County Councillors on average spend 27.1 hours a week on council business with over eight hours on constituents' business and five with community groups. The majority of councillors who answered the survey (89%) said that they stood to be a councillor to serve the community and the three most important things for councillors to do were to listen to the views of local people, representing local residents' views to the council and supporting the local community.</p>

		<p>Each new member is allocated an officer buddy following the election, often the members remain in close contact with their buddy or with other members of the Democracy Team. The Cabinet Office provides direct dedicated diary and adviser support to Cabinet Members and their deputies to enable them to undertake their role effectively. All Groups receive some dedicated support to assist them in their role. All members also have access to the Democratic Services email/phone line and have regular contact with the Democracy Managers, Head of Democracy and Transparency and the Monitoring Officer.</p> <p>Members are also provided with a Highways Relationship Lead, this is known as the Buddy System, this is in place due to the significant levels of highways issues raised with councillors and aims to share understanding and improve communications between members and Essex Highways. The buddy is drawn from the Essex Highways Senior Management Team and are allocated on a geographical basis. The buddy will provide assistance on complex issues.</p> <p>Following the pandemic many of our informal meetings have remained online via Teams or Zoom and members have been able to access our formal meetings remotely, noting the legislation regarding decision making and voting and by watching the recording on YouTube. The County is large and significant travel time is required with many of our councillors having a journey time of 45 minutes or more to County Hall in Chelmsford. The Council supported the extension of legislation for remote participation to enable members who hold other positions, work and have childcare commitments to join meetings remotely and to help with future recruitment of councillors.</p> <p>Essex County Council offers its members a comprehensive induction and development programme, this includes a mixture of face to face and remote briefings, interactive workshops and personal development opportunities both internally and externally through our personal development plan. Essex County Council has been awarded the Councillor Development Charter Plus on multiple occasions for its support to members. Councillors are offered a laptop and other peripherals to enable them to work from home or other locations and as a paperless Council are able to access agendas and reports in this way.</p> <p>Councillors are supported to use social media through internal briefings, external training and one to one sessions to help them support their local communities. Many members use Facebook and Twitter to interact with residents and keep informed of local issues within communities within their divisions in addition to emails</p>
--	--	---

		<p>and phone calls. During the pandemic and beyond members were supported to use their equipment and join remote meetings.</p> <p>Some members have expressed a view that they now receive more casework, they believe that they have become more accessible and their profile was raised during COVID-19 and the interactions with residents has continued.</p> <p>Essex also has a residents' panel to provide members of the public with the opportunity to have their voice heard and give their views about the services and issues that matter to them. This is undertaken through a mixture of surveys, t interviews and focus groups.</p>
--	--	---

Other Issues

Respondent may use this space to bring any other issues of relevance to the attention of the Commission.

[Electorate information and options to be included within this table – data currently shown is current and not projected.] The electorate in Essex County Council area is estimated to increase by xxxxx in the next xxx years. The table below considers how increasing and decreasing the number of Council seats would impact the numbers of residents per councillor. The possible impact of moving from 75 to 80 members is shown below, on the districts impacted:

Overall	Uttlesford	Maldon	Harlow	Basildon	Colchester
75 (14893)	4 (17041)	3	4	9	9
76 (14697)	5 (13633)	3 (16786)	4	9	9

77 (14506)	5	4 (12589)	4 (16033)	9	9
78 (14320)	5	4	5 (12826)	9 (15460)	9
79 (14139)	5	4	5	10 (13914)	9 (15346)
80 (13962)	5	4	5	10	10 (13811)

Numbers in brackets are average number of voters per division)

Summary

In following this template respondents should have been able to provide the Commission with a robust and well-evidenced case for their proposed council size; one which gives a clear explanation as to the governance arrangements and number of councillors required to represent the authority in the future.

Use this space to summarise the proposals and indicate other options considered. Explain why these alternatives were not appropriate in terms of their ability to deliver effective Strategic Leadership, Accountability (Scrutiny, Regulation and Partnerships), and Community Leadership.

The following summarises the position of the Council on the options regarding future council size.

In coming to our recommended view the Council have considered the views of members of the council including survey feedback, the support that members receive and the population size and expected growth. We considered a range of options to better balance the electoral numbers including reducing to 70 seats and increasing to 76,77,78,79 and 80 seats.

Increase the number of Essex County Councillors:

Overall members of the council do believe that we should seek a slight increase in the number of members. They do not believe a large increase is needed, despite the pressures and increasing workloads they face. Some members acknowledged that the numbers had been reduced from 79 to 75 at the last review and some expressed a view that 79-81 would be a sensible number. Many members felt that given the numbers of local representatives within Essex, 16 Members of Parliament and 525 borough, city and district councillors, any increase should be restricted to better balancing the electoral balance of divisions. Members felt that the public would not support increases in the number of members due to the additional financial allowance paid to members (currently the basic allowance is £12,292 pa), but that the increase in population and therefore workload should be recognised. It was felt that there is a need to better balance the division numbers with a modest increase. The number of

executive members is already at the limit allowed in legislation and with 11 deputies. There are currently 1.2 committee seats per member and some members do not wish to serve on committees. Overall a small increase would also help to effectively resource committees.

In comparison with our neighbours, Essex County Council does have fewer elected members per population ratio than Kent CC, Surrey CC, Hertfordshire CC, Norfolk CC and Hampshire CC.

County	Number of Councillors	Population size
Cambridgeshire	61	678,600
East Sussex	50	562,750
Essex	75	1,500,000
Hampshire	78	1,400,000
Hertfordshire	78	1,200,000
Kent	81	1,600,000
Norfolk	84	916,200
Oxfordshire	63	725,300
Suffolk	70	761,000
Surrey	81	1,200,000
West Sussex	70	858,852

We are therefore recommending an increase of three members to 77, this would enable an additional member in Uttlesford and Maldon where the largest electoral variance is present.

Reduce the number of Essex County Councillors:

The Council would not support any decrease in the number of County Councillors at a time when Essex is one of the largest counties, with a growing population and Essex CC already has a lower number of members per population than its CIPFA 'near neighbours'. Furthermore councillor workload is growing. Any reduction would have a detrimental impact on the elected members and on the residents the Council

serves. Any reduction would make it harder to fulfil roles with 56/75 members already being twin-hatted and many holding executive roles at their other authority and with a required Cabinet of 10 members due to the substantial workload. Some members felt that COVID-19 had actually raised the profile of members as interactions increased during this pandemic, and that as members were much more accessible via electronic means the public found it far easier to contact them and this has increased their workload overall. The workload has not decreased as the pandemic eased. For these reasons members do not support any decrease in the number of divisions and seats on the council.

Essex County Council is not recommending reducing the number of County Councillors.

Maintain the current number of Essex County Councillors:

Although members would not like a significant increase or any decrease in the number of councillors, it is felt that because of the increase in population and councillor workload and because there can be a struggle to get sufficient members to serve on committees, the situation would be eased by having slightly more councillors.

Essex County Council is not recommending maintaining the current number of Essex County Councillors but is requesting a small increase to.

Appendices:

Appendix 1: Delegations to Officers

Specific Delegations

In addition to the general delegations the officers specified in this scheme have the following specific delegations.

To the Chief Executive

- (i) To act as head of the paid service for the purposes of section 4 of the Local Government and Housing Act 1989 and to make any decision which the Council may make as employer.
- (ii) To determine and publish the management structure of the Council.
- (iii) To take key decisions where a decision is urgent and neither the Leader nor the Deputy Leader is available.
- (iv) To incur expenditure in the event of a civil emergency.
- (v) To exercise in case of urgency the functions delegated to anyone under this scheme of delegation (but this does not authorise the Chief Executive to discharge the personal responsibility of the Chief Finance Officer under section 151 of the Local Government Act 1972 or the Monitoring Officer under section 5 of the Local Government and Housing Act 1989).
- (vi) To have responsibility for and to determine any matter relating to elections.
- (vii) To determine the level of performance pay to be awarded to officers and recommend levels of performance pay to be awarded to Executive Directors.
- (viii) To exercise the Council's functions relating to publication of material and relations with the press.

To the Executive Director, Children and Families

- (i) To be the statutory director of children's services and to exercise the functions designated in section 18 of the Children Act 2004 and associated regulations.

- (ii) To exercise the Council's functions relating to Children's Social Care.
- (iii) To exercise the Council's functions relating to the Youth Offending service.
- (iv) To exercise the Council's functions relating to the health of children.
- (v) To exercise the Council's functions relating to education and training.
- (vi) To make decisions on the licensing of the employment of children.

To the Executive Director, Economy, Investment and Public Health

- (i) To exercise the Council's functions relating to the economic development of Essex and its residents.
- (ii) To exercise the Council's powers with respect to regulatory services and licensing and decisions in connection with permits, regulations, permissions or certificates.
- (iii) To exercise the Council's functions as a local planning authority except for:
 - (a) approval of planning applications where objections are raised by other Local Authorities or where there are more than two individual representations raising planning related objections;
 - (b) approval of planning applications where it has been determined that an environmental impact assessment is required;
 - (c) approval of planning applications where there are objections and the Chairman of the Development and Regulation Committee determines, in consultation with the Chief Planning Officer, that the application should be determined by the Committee; and
 - (d) approval of planning applications which amount to a significant departure from the development Plan.
- (iv) To exercise the Council's powers with respect to property and facilities management.
- (v) To exercise the Council's powers with respect to towns and village greens.

To the Executive Director, Climate, Environment and Customer Services

- (i) To exercise the Council's functions relating to the promotion of tourism.
- (ii) To exercise the Council's functions relating to highways, transportation and traffic other than determination of applications or proposals for modification of the definitive map and statement of public rights of way.
- (iii) To exercise the Council's functions relating to recycling and the disposal of waste.
- (iv) To exercise the Council's functions relating to improving the environmental performance and wellbeing of Essex including flood management.

- (v) To exercise the Council's functions relating to
 - (a) Registration of Births, Deaths and Marriages
 - (b) The Coroner's Service

To the Director, Well-being, Public Health and Communities

- (i) To exercise the Council's functions relating to sport and physical activity.
- (ii) To exercise the Council's functions as a trading standards (weights and measures) authority, as a health and safety enforcement authority, as a food authority, all powers to protect animal health and welfare and all regulatory services relating to the protection of consumers and regulation of businesses.
- (iii) To exercise the Council's functions relating to unlawful encampments.
- (iv) To exercise the Council's functions relating to the prevention and reduction of crime and disorder.
- (v) To exercise the Council's powers to take steps to improve the health of the public and exercise powers under public health legislation.

To the Executive Director, Corporate Services

- (i) To act as the Council's officer appointed under section 151 of the Local Government Act 1972 and to make such decisions as are necessary for the proper administration of the Council's financial affairs.
- (ii) To be responsible for:
 - a. all financial management including treasury management and income collection
 - b. external funding
 - c. providing advice and proposing recommendations to the Pension Strategy Board, Investment Steering Committee and the Director for Essex Pension Fund, and to appoint Essex County Council's officers to the ACCESS Officer Working Group as and when required.

Note: The Executive Director, Corporate Services is not empowered to change the managers of the Pension Fund or, unless the Chief Executive agrees, to agree the early termination of the employment of any Executive Director or the Monitoring Officer.

- (iii) To exercise the functions of the Council in relation to the pay and conditions of directly-employed teachers who are subject to the School Teachers Pay and Conditions.
- (iv) To act as the Accountable Body representative on all matters in respect of which the Council has agreed to act as or has been appointed as Accountable Body (including the South East Local Enterprise Partnership).
- (v) To authorise the making and issue of any formal documents and to authenticate documents on behalf of the Council.
- (vi) To exercise the Council's powers to trade and to make any decision which the Council may make as a shareholder in any company.
- (vii) To decide how technology is provided and used by the Council.
- (viii) To develop strategies for trading and commercial activities to be undertaken by or on behalf of the Council.
- (ix) To the Proper Officer under S151 of the Local Government Act 1972
- (x) To be responsible for:
 - a. Democracy Team
 - b. Emergency Planning and Resilience
 - c. Health and Safety
 - d. Legal Services
 - e. Information Governance
- (xi) To be responsible for the Council's Democratic, Governance and Assurance Framework, including democratic support, scrutiny, performance, audit, risk, health and safety, business, continuity and insurance and its powers to prevent and detect fraud.
- (xii) To act as a Deputy in respect of the management of the finance and property of an individual lacking capacity in accordance with the Mental Capacity Act 2005.
- (xiii) To authorise the making and issue of any formal documents and to authenticate documents on behalf of the Council.

To the Executive Director, Adult Social Care

- (i) To exercise the Council's social services functions relating to adults.
- (ii) To exercise the Council's powers and duties to people who lack the mental capacity to make some decisions themselves.
- (iii) To exercise the Council's powers relating to community wellbeing and joint working with the NHS.

To the Executive Director, People and Transformation

- (i) To exercise the Council's functions relating to employment policies and practice.
- (ii) To exercise such of the Chief Executive's functions relating to the Council's role as employer as the Chief Executive may agree.
- (iii) To manage the payroll service.

To the Director, Legal and Assurance

- (i) To authorise the institution, defence, withdrawal or compromise of any claims or legal proceedings, civil or criminal including the making of appeals, but they shall consult the relevant Director and the Executive Director, People and Transformation before settlement of employment tribunal proceedings.
- (ii) To authorise officers of the Council to appear in courts or tribunals where permitted by law.
- (iii) To authorise the giving of any indemnity by the Council.
- (iv) To authorise the making and issue of any formal documents and to authenticate documents on behalf of the Council and to determine whether a document should be sealed by the affixing of the Common Seal.
- (v) To attest the affixing of the Council's Common Seal and to appoint others to do so.
- (vi) To exercise the Council's powers and duties to make arrangements with respect to appeals against decisions to expel or to refuse to admit someone to any school.
- (vii) To discharge the functions of the Council with respect to the pensions complaints procedure.
- (viii) To take any step to collect any debt owed to the Council.
- (ix) To determine applications and proposals for modification of the Definitive Map and Statement of Public Rights of Way pursuant to Sections 53, 53A or 55 of the Wildlife and Countryside Act 1981.
- (x) To determine applications and proposals concerning the registration of commons or town or village greens.

- (xi) To act as a Deputy in respect of the management of the finance and property of an individual lacking capacity in accordance with the Mental Capacity Act 2005.
- (xii) The power to determine whether any particular claim for payment under the Members Allowances Scheme is in order.
- (xiii) To change the membership of any committee, substitute or appointment to an outside body in accordance with wishes expressed by the Leader of a political group.

PROVIDED THAT use of this delegated power authorises amendments of Members' appointments to committees that are recommended subsequent to the Annual Meeting of Council.

- (xiv) To amend the list of approved bodies at appendix 3 to part 26 of the constitution after consulting the Leader and the Chairman of the Council.

PROVIDED THAT any use of this delegated power shall be reported to the next Annual Meeting of Council.

To the Monitoring Officer

- (i) To authorise the institution, defence, withdrawal or compromise of any claims or legal proceedings, civil or criminal including the making of appeals, but they shall consult the relevant Director and the Executive Director, People and Transformation 13.3.2 before settlement of employment tribunal proceedings.
- (ii) To authorise officers of the Council to appear before Magistrates' Courts or District Judges.
- (iii) To authenticate documents on behalf of the Council.
- (iv) To determine whether a document should be sealed by the affixing of the Common Seal.
- (v) To attest the affixing of the Council's Common Seal and to authorise others to do so.
- (vi) To be the Proper Officer of the Council for the purposes of the Local Government Act 1972 and the Local Government Act 2000, or for any other purpose, unless the constitution names another officer.
- (vii) Following consultation with the Council's Independent Persons, to appoint substitute Independent Persons to the Statutory Officer Advisory Panel where the Essex County Council-appointed Independent Persons are unable to act. If the Monitoring Officer is unable to discharge this delegation personally, this delegation may be exercised by the Section 151 Officer.
- (viii) To be the Proper Officer to receive and manage the determination of complaints of failure by Members to comply with the Code of Conduct and to advise the Audit, Governance and Standards Committee and Sub-Committee thereon.
- (ix) To investigate complaints against councillors or to arrange for such an investigation to be carried out or to seek a decision from the Audit, Governance and Standards Committee on whether to investigate and to notify.

- (x) To determine that no further action be taken following a finding that there has been no breach of the Code, subject to consulting an Independent Person.
- (xi) To grant applications for dispensations to members with respect to their or their spouse's interest which arises as a result of membership of another public body.
- (xii) To grant dispensations under the Code of Conduct or the Localism Act 2011 after consulting an Independent Person and the Chairman of the Audit, Governance and Standards Committee.

To the Director, Essex Pension Fund

- (i) To be responsible for the day to day operational management of Essex Pension Fund matters including ensuring arrangements for investment of assets and administration of contributions and benefits, excluding matters delegated to the Pension Strategy Board or Investment Steering Committee.
- (ii) To agree the terms and payment of bulk transfers to and from the Essex Pension Fund.
- (iii) To decide any other Pension Fund related urgent matter, that might otherwise be considered by the Pension Strategy Board or Investment Steering Committee, after consultation with the Chairman of the Pension Strategy Board.

Note: The Director, Essex Pension Fund is not empowered to change the managers of the Pension Fund.