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# Essex County Council Meeting 15 May 2018

## Answers to Written Questions

### Agenda Item 17

**1. By Councillor Henderson of the Cabinet Member for Culture, Communities and Customer**

‘Could the Cabinet Member tell me what the range of fees and space hire charges are for using Essex County Council’s Libraries/Community hubs by Voluntary and Charity group users, and whether they receive concessionary rates?’

#### Reply

‘Essex Libraries/Community hubs charge commercial rates from £15.55 to £51.75 per hour for hire of space within the library.

Voluntary and charity groups are eligible for 66% discount, with concessionary rates from £5.20 to £16.55 an hour.’

**2. By Councillor Henderson of the Deputy Leader of the Council and Cabinet Member for Economic Growth, Skills, Infrastructure and the Digital Economy**

‘The portfolio holder will be aware that I have regularly been raising the issue of the poor standard of the road surface on the A120 between Horsley Cross and Harwich. He will also be aware that this road surface further deteriorated during the winter to the point where it became very dangerous and was the cause of numerous accidents resulting in damage to vehicles.

Having recently met with Martin Fellows, the Regional Director Operations East Highways England, I have been advised in writing that the Wix by-pass was built during the 1970s using a concrete bay type of construction and is approaching the end of its anticipated life. He further advised that the long-term aim is to renew this section of road and so address the underlying problem, but due to the complexity of the site this scheme will require considerable development and planning to mitigate the impact on road users and the local communities. In his letter he goes on to say that the cost of the scheme is likely to be significant and will require the region to secure funding in the second roads investment strategy period 2020/25.

This being the case, may I ask that the portfolio holder recognises the urgent need

to focus on the A120 between Horsley Cross and Harwich and ask him to commit the same level of attention and energy into this section of the A120 as he has to the need for improvements to the A120 between Braintree and the A12, and to seek the necessary funding both to renew and dual both sections of this very important road?’

### **Reply**

‘The A120 between Horsley Cross and Harwich is an important section of road linking as it does a principal UK port with the wider strategic road network and it is recognised that there is a need to invest in improving this route in the future. Accordingly, I can confirm that ECC have recently urged Government through the Department for Transport to consider inclusion of the Hare Green to Harwich section of the A120 in the Road Investment Period 2020-2025. We have suggested that work commences on the plan and design phase as soon as possible within the Investment period and will continue to lobby for its inclusion. The complexities around the Wix Bypass as noted in your question may mean that the maintenance/widening schemes is implemented in a number of stages. We will take this issue up with Highways England and Department for Transport officials emphasising the need to repair the road quickly, and allow the necessary design, consultation and statutory processes to take place on the dualling which is likely to take several years to undertake. In addition to the above I have written directly to Highways England earlier this year asking them to review their investment plans for the road with a view to bringing forward the date of proposed resurfacing works.

I am aware that the local MP Bernard Jenkin is active in seeking investments in this stretch of road and I shall be continuing dialogue with him about any support he is able to provide in helping to secure this.

### **3. By Councillor Young of the Cabinet Member for Education**

‘Could the Cabinet Member tell me how many pupils have been excluded or refused entry into Essex Primary/Secondary mainstream education over the last two years, and provide a list of those schools which have refused or excluded Special Educational Needs and Disability (SEND) pupils and confirm during what months these have occurred.

I would urge the Cabinet Member to call for a review of all Academies across Essex on their present SEND admissions processes and particularly on how these are carried out.’

### **Reply**

‘In the 15/16 academic year 103 pupils were permanently excluded from Essex schools of which 15 had an Education, Health and Care Plan or Statement of

**SEND.**

The months of which those pupils with an ECHP or Statement in which the pupils were excluded are:

Month	Oct	Nov	Dec	Jan	March	May	June
Number	2	2	4	3	1	2	1

In the 16/17 academic year 161 pupils were permanently excluded from Essex schools of which 24 had an Education, Health and Care Plan or Statement of SEND.

The months of which those pupils with an ECHP or Statement in which the pupils were excluded are:

Month	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June
Number	3	1	2	2	1	2	6	1	1	5

For pupils with SEND, parents have a right to name their preferred school as part of the Education, Health and Care process and if the LA agree that the school is appropriate the school will be named on the plan. All schools named on plans have a legal duty to admit the pupil. If a parent disagrees with the local authority's view they have a right to present their case to the SEND Tribunal.

Academies are required by their funding agreements to comply with the statutory national School Admissions Code and the law relating to admissions. The admission authority for academies is the relevant academy trust, as opposed to the County Council.

In addition, academies, as with all other state funded schools, must have regard to the SEND Code of Practice.

The Council works collaboratively with all schools to ensure all children have access to school places in a fair and lawful way". Indeed, my Deputy, Cllr Ball and I are investigating means by which the Council can give recognition to schools that are fully inclusive of children of all abilities and whatever any additional challenges they may face.'

#### **4. By Councillor Reid of the Cabinet Member for Education**

'There are an estimated 45.500 home schooled children in England.

Could the Cabinet Member tell me if we have figures of how many children are home schooled across Essex?

What measures are in place across Essex to ensure that home schooled children are being taught the correct knowledge and skills which are necessary for their future?

Are we doing enough to tackle the minority of out of school settings that seek to undermine British values or put children at risk of harm?'

## **Reply**

‘Currently there are 1934 children falling within cohorts Reception through to Year 11 who are registered against the Essex Home Educated base.

The government have stated clearly that it is a right for parents to electively home educate their children and parents do not have to follow the national curriculum although they have a legal duty to ensure that their child received an efficient full-time education that is suitable to their child’s age and aptitude.

The government have also clearly stated that the Councils have no role to monitor children who are electively home educated unless a clear safeguarding concern is raised.

Support for parents who do decide to electively home educate their children is provided through the Essex County Council website.

Currently the government are undertaking a consultation on home education and ECC will be submitting a response to that consultation as we are concerned about the clear limited role of councils in the monitoring of home education.

Clearly, it is important that all relevant bodies working with children comply with the ‘Prevent’ duty, embracing the values of democracy, rule of law, liberty and tolerance to promote children’s positive development and welfare.

I will be happy to advise Cllr Reid further in respect of any specific setting if she can provide further details.’

## **5. By Councillor Smith of the Cabinet Member for Education**

‘In March of this year, Basildon Borough Council finally agreed a Local Plan for the first time since 1998. Subject to the Government and other legal/recent political considerations; will the Cabinet Member consider in depth the need for a new secondary school for the west of Basildon, to meet the considerable population growth?’

## **Reply**

‘Essex County Council has opened and continues to open new schools across the county where they are required, and the same will be the case in Basildon.

Essex County Council will consider the need for additional secondary school places and formally respond to the Basildon Borough Council’s Reg 19 consultation, which

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is due to be commence imminently. The response will confirm the necessary education sites needed to build new schools to support the planned new housing.

The new housing trajectories associated with the Local Plan will be used to update future iterations of our 10 Year Plan for School Places ([www.essex.gov.uk/schoolorganisation](http://www.essex.gov.uk/schoolorganisation)) allowing us to monitor the forecast demand for school places and respond appropriately with new schools and school expansions.'

## **6. By Councillor Smith of the Cabinet Member for Highways**

'If all side road lampposts were converted to LED, what would be the likely financial saving to the taxpayer? '

### **Reply**

'There are a number of options that we could pursue, linked to different types of equipment, but initial cost modelling indicates that a programmed replacement of the remaining streetlights may require capital outlay between £16m to £27m to achieve an estimated annual saving between £1m and £2m.

We are constantly reviewing the viability of LED conversion for the remaining streetlights not currently in the programme for conversion, as new products come on the market and as prices decrease there may be a time in the near future when the benefits are significant enough to justify the costs.'

## **7. By Councillor Davies of the Deputy Leader of the Council and Cabinet Member for Economic Growth, Skills, Infrastructure and the Digital Economy**

'With reference to the motion brought to Full Council in December, could the Cabinet Member update council with progress on calling upon the government to help fund the A127 and A13 schemes?'

### **Reply**

'The Motion carried in December rightly noted how vital the A127 and the A13 are to the economy of south Essex and Essex generally and how we would be calling on government to recognise this and help us invest in upgrading and renewing the infrastructure to act as a catalyst for growth.

Since that time we have:

- Responded to the Roads Investment Strategy consultation calling for the A127 to be re-trunked an aspiration which if achieved would see funding made available from national sources as the road fulfils the purpose of a national trunk road

- Similarly called for the A13 and A127 to be early candidates for investment via a new form of funding for a tier of our road system called the main road network

Investment from either of these sources would enable us to present full business cases for significant investment. While we await Government's response we are getting on with the job in hand which is to:

- Design and implement £27m of funding at A127/A130 Fairglen Interchange
- Design and implement £4m of funding at A127/B186 Warley Junction
- Develop a prospectus for the A127 in partnership with other Local Authorities in the area outlining our ambition with a range of short and longer term projects
- Work with south Essex colleagues on a 2050 vision which to include a collective view of an ambitious transport infrastructure forward plan to enable and complement the growth and regeneration of the area
- Continue working with transport authorities and other partners to establish Transport East. This is the first step towards the establishment of a Sub National Transport Board for the East that will enable local partners to seek significant devolved powers over spending allocated to the trunk road and Major Road networks including the A127 and A13

We will be taking every opportunity to bring forward proposals and apply for funding when this is made available in order to replicate the progress we have made already in securing investment for the A12, A120 and M11. I will update Members as appropriate on our progress in achieving the above. Local politicians will have an important role to play in helping to promote the case for investment as experience has shown that this, along with the necessary technical work, is crucial to securing funding.

## **8. By Councillor Harris of the Cabinet Members for Highways and Education**

‘Could the Highways and Education Cabinet Members confirm that joint discussions will take place between them and appropriate officers concerning the new school in Shrub End.

This is to ensure that as the new school in Paxman Avenue is completed the roads leading to the new facility will be brought up to a better standard, and indeed see if some extra cycle ways through Shrub End Estate can be created to ensure attendees can get safely to school.

The new school will be a jewel in the crown of Shrub End, but the current road system in Shrub End is not.’

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**Reply**

'We are very pleased to be in a position in September 2019 to open a new secondary school in Paxman Avenue in Shrub End Colchester. This is currently being built on the former Alderman Blaxill site and when complete will provide 900 secondary school places to the local area. An advantage of building a school on an existing site is that infrastructure (e.g. access roads) are already in place in the local area. This site is not located within any major housing developments and as such we have only received a small S106 contributions which has been limited to the school buildings.

Essex Highways have inspected the condition of Paxman Avenue recently and will be validating a resurfacing scheme for the full length of the carriageway. As the 18/19 capital maintenance programme is already set and in progress for delivery, we will include a scheme in the 19/20 capital programme for delivery in the spring/summer of 2019.

Regarding your point around cycling, I have been talking with the academy trust in regard to their travel plans as I am keen to promote cycling as a healthy and sustainable way of traveling to school.

Regarding your point around introducing new cycling paths, this is a part of our longer-term ambitions for Colchester, and we are working with the DfT on a Local Cycling and Walking Infrastructure Plan which will hopefully open funding opportunities to develop cycling and walking infrastructure across the county. Shrub End will be considered as part of this.'

**9. By Councillor Mackrory of the Cabinet Member for Highways**

'Can the Cabinet Member for Highways give an update on the Finchingfield Road Bridge? In particular is it to be replaced or strengthened and what are the timescales?'

**Reply**

'It has been known for some time that Finchingfield Bridge requires some works to ensure it remains useable. It is a significant landmark in Finchingfield and residents are quite understandably concerned that any work that is undertaken maintains the character of the existing bridge and wider village green.

In recent months we have held a number of discussions with representatives from the Parish Council to ensure that an agreeable and workable solution is reached. The current proposed solution is a reconstruction of the bridge in the same location, to look the same as the current bridge, using the same materials and with the bridge remaining as a single carriageway with no footway whilst ensuring protection to the

adjacent buildings.

There are understandably still a number of concerns from the local community that need to be addressed but we are working closely with the Parish, District, businesses and residents to make sure that disruption will be kept to an absolute minimum. Should these discussions continue to progress as hoped, our aim is to have a complete design in place by early 2019 and for works to commence in June next year.'

**10. By Councillor Mackrory of the Cabinet Member for Highways**

'What is the Council's policy regarding parked vehicles advertising services on Highways land?

**Reply**

'If the vehicle is legally parked and not causing an obstruction we have no powers to enforce upon the advertiser. If the advertisement contravenes planning legislation, the district, borough or city council, as planning authority, can enforce. Beyond this we have no powers to enforce upon legally parked vehicles.'

**11. By Councillor Robinson of the Cabinet Member for Highways**

'After nearly two years of inquiry, I have established that Essex Highways and local councils cannot agree who is responsible for painting white lines on cyclepaths that are not on highways e.g. in parks (where it is important to separate pedestrians and cyclists). Also, following the recent very wet weather, grass verges on many estates have turned to mud. When will the Highways maintenance plan include grass verges and cycleways, and in particular when will white lines be painted in the parks in central Chelmsford?'

**Reply**

'Where the paths are public highway Essex County Council is responsible for white lining, but where the path is not public highway the land-owner is responsible. This includes some of the paths through parks in central Chelmsford, which are the responsibility of Chelmsford City Council.

Verge damage may be repaired by Essex Highways, if it is our verge, but in general these defects are lower down the list of priorities and are unlikely to be funded at present. The current priority, after the particularly cold winter, is to fix damage to roads and pavements first.'

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**12. By Councillor Robinson of the Deputy Leader of the Council and Cabinet Member for Economic Growth, Skills, Infrastructure and the Digital Economy**

‘Stansted Airport is proposing new taxiways and aircraft stands that would make the airport capable of handling around 50 million passengers per annum, double the current throughput.

Has Essex County Council carried out a full assessment of what changes are required to the local and strategic road, rail and bus network, and an assessment of the environmental impacts including noise impact, to handle an airport the size of Gatwick?’

**Reply**

‘Essex County Council is a statutory consultee and has been consulted on the current Stansted Airport planning application which is being processed by Uttlesford District Council as the Local Planning Authority. This application would enable combined airfield operations of 274,000 aircraft movements and a throughput of 43 million terminal passengers (an increase of 8 million from the existing permitted numbers), in a 12-month calendar period.

ECC has responded to this planning application through a single corporate response submitted on 30th April 2018, in respect of the following matters: Highways and Transportation; Minerals and Waste Planning; Lead Local Flood Authority – Flood and Water Management; Public Health and Wellbeing; Education (Schools [noise], Early Years and Childcare [EYCC]); and Economic Growth, Regeneration, Skills.

This is a holding response at this stage providing the applicant with advice and allowing them to undertake the further work required including transport modelling. We will revise our response to the planning application in due course based on an assessment of the technical information provided and this will allow for informed discussions to fully understand the impacts of the proposal on the highway network and to ensure appropriate mitigation is secured through a S106 planning obligation.

ECC officers are committed to working closely with Uttlesford District Council, and provide assistance and advice to the applicants to ensure that the specific outstanding matters raised within this Council’s holding response are addressed in order to deliver a compliant planning application.’

**13. By Councillor Kendall of the Cabinet Member for Highways**

‘Many Essex residents who are considering purchasing an electric vehicle have been put off by the lack of infrastructure across the County when it comes to public

charging points. For example, there are no charging points in and around Brentwood and in Colchester there aren't any in their town centre. I understand the County Council are looking at this issue and have identified 9 locations in Essex for on street charge points including one in Brentwood but site surveys haven't been undertaken yet. What is the proposed timescale for getting these 9 locations up and running and what other steps are the County Council going to be taking to meet the future demand on this issue from our residents?'

### **Reply**

'We are keen to expand the electric vehicle (EV) charging network to enable residents to switch to cleaner, low carbon vehicles. It is anticipated that electric vehicles will become more popular in the future as more models become available at an equivalent market price to a petrol or diesel vehicle. This is likely to take place in the early 2020's and therefore we are looking at how we can provide the enabling infrastructure to support the switch.

As an example of our commitment to support the switch to EVs, we have already introduced Fast Charging Points at each of the Chelmsford Park and Ride sites, and Rapid Charge Points at the Lord Butler Leisure Centre in Saffron Waldon, the George Yard Shopping Centre in Braintree and the Weston Homes Stadium in Colchester.

However further charging infrastructure including On-Street Residential Charging requires a bid to be submitted to the Office for Low Emission Vehicles (OLEV). To achieve this, we are working with key stakeholders including city, district and borough councils, together with energy distribution companies to develop a pilot scheme as part of a bid to be submitted later in 2018, and we expect this to include Brentwood.'

### **14. By Councillor Kendall of the Cabinet Member for Highways**

'The time it is taking for the County Council to clear blocked drains is a concern for many residents across Essex. Please could I have the answers to the following points:

How many reported blocked drains are awaiting clearance as at 30th April 2018?

What is the average waiting time for a blocked drain to be cleared from the date it was first reported?

How many drain clearance machines are currently operating across Essex in 2018?

How many machines were there clearing blocked drain in 2016 and 2017?

What steps are the County Council going to take to try and speed up the drain clearance programme?'

**Reply**

'There are over 280,000 gullies and catchpits across our Essex roads, in addition to the pipe networks. The number of recorded gully and drainage issues is 6,380, or just over 2%.

We do not record the average time taken to clear a blockage. Our priority is gullies on the PR1/PR2 roads and known vulnerable locations such as Canvey Island and areas within our Flood Management Plans. After we have resolved issues in those priority locations we group remaining issues geographically to make sure we are as efficient as possible.

We have five specialised gully cleansing vehicles permanently on the network with an additional four specialised jetting vehicles. While we are pleased that these numbers have remained consistent over the last few years, we have also been able to increase resources by investing an additional £250,000 in 2017/18. This additional investment will also be made during the 2018/19 financial year.'

**15. By Councillor Turrell of the Cabinet Member for Highways**

'Please can the Cabinet Member for Highways confirm what improvements are being made to Paxman Avenue in Shrub End Colchester and the timescale. A new school is being built in this road and we are encouraging children to walk and cycle but the state of the road is a real safety issue. I did email your office and was promised a response but as yet nothing has been received.'

**Reply**

'We are very pleased to be in a position in September 2019 to open a new secondary school in Paxman Avenue in Shrub End Colchester. This is currently being built on the former Alderman Blaxill site and when complete will provide 900 secondary school places to the local area. An advantage of building a school on an existing site is that infrastructure (eg access roads) are already in place in the local area. This site is not located within any major housing developments and as such we have only received a small S106 contributions which has been limited to the school buildings.

In relation to planned resurfacing works, we did apply a micro surfacing layer to repair any areas in and around the school that had become damaged over the years. Essex Highways have also inspected the condition of Paxman Avenue recently and will be validating a resurfacing scheme for the full length of the carriageway. As the 18/19 capital maintenance programme is already set and in

progress for delivery, we will include a scheme in the 19/20 capital programme for delivery in the spring/summer of 2019.'

**16. By Councillor Turrell of the Cabinet Member for Highways**

'More and more traffic islands, lamps, signs and bollards are being damaged and not repaired. Some are not very visible. Are they part of the highways maintenance plans?'

**Reply**

'Damage to any of Essex's road infrastructure is part of our maintenance plan. Our policy is to prioritise our spending on maintenance for areas that have an impact on safety first.

However, where Members are aware of evidence (particularly photographic) that identifies the culprit, then we request this is submitted to Essex Highways as there is a specific team who look to recover all costs associated with the repair of damaged assets.'

**17. By Councillor Reid of the Cabinet Member for Health**

'It has been recently reported that Allied Health Care has warned that it could go bust unless a rescue plan can be found.

I understand that they provide Health Care within the Essex County Council.

Can I ask the portfolio holder what steps Essex County Council is taking to ensure the care of our residents.'

**Reply**

'Allied Health Care are major providers of reablement and domiciliary care services to Essex residents. We therefore work closely with Allied and are aware of the issue.

Allied Healthcare recently applied for a Company Voluntary Agreement (CVA) in order to restructure the company's debts.

As soon as we were advised of the CVA, we began to work with Allied and health partners so that robust plans were in place to ensure the safety and wellbeing of clients.

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At the national level, a letter was issued to all relevant partners requesting that arrangements be put in place such that if Allied Health Care could not continue to provide services, there would be contingency provision.

At this stage, however, Allied Health Care continue to trade and deliver services to clients. We continue to liaise with them to ensure quality and continued services for relevant residents.'

## **18. By Councillor Abbott of the Cabinet Member for Highways**

'During the week commencing 16th April, surface dressing works were due to take place on one road between Rivenhall and Silver End and good advance notice was given via e-mail such that I as the local County Member was able to pass on that information to local parish councils and via social media, etc.

However, it emerged close to the date of the works that much more extensive work was planned, with signs put up on other local roads in the vicinity. These signs, together with information on the Essex Highways Information Map stated that several roads in/out of the village of Silver End would be closed on the same days. This in turn led to concern in the local community about how residents would get children to school, where the services buses would be diverted to, access to a church, etc.

On asking Member Enquiries, who were very helpful, it emerged that the works would only involve one road being closed at a time in/out of the village but even right up to the start of the works we were trying to establish in what order the roads would be closed.

Whilst it is appreciated that such work is necessary to keep the roads in good condition, does the County Council also accept that residents should have good and accurate information about road closures in order to plan as they go about their daily lives. In this case, and not for the first time in this area, the information was inadequate and confusing.

What measures will the Cabinet Member put in place to ensure that road closure information via e-mail to Members, on the Highways Map and in relation to signage on the ground are all consistent with each other and furthermore would he consider a system for specific consultation with County Members when multiple consecutive road closures in one area are to be carried out.'

## **Reply**

'In order for our overall surface dressing programme to run as efficiently as possible sites are clustered and, if suitable, undertaken by the same gang. Because the dressing process can be very quick a gang can deliver three or four roads in a day.

Although we set an order for delivery, and only close one road at a time, any combination of unsuitable weather, parked cars, statutory undertakers clashes or other incidents may mean changes to this order, even on the day work is to be carried out.

We already provide good advance information that anyone with online access can interrogate, though [www.roadworks.org](http://www.roadworks.org) and with our highways Information Map. This is complemented by the roadside signage that we use routinely and often a letter drop.

Providing this information even more accurately for a process which is so weather dependant will lead us to be less productive and consequently more expensive. I am happy to consider ways to further improve and we are working on real time information fed in to roadworks.org but for local residents, planning of particular deliveries, appointments etc is often best managed by talking to the gang on-site at the time. If they are made of aware of events, funerals, important vehicle or pedestrian movements etc we normally manage to facilitate access and egress successfully.'