



Essex County Council

Summons

To all Members of Essex County Council

You are hereby summoned to attend the annual meeting of the County Council to be held as shown below or on the rise of the Extraordinary meeting of Council due to take place that morning, whichever is later to deal with the business set out in the Agenda.

10:05	Tuesday, 10 May 2022	Council Chamber, County Hall, Chelmsford, CM1 1QH
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Gavin Jones
Chief Executive

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Essex County Council and Committees Information

All Council and Committee Meetings are held in public unless the business is exempt in accordance with the requirements of the Local Government Act 1972. If there is exempted business, it will be clearly marked as an Exempt Item on the agenda and members of the public and any representatives of the media will be asked to leave the meeting room for that item.

The agenda is available on the [Essex County Council website](#) and by then following the links from [Running the Council](#) or you can go directly to the [Meetings Calendar](#) to see what is happening this month.

Attendance at meetings

Most meetings are held at County Hall, Chelmsford, CM1 1LX. [A map and directions to County Hall can be found on our website.](#)

Access to the meeting and reasonable adjustments

County Hall is accessible via ramped access to the building for people with physical disabilities. The Council Chamber and Committee Rooms are accessible by lift and are located on the first and second floors of County Hall.

Induction loop facilities are available in most Meeting Rooms. Specialist headsets are available from Reception.

With sufficient notice, documents can be made available in alternative formats, for further information about this or about the meeting in general please contact the named officer on the agenda pack or email democratic.services@essex.gov.uk

Livestreaming of meetings

In the interests of improving access to the Council's meetings, most meetings will be livestreamed on the [ECC Democracy YouTube Channel](#). Recordings of the meetings once they have finished are also available on the Channel.

Minutes of the meeting of the Full Council, held in the Council Chamber at County Hall, Chelmsford on Thursday, 10 February 2022

Present:	Chairman:	Councillor E C Johnson	
B Aspinell	C Guglielmi	R Playle	
L Barber	D Harris	C Pond	
S Barker	A M Hedley	S Robinson	
K Bentley	I Henderson	P Schwier	
A Brown	J Henry	L Scordis	
M Buckley	M Hoy	L Scott	
G Butland	J G Jowers	A Sheldon	
S Crow	D King	C Siddall	
T Cunningham	D Land	M Skeels	
J Deakin	S Lissimore	K Smith	
M Durham	D Louis	C Souter	
B Egan	L Mackenzie	J Spence	
J Fleming	M Mackrory	M Steel	
M Foley	B Massey	M Stephenson	
P Gadd	A McGurran	M Steptoe	
A Goggin	J McIvor	M Vance	
M Goldman	L McKinlay	L Wagland	
R J Gooding	A McQuiggan	C Whitbread	
I Grundy	Dr R Moore	H Whitbread	
	M Platt	A Wiles	

It was noted that Councillor Jowers was supporting the Chairman at the meeting as the Vice-Chairman, Councillor Reeves, was unable to be present in the Chamber.

Not present but attended the meeting online (these members did not vote on any item):

D Blackwell	P Honeywood	J M Reeves
L Bowers-Flint	J Lumley	L Shaw
M Cory	P May	W Stamp
		P Thorogood

Chairman's Welcome and Introduction

The Chairman thanked all those members and officers who had contributed to the arrangements for the meeting and welcomed those who were present, socially distanced, in the chamber and those who had joined the meeting virtually.

He informed members that a fire alarm test was not expected and so if the alarm should sound all attendees should leave by the nearest door and the nearest fire exit, and then assemble the grounds of the nearby Cathedral.

He repeated advice from the Director of Public Health that those present were encouraged to wear face coverings unless speaking and if leaving the meeting or moving around the chamber to maintain social distancing where possible.

Lastly, he informed those present that the meeting would be recorded and broadcast live over the internet by way of the ECC Democracy YouTube Channel.

The opening remarks, together with the broadcast of the entire meeting may be found on the [ECC Democracy YouTube Channel](#).

Prayers

The meeting was preceded by prayers led by Councillor Spence, a lay Canon in the Church of England

Councillor Johnson formally opened the meeting.

1. Apologies for Absence

Apologies for absence were received on behalf of Councillors Ball, Garnett, Hardware and Kane.

2. Declarations of Interest

Members were reminded by the Chairman of the need to declare any interests and to do so immediately or at the start of the consideration of any relevant item of business.

The Chairman also reminded members of the advice they had been given by the Monitoring Officer relating to the budget debate:

- '(a) that any member who may have any arrears of Council Tax outstanding for two months or more must make a declaration of interest and you not entitled to vote on the Annual Budget but are not prevented from taking part in the discussion; and

- (b) members must also make declarations of interest relating to the Budget debate in accordance with the detailed advice given by the Monitoring Officer in his email of 30 January.'

3. Confirmation of the minutes of council meetings held on 7 December 2021

Resolved:

That the minutes of the meeting held on 7 December 2021 be approved as correct records and signed by the Chairman, subject to a correction of an error on page seven to show that former Councillor Harper had served until May 2001.

4. Public Speaker

The Chairman noted that registered as a public speaker was Mr Peter Irvine, Chairman of Little Baddow Parish Council.

Mr Irvine, having been invited to speak, said:

'Sir,

As the Cabinet Member for Highways are you aware of the full background to this proposal, which has profound negative implications for an iconic location, the village of Little Baddow and a beautiful Conservation Area?

The proposal is to build a new bridge and elevated causeway driving through a Conservation Area in deep countryside, crossing the Chelmer and Blackwater Navigation. That in itself would be a cause for controversy, as is evidenced in part by the petition of over 800 names that has been presented to you.

But what is especially galling is that there has been no effective evidence that we have seen of the need for such damage and harm to the area, or of the need for what would be a very expensive proposal at a time of financial stringency.

There is an existing bridge, built in 1934. The project was initiated against a belief that the existing bridge was unsound. The bridge was assumed by the contractors to have no proper footings, but the Parish Council has provided evidence that – unusually for the time – it was in fact properly founded. Our evidence has not been refuted by any evidence to the contrary offered to us as to its current state.

The Chelmsford Local Plan does not offer any statement as to the need for a radical and suddenly emerging need for a wholly new road structure in this immediate vicinity. It does, however, stress the importance of the valley, a Conservation Area, through which it is proposed to drive it.

If the existing bridge is repaired, the nature of the roads leading to it is such that there will be a natural limit to community rat-running in the area, whereas with a new, fast road there is likely to be a radical change in driving patterns, with unpredictable implications for the demand placed upon roads at either end – and importantly, additional pressure on Main Road, Boreham, that is likely to become a major congestion point at its access to the Boreham Interchange. Meanwhile the character of the valley will be changed forever.

Paper Mill Lock is an iconic beauty spot, always well attended by walkers and other visitors but now much more so following the localness of activities driven by Covid. The outlook down the valley is very special, and not to be lightly destroyed by such a major potential construction.

I asked at the outset if you were aware of all that surrounds this proposal. If you, as Cabinet Minister, have already been made aware of all of this and of the intense feelings against the proposal among residents of Little Baddow and nearby Villagers, then I am sorry for rehearsing it. But at Parish Council level we hate to see money spent expensively on replacement where much cheaper repair could work and avoid harm, and we have not been made aware of ANY argument in favour of the proposal or against repair and strengthening of the existing bridge. A meeting with us in January was proposed by Essex Highways but has now been deferred to an indefinite future date later in the Spring.

Thank you for your time and attention.'

Before asking Councillor Scott, Cabinet Member for Highways Maintenance and Sustainable Transport to respond, the Chairman considered amending the order of business.

5. Variation in the Order of Business

The Chairman, with the agreement of council, determined to vary the order of business to allow the agenda item 'Receipt of petitions and deputations' to be taken. He noted that the first petition related to the matter raised by the public speaker, Mr Irvine. He would permit Councillor Scott to respond to both Mr Irvine and the petition to be presented by Councillor Spence.

6. Petitions

Councillor Spence presented a petition relating to Paper Mill Lock Bridge.

Councillor Scott received the petition and responded to both Councillor Spence and the public speaker, Mr Irvine.

He said:

'I would like to thank you for taking the time to speak today. It is clear from your question how important this issue is to the local community.

With all decisions I must be guided by the Highways Officers whose primary purpose is to ensure that we are safe on our roads, pathways, and bridges, in line with our statutory duties.

No final decision has been taken and the team are still working onsite before bringing forward their recommendations for Paper Mill Lock. The team are continuing to investigate the bridge's carrying capacity in more detail with a view to understanding more about the possibilities of retaining the structure in its current position as a vehicle crossing.

We have gained consent from the Environment Agency to obtain samples of the bridge's steelwork from mid-March (the earliest the Environment Agency would allow us access), which will inform the structural assessment of the bridge.

These works will likely take six days to complete however they are not expected to impact the carriageway as the work will be carried out from the underneath the bridge. We do, however, wish to complete these works as soon as possible before further constraints apply associated with the increase usage of the river as we go from Spring to Summer.

Assuming our investigations can take place without unexpected delay, we anticipate being able to share our findings with the parish council at end of May 2022 for further discussion. Therefore, the January meeting was postponed, and a new date hasn't been set – in case the planned works are delayed.

I understand not only your concerns for the local environment and your wish to avoid the council spending money on a replacement when a repair would suffice however, as with any decision, we must take a risk-based approach. It may be the case that a repair is in fact more expensive than replacement. Many of the bridges across the

county were simply not designed to accommodate modern requirements and standards and so we simply cannot repair them but must replace them.

I had not, prior to your question, been made aware of this issue, however this is not because of an omission by officers, but because, as highlighted above they are still conducting investigations into the status of the bridge.

This is the case with any decision that is brought to me – officers complete the investigations and come forward with a recommendation based on their professional expertise. They also highlight the concerns of interested parties so that I am aware of the wider ramifications of the decisions that I make. This includes speaking to local members, in this case, Councillor John Spence, so that I am fully aware of all parties' views.

Personally, I also prefer to stand back from the preliminary work so that I cannot be accused of bias in any response because I visited or spoke to one person but not the other.

An example might be where a proposal has come forward where some residents would like a speed limit, a disabled parking space or a driveway. I need to balance our statutory responsibility but also the impact on other residents, some of whom will not be supportive of the case being put forward and I make sure to listen to all interested parties.

In closing I do want to reassure you that Highways Officers are very aware that this is something that residents and the Parish Council are extremely invested in, and they would not seek to force through a decision that did not take these feelings into an account – but I must emphasise that safety will always be my number one priority.'

The public question, the related petition and the response of the Cabinet Member may be found as part of the broadcast of the meeting on the [ECC Democracy YouTube Channel](#)

The Chairman invited Councillor Smith to present a petition relating to charges for car parking at the Westley Heights/Langdon Hills Country Park and the Leader, Councillor Bentley responded to accept the petition.

7. Chairman's Announcements and Communications

New Year's Honours

The Chairman informed members that 29 Essex people had been awarded honours in the Queen's New Year honours list.

He noted that of those recognised, seven had received awards for helping their communities in the Covid-19 pandemic and one was known to many members as former Councillor Valerie Metcalf, who had represented the Division of Buckhurst Hill and Loughton South. She had received an MBE for her political and public service.

The Chairman congratulated on behalf of the council, all those in Essex who had received an award.

Accession Day

The Chairman noted that the 6 February 2022 marked 70 years since The Queen acceded to the throne. In order to congratulate Her Majesty and thank her for her dedicated service the Chairman reported that he had written to her on behalf of the council and the people of Essex.

Dr Mike Gogarty

The Chairman advised members that Dr Mike Gogarty, the Director of Wellbeing, Public Health and Communities, had this week, left Essex County Council. He noted that Dr Gogarty had been at the forefront of the response to the pandemic, his advice and guidance had enabled members to hold meetings in the safest way possible. He had also made regular appearances on the television and spoken on radio giving advice and guidance directly to the residents of Essex.

Members in the chamber spoke with respect for Dr Gogarty and were grateful for his timely and measured advice, noting that he took a practical and pragmatic approach to the pandemic.

The Chairman, The Leader and many members wished him a very happy and healthy retirement.

Their remarks, as part of the broadcast of the meeting may be found on the [ECC Democracy YouTube Channel](#).

Mr Andy Gribben

The Chairman advised members that Andy Gribben, the Senior Democratic Services Officer who was the clerk to the meeting of Council, to the Audit, Governance and Standards Committee and had other duties within the Democracy Team was about to retire and he thanked him for his many years of service to Essex County Council.

Awards**Charter Plus Assessment**

The Chairman informed members that again, ECC had been recognised as one of the best Councils in the Country for its support and development offer to its elected councillors. On 20 January, an assessment team for the LGA had interviewed many members and officers after reviewing a portfolio of evidence.

The Chairman noted that the Lead Assessor had stated:

‘Congratulations for the successful Charter Plus Assessment, it was thoroughly deserved, ECC put together a great portfolio and all the interviews were positive, and the value of councillor development was evident across the whole organisation. Your high-quality submission certainly made it difficult for the Assessment Team to identify improvements.’

The Chairman advised members that the award would be presented to Council at a future meeting, but he had wanted to share the important news and pay tribute to Joanna Boaler, Head of Democracy and Transparency and Sophie Crane, Senior Democratic Services Officer, both of whom had been instrumental in the success, for their dedication and hard work. To show the appreciation of members he presented Joanna Boaler with some flowers.

8. Executive Statement

At the invitation of the Chairman, Councillor Bentley, The Leader of the Council gave a statement entitled ‘A Budget for Everyone’s Essex’.

The Executive Statement is [published on the ECC website](#) and the broadcast of the meeting may be found on the [ECC Democracy YouTube Channel](#).

9. Everyone's Essex Annual Plan and Budget 2022-23

The Council received the report Everyone's Essex Annual Plan and Budget 2022-23 that was in two parts, Part 1 being the Section 151 Officer's report and Part 2 being the Budget and Plan.

There were also four appendices:

- Appendix A – Essex County Council Annual Plan 2022-23
- Appendix B – Equality Impact Assessment 2022-23
- Appendix C – Pay Policy Statement 2022-23 and
- Appendix D – Budget Consultation Report.

It was noted that there had been an addendum report and replacement recommendations as since the publication of the Annual Plan and Budget 2022/23 the council had been advised of the final local government finance settlement.

It was moved by Councillor King and seconded by Councillor Mackrory that the recommended budget be amended as follows:

- '1.0 Recognising the rising pressures of the energy and cost of living crisis on the most vulnerable and just about managing. Noting that the Government's Council Tax rebate and fuel bills loan, whilst welcome, will be far too late and too little. Not enough to stop yet more families falling into fuel poverty, to choose between warmth and food;
- 1.1 To reduce the proposed Council Tax increase by 1/3rd from 4.49% to 3% at a cost of some £10.9m in 2022/23. Such a reduction to be set against the 2% general Council Tax increase proposal, rather than the specific precept for Adult Social Care.
- 1.2 This is to be funded by reducing the General Balance in 2022/23 by £10.9m, from 6% towards 5% of the Council's net expenditure budget.
- 2.0 The following revenue investment proposals are to be funded by drawing on unrestricted reserves and that the budget recommendation be amended as detailed in the Section 151 officer's commentary and statement below.
- 3.0 Protect low income families from the impacts of the increases in Council Tax **by adding** £2.1m to the base budget over each of the 4 years of the MTRS **adding to the proposals developed from the Local Council Tax Support grant for 2021/22 (after recompense for any loss of Council Tax base) and funded in 2022/23 through the Everyone's Essex reserve.** This scheme will be developed in partnership with Essex District, Borough and City Councils who in past years have generously supported many households, so reducing hardship and the pressure of their Council Tax bills

- 4.0 **Supporting the mental health needs of children and young people:**
 - 4.1 The huge increase in numbers of young people requiring advice and treatment for mental health issues due to Coronavirus is well documented. Current demand is not being met fast enough as shown by waiting times, to the detriment of those young people. Pressures made worse by the impact on wider NHS capacity. It is accordingly proposed to **Increase the Children and Families base budget by £2m** (Children's Services and Early Years portfolio). This additional funding to enable **more vital work with children and young people with mental health issues**, in the knowledge that any such measures may reduce the risk of harm and suicide prevention, and benefit the NHS. We will promote the benefits of investing in match-funding this significant additional expenditure with the Clinical Commissioning Groups (and successor Integrated Care Systems) to provide more mental health counselling support in all schools to help identify and address mental health issues at an early age with the intention of reducing demand on services in the future.
- 5.0 Supporting Essex's young people recognising the impacts of isolation and loneliness and the cuts over many years, made worse by the impacts of lock down and pandemic:
 - 5.1 An increase of £500,000 in the base budget provision for Youth Services (Community, Equality, Partnerships and Performance portfolio) for the provision of Youth Service projects including, support, mentoring and respite for young carers, school lunchtime clubs/drop in sessions run by youth workers and outreach work, including detached working. And to actively explore the potential for a transformational step change in youth provision, by working with Onside and their partners, which include the Government, to bring Youth Zones to Basildon and Colchester.
- 6.0 Recognising the gravity of the Climate Emergency to accelerate our response, by agreement with the independent Essex Climate Action Committee.
 - 6.1 To treat this as a Climate Emergency, to accelerate the pace and scope of feasibility work and early design and development proposals and to invest a further £2m, working with Government and philanthropic partners. This is in the knowledge that early progress will position Essex better to take advantage of Government funding, to set the pace and lead nationally. **Essex Pension Fund is exploring how impact investing might be deployed in UK/County wide investments, without material loss of income to pension holders, to target the 10 (ten) Responsible Investment priorities the**

Investment Steering Committee have identified which include climate change and the impacts on their members.

- 7.0 Investing in our Infrastructure and Quality of Life
- 7.1 An increase of £4.5m in the Highways Capital programme provision for Road Maintenance (Infrastructure portfolio). In addition, to start to clear the massive backlog of footway, cycleway and drainage repairs, investment as set out below.
- 7.2 To double footway maintenance spend, as the most neglected and in need of repair area of highways. And as a contribution to the wider aims of Active Travel, by an additional one-off capital investment of £8m.
- 7.3 To devolve decision making and to improve the effectiveness of existing expenditure, create a new Member Priority Budget of some £2.25m or £30,000 **per county councillor** to meet the worst pothole and other highways issues in their communities.
- 7.4 To increase Surface Water Alleviation funding by adding £350,000 to help alleviate such issues for residents, including £100,000 to be earmarked as a mitigation contribution to tidal and heavy rain events disrupting businesses and travel at the Hythe Colchester.
- 7.5 An increase in our capital investment in new cycling and walking infrastructure, doubling this from £0.75m to £1.5m, improving thus our prospects of attracting match and grant funding from Government and other partners, such as the NHS.
- 7.6 An increase in Electric Vehicle Infrastructure. £200,000 earmarked as drawdown from the climate reserve in 2022/23 to be doubled to £400,000 and included within the capital budget, as a contribution to our efforts to respond to the Climate Emergency and to improve air quality across Essex.
- 7.7 A one off increase in Active Travel support, promotion and delivery in 2022/23, restoring the budget to that of 2021/22, a revenue increase of £1.2m to £1.656m, and to seek additional match funding from other partners including the Government and the NHS.
- 8.0 Improving the look and feel of our natural environment by reduced littering:
- 8.1 A one off increase of £250,000 in the budget provision in 2022/23 for Waste Disposal (Environment and Waste portfolio) to tackle the scourge of fly-tipping, which is blighting both the countryside and urban areas, in particular to pursue the prosecution of offenders. This

increase is to be funded from the Waste Reserve in 2022/23. And to include exploration of:

- 8.2 The introduction of litter-cam technology to catch and fine vehicle drivers, losing loads and or throwing litter from their vehicles, so doing improving the appearance of our main roads and entrances to our towns and villages across Essex, and reducing the risk to those who litter pick.

9.0 Cost and Use of Reserves

- 9.1 It is recognised that these measures (Council Tax proposal plus table detail within 10.1) will be an increase of £19.1m to the 2022/23 budget or some 2% arising from the proposed changes. To be funded by reducing the General Balance from 6% towards 5%, (£10.9m) and by drawing on unrestricted reserves (**primarily Everyone's Essex, future capital funding and the waste reserves**), reducing these by £8.2m to £177m.'

The amendment moved by Councillor King and seconded by Councillor Mackrory was put to the vote and was **lost**.

In accordance with Standing Order 16.10.2 (Voting on budget decisions) the Motion as shown in the Budget report, the Addendum Report and Replacement Recommendations document was put to a division by name and **carried** by 45 votes for, 14 against and 1 abstention.

Those voting for the Motion were Councillors:

L Barber	A M Hedley	P Schwier
S Barker	J Henry	L Scott
K Bentley	J G Jowers	A Sheldon
M Buckley	D Land	C Siddall
G Butland	S Lissimore	M Skeels
S Crow	D Louis	C Souter
T Cunningham	L Mackenzie	J Spence
M Durham	B Massey	M Steel
B Egan	J McIvor	M Stephenson
J Fleming	L McKinlay	M Steptoe
P Gadd	A McQuiggan	M Vance
A Goggin	Dr R Moore	L Wagland
R J Gooding	M Platt	C Whitbread

I Grundy	R Playle	H Whitbread
C Guglielmi	C Pond	A Wiles

Those voting against the Motion were Councillors:

B Aspinell	D Harris	A McGurran
A Brown	I Henderson	S Robinson
J Deakin	M Hoy	L Scordis
M Foley	D King	K Smith
M Goldman	M Mackrory	

Councillor Johnson abstained.

Resolved:

1. That the Section 151 Officer Report be noted.
- 2.1 That the Everyone's Essex Annual Plan be approved in the form appended to the report (Appendix A) subject to changes in paragraph 2.16 below.
- 2.2 The net cost of services be set at **£1,089.9 million (m)** for 2022/23 – Appendix A (page 21).
- 2.3 The net revenue budget requirement be set at **£958.0m** (net cost of services less general government grants) for 2022/23 – Appendix A (page 25).
- 2.4 The total council tax funding requirement be set at **£763.7m** for 2022/23 – Appendix A (page 25).
- 2.5 That Essex County Council's element of the council tax be increased by 4.49% made up of a 1.99% increase in the general council tax precept, and 1% adult social care precept as set out by government for 2022/23, plus an additional 1.5% adult social care precept, deferred from 2021/22 using the flexibility set out by government for 2021/22. Therefore, the Essex County Council element of the council tax charge for a Band D property in 2022/23 will be **£1,401.12**. A full list of bands is as follows:

Council Tax Band	2021/22 £	2022/23 £
Band A	893.94	934.08
Band B	1,042.93	1,089.76
Band C	1,191.92	1,245.44
Band D	1,340.91	1,401.12
Band E	1,638.89	1,712.48
Band F	1,936.87	2,023.84
Band G	2,234.85	2,335.20
Band H	2,681.82	2,802.24

- 2.6 That Essex County Council element of the council tax for each category of dwelling and the precepts on each of the council tax billing authorities for 2022/23, together with the final tax base, be as set out in the table below:

Billing Authority	2021/22 Final Tax Base Band D Equivalent	2021/22 Gross precept £000
Basildon	61,376	85,995,407
Braintree	54,957	77,001,352
Brentwood	33,172	46,477,813
Castle Point	31,299	43,853,627
Chelmsford	70,142	98,276,911
Colchester	64,722	90,682,728
Epping Forest	54,865	76,872,869
Harlow	27,950	39,161,304
Maldon	25,524	35,762,607
Rochford	32,708	45,827,273
Tendring	49,892	69,904,959
Uttlesford	38,436	53,853,028
Total for ECC	545,042	763,669,878

- 2.7 That the proposed total schools' budget be set at **£576.1m** for 2022/23 which will be funded by the Dedicated Schools Grant, Universal Free School Meals Grant, Pupil Premium Grant, PE and Sports Premium Grant, Sixth Form Grant, Teachers Pay and Pension Grants and the

COVID-19 Recovery Premium Grant. The majority of this will be passed through to maintained schools.

- 2.8 That the underlying balance on the General Balance be set at **£68.1m** as at 1 April 2022 (Appendix A, Annex 1, page 53).
- 2.9 That the capital payments guideline be set at **£283.6m** for 2022/23 – Appendix A (page 24).
- 2.10 That for the purposes of section 52ZB of the Local Government Finance Act 1992 the Council formally determines that the increase in council tax is not such as to trigger a referendum.
- 2.11 That the 2022/23 to 2025/26 Prudential Indicators and limits, together with updated limits for 2021/22 as set out in Annexes 3A and 3B of the Capital Strategy (Appendix A) be approved.
- 2.12 That the Treasury Management Strategy for 2022/23 be approved, comprising:
 - (a) Borrowing strategy, as set out in Annex 3 of the Capital Strategy (Appendix A, Annex 3, page 78).
 - (b) Treasury management investments strategy, as set out in Annex 3 and Annex 3D of the Capital Strategy (Appendix A, Annex 3, page 84).
 - (c) Indicative strategy for commercial investment activities, as set out in Annex 3 of the Capital Strategy (Appendix A, Annex 3, page 87).
- 2.13 That the policy for making a prudent level of revenue provision for the repayment of debt, (the Minimum Revenue Provision policy) as set out in Annex 3C of the Capital Strategy (Appendix A, Annex 3, page 96), be approved.
- 2.14 That the revised Treasury Management Policy Statement (Appendix A, Annex 3, page 102) and Treasury Management Practices (Appendix A, Annex 3, page 103), which set out the policies, objectives and approach to treasury management, are adopted.
- 2.15 That the Council adopts the Pay Policy Statement for 2022/23 as set out in Appendix C to the report.
- 2.16 That the following figures be amended to the Annual Plan which forms Appendix A to the report (which starts at page 54 of the published agenda pack) as shown on the replacement pages annexed to the addendum report.

- (a) Where the net cost of service currently shows **£1,083,337,745** (page 78 of the agenda pack), this will be amended to **£1,089,884,195** (as shown on page 2 of this report)
- (b) Where the Adult Social Care and Health portfolio shows **£737.288m** gross expenditure and **£115.669m** specific grant income (page 80 of the agenda pack), this will be amended to **£743.274m** and **£121.655m** respectively.
- (c) Where the Children's Services and Early Years portfolio shows **£249.649m** gross expenditure and **£103.475m** specific grant income (page 82 of the agenda pack), this will be amended to **£249.866m** and **£103.693m** respectively.
- (d) Where the Ambition Fund Reserve shows **£6.800m** total net expenditure (page 102 of the agenda pack), this is amended to **£8.800m**
- (e) Where the Everyone's Essex Reserve shows **£0** total net expenditure (page 102 of the agenda pack), this is amended to **£1.000m**
- (f) Where the Collection Fund Risk Reserve shows **£5.951m** total net expenditure (page 102 of the agenda pack), this is amended to **£9.497m**
- (g) Where the Other Operating costs portfolio shows **£109.106m** total net expenditure budget (starts at page 101 of the agenda pack), this is amended to **£115.652m**.
- (h) That pages 74, 76, 78, 80, 82, 101, 102, 103 and 106 of the agenda be replaced with those appended to the addendum report circulated at the meeting.

2.17 That the Section 151 Officer be authorised to amend other figures in the Annual Plan which need to change as a result of the mathematical changes of the above consequence.

10 Financial Regulations

At the invitation of the Chairman, Councillor Bentley, the Leader of the Council, presented the report and it having been moved by Councillor Bentley and seconded by Councillor Whitbread it was

Resolved

That the updated financial regulations as detailed in the report be adopted.

11. Independent Remuneration Panel

At the invitation of the Chairman, Councillor Bentley, the Leader of the Council, presented the report and asked members to note the additional information and recommendation that was to be found in the Order Paper.

It having been moved by Councillor Bentley and seconded by Councillor McKinlay it was

Resolved

1. That Mark Palmer be appointed to chair the new Independent Remuneration Panel serving alongside the members recommended in the order paper, those being: Fiona Bodle, Russell Everard and George Yerosimou.
2. That the Terms of Reference and remuneration for the review of the Members' Allowances Scheme by the Independent Remuneration Panel as set out in Appendix 1 be approved.
3. That the report of the Panel be brought back to the next suitable meeting of the Council.

12. Council Issues

At the invitation of the Chairman, Councillor Bentley, the Leader of the Council, presented the report and it having been moved by Councillor Bentley and seconded by Councillor McKinlay it was

Resolved**1 Approval of reason for non-attendance at this meeting**

- a) That for the purposes of section 85(1) of the Local Government Act 1972 the Council approves the following as a reason for a Member's non-attendance of the council meeting on 10 February 2022:
- b) The Member took part in the meeting via zoom as a result of the public health advice regarding attendance in the council chamber for that meeting.

2 Delegated Decision-making on employment policies etc

To amend the constitution by adding a new paragraph 15.1(o):

- '(o) Nothing in this scheme of delegations authorises any decision to be taken to do any of the following without first consulting both the Section 151 Officer and the Monitoring Officer (or their nominee):
 - (i) Changing the management structure of the council
 - (ii) Making a decision which will affect the pay of more than one employee or contractor.
 - (iii) Adopting any policy or plan relating to the exercise of the Council's functions as employer.'

3 Auditor Appointment Scheme for External Auditors

- a) That Council agree to opt into the PSAA's national procurement arrangement for auditor appointments for contracts due to start from 1 April 2023 and covering the audit of accounts for the financial years 2023/24 to 2027/28.
- b) Agree that the Section 151 officer gives formal notification of the Council's decision to PSAA Limited.

4 Appointment of Co-opted Members to the People and Families Policy and Scrutiny Committee

That future vacancies on the People and Families Police and Scrutiny Committee for co-opted parent governors of maintained schools are opened to any such governor of a primary or secondary school in Essex.

13. The Leader's Report of Cabinet Issues

At the invitation of the Chairman, Councillor Bentley, the Leader of the Council, presented the report and it having been moved by Councillor Bentley and seconded by Councillor McKinlay it was

Resolved

To receive the list of urgent decisions taken as attached as Appendix 1 to the report and the minutes of the Cabinet meetings held on 24 November and 21 December 2021 and 18 January 2022.

14. Oral Questions of the Leader, Cabinet Member, a chairman of a committee or the representative of the Essex Police, Fire and Crime Panel.

The oral questions and answers as part of the broadcast of the meeting may be found on the [ECC Democracy YouTube Channel](#).

The questions asked were:

Asked by	Asked to	Subject
Cllr C Pond	Leader of the Council	Changes to bus fuels
Cllr L Scordis	Cabinet Member for Highway Maintenance and Sustainable Transport	Part night streetlighting and graffiti
Cllr P Gadd	Cabinet Member for Highway Maintenance and Sustainable Transport	Carry forward of local highway panel funding
Cllr I Henderson	Leader of the Council	Transport East and Dualling of the A120
Cllr S Barker	Leader of the Council	Expiry of stamps
Cllr W Stamp	Cabinet Member for Highway Maintenance and Sustainable Transport	Question concerning a number of highway related issues

15. Closure of Meeting

The Chairman's closing remarks is part of the recording of the meeting and may be found on the [ECC Democracy YouTube Channel](#).

The meeting closed at 13:01

Chairman

The Chief Executive's Report on return of Members Elected and Political Proportionality

A by election for the Rayleigh North division was held on 3 March 2022. Cllr James Newport was elected. Cllr Newport has joined the Liberal Democrat Group. The effect of the by election means that the composition of the Council remains:

The Conservative Group:	52
The Non-Aligned Group:	10
The Liberal Democrat Group:	8
The Labour Group:	5

Total: 75

Whenever a Councillor joins a political group the Council is required by law to undertake reviews of committee seat allocations in accordance with the statutory rules of political balance. The review has been undertaken and no changes to committee seat allocations arise from the recent changes since Cllr Newport's election does not change the political balance of the council as his predecessor was also a member of the Liberal Democrat group.

Recommendation:

That there be no change to the allocation of committee seat places which remain as determined by the Council at its annual meeting in May 2021.

Membership of Committees – as set out below		
Corporate Policy and Scrutiny Committee (14) (10 Con: 1 Lab: 1 LD : 2 NAG)	People and Families Policy and Scrutiny Committee (14 + 4) (10 Con :1 Lab: 1 LD : 2 NAG + 4 Co-opted)	Place Services and Economic Growth Policy and Scrutiny Committee (14) (10 Con: 1 Lab: 1 LD: 2 NAG)
Tom Cunningham	Susan Barker	Dave Blackwell
Jane Fleming	Mark Durham	Simon Crow
Mike Garnett	Jane Fleming	Paul Gadd
Ivan Henderson	Marie Goldman	Alan Goggin
Sam Kane	Ray Gooding	Paul Honeywood
Daniel Land	Ian Grundy	Daniel Land
Mike Mackrory	Carlo Guglielmi	Richard Moore
Anthony McQuiggan	June Lumley	James Newport
Chris Pond	Peter May	Lee Scordis
Chris Siddall	Aidan McGurran	Laureen Shaw
Wendy Stamp	Ross Playle	Mick Skeels
Mike Steptoe	Laureen Shaw	Mike Steel
Marshall Vance	Wendy Stamp	Marshall Vance
Andy Wiles	Andy Wiles	Holly Whitbread
<i>Conservative Sub:</i>	<i>Conservative Subs:</i>	<i>Conservative Subs:</i>
Sue Lissimore	Jeff Henry	Jaymey Mclvor
Bob Massey	Jaymey Mclvor	Andy Wiles
<i>Labour Sub:</i>	<i>Labour Sub:</i>	<i>Labour Sub:</i>
Aidan McGurran	Lee Scordis	Aidan McGurran
<i>Liberal Democrat Sub:</i>	<i>Liberal Democrat Sub:</i>	<i>Liberal Democrat Sub:</i>
David King	Mark Cory	Jude Deakin

Health Overview, Policy and Scrutiny Committee (12 + 4) (8 Con: 1 Lab: 1 LD: 2 NAG + 4 Co-opted)	Development and Regulation Committee (12) (9 Con: 1 Lab: 1 LD: 1 NAG)	Audit, Governance and Standards Committee (10 +1) (7 Con: 1 Lab: 1 LD: 1 NAG + 1 Co-opted) (none to be on Cabinet)
Martin Foley Paul Gadd Dave Harris Jeff Henry June Lumley Luke Mackenzie Bob Massey Jaymey Mclvor Anthony McQuiggan Stephen Robinson Clive Souter Mike Steptoe <i>Conservative Subs:</i> Ian Grundy Holly Whitbread <i>Labour Sub:</i> Adele Brown <i>Liberal Democrat Sub:</i> Mike Mackrory	Barry Aspinell Lynette Bowers-Flint Jane Fleming Mike Garnett Carlo Guglielmi Mike Hardware Dave Harris John Jowers Sam Kane Richard Moore Mike Steptoe Paul Thorogood <i>Conservative Subs:</i> Ian Grundy Jeff Henry Andrew Sheldon <i>Labour Sub:</i> Lee Scordis Aidan McGurran <i>Liberal Democrat Sub</i> Mike Mackrory	Susan Barker Anthony Hedley Michael Hoy David King Aidan McGurran Luke Mackenzie Anthony McQuiggan Mark Platt Laureen Shaw Chris Siddall <i>Conservative Sub:</i> Lewis Barber Jaymey Mclvor <i>Labour Sub:</i> Lee Scordis <i>Liberal Democrat Sub</i> Mike Mackrory

Investment Steering Committee (7 + 2) (5 Con: 1 Lib Dem: 1 NAG + 2 non-voting)	Committee to Consider Applications to Undertake Certain Duties by Members and Foreign Travel by Officers (5) (3 Con: 1 LD: 1 NAG) (to include the Leader and Deputy Leader)
Susan Barker Alan Goggin Anthony Hedley Michael Hoy David King Mark Platt Clive Souter <i>Conservative Subs:</i> Mark Durham <i>Liberal Democrat Sub:</i> Mike Mackrory	Tony Ball Kevin Bentley Mike Mackrory Louise McKinlay Chris Pond <i>Liberal Democrat Sub:</i> Jude Deakin

Election of Chairmen of Committees

**Corporate Policy and
Scrutiny Committee**

Chairman:

Chris Pond

**People and Families
Policy and Scrutiny
Committee**

Chairman:

Ray Gooding

**Place Services and
Economic Growth Policy
and Scrutiny Committee**

Chairman:

Alan Goggin

**Health Overview, Policy
and Scrutiny Committee**

Chairman:

Jeff Henry

**Development and
Regulation Committee**

Chairman:

Carlo Guglielmi

**Audit, Governance and
Standards Committee**

Chairman:

Tony Hedley

Scrutiny Board

Chairman:

Ray Gooding

**Committee to Consider
Applications to
Undertake Certain
Duties by Members and
Foreign Travel by
Officers**

Chairman:

Kevin Bentley

**Investment Steering
Committee**

Chairman:

Susan Barker

Other Appointments

a) Appointments to the Health and Wellbeing Board

John Spence, Beverley Egan and Mike Steel as members with Ray Gooding as the named Substitute.

b) Appointment to the Essex Police, Fire and Crime Panel

Ross Playle

c) Appointment to the Essex Pension Fund Advisory Board

Lewis Barber

d) Appointments to Outside Bodies

Appendix 3 of part 26 of the Constitution is a list of Approved Bodies. Members appointed as County Council representatives to Approved Bodies may claim expenses from the Council for attending meetings if they do not receive payment from any other organisation.

- Appendix 1 shows the list of appointments made since the last Annual Meeting.
- Appendix 2 sets out the full list of approved bodies as of 29 April 2022.

Recommendation:

To receive the full list of Approved Bodies and to note the changes to appointments to Outside Bodies since the last Annual Meeting.

Appendix 1 – List of appointments made since the last Annual Meeting

	Appointments from May 2021	
Abberton Rural Training	Lewis Barber	16/08/2021
Adoption Panel North	Jeff Henry	07/02/2022
Ann Johnson's Educational Foundation	Anthony McQuiggan	14/07/2021
Bradwell Local Community Liaison Committee	Jane Fleming	11/06/2021
	Mark Durham	11/06/2021
Bradwell Quarry Liaison Group	Paul Thorogood	15/06/2021
	Ross Playle	02/07/2021
Chelmsford Educational Foundation	Mr Eric Hardy	04/05/2021
Civilian Military Partnership Board	Derrick Louis	11/06/2021
Clinical Commissioning Group: Basildon and Brentwood	Luke Mackenzie	11/06/2021
Clinical Commissioning Group: Castle Point and Rochford	June Lumley	11/06/2021
Clinical Commissioning Group: Mid Essex	Mike Steel	11/06/2021
Clinical Commissioning Group: North Essex	Dan Land	11/06/2021
Clinical Commissioning Group: West Essex	Mike Garnett	11/06/2021
Coast and Heaths AONB Partnership	Carlo Guglielmi	12/10/2021
	Lewis Barber	12/10/2021
Coastal Renaissance Partnership Board (CRPB)	Mark Platt	11/06/2021
Coasts and Heaths AONB Joint Advisory Committee (JAC)	Lewis Barber	11/06/2021
Colemans Farm Quarry Liaison Group	Ross Playle	11/06/2021
County Councils Network (CCN)	Chris Pond	11/06/2021
	Louise McKinlay	11/06/2021
	Tony Ball	11/06/2021
Crouch Harbour Advisory Committee	Jane Fleming	1/06/2021
Danbury Lakes Country Park Forum	Graham Butland	11/06/2021
	Mark Durham	11/06/2021
Dedham Vale AONB and Stour Valley Joint Advisory Committee (JAC)	Lewis Barber	11/06/2021
Dedham Vale AONB and Stour Valley Partnership	Carlo Guglielmi	12/10/2021
	Lewis Barber	2/10/2021
Earls Colne and Halstead Educational Charity	Lewis Barber	28/07/2021
Essex Association of Local Councils	Louise McKinlay	11/06/2021

Essex Cares limited	Ian Grundy	11/06/2021
Essex Coastal Forum	Dan Land John Jowers Lee Scott Mark Platt	25/06/2021 25/06/2021 25/06/2021 08/07/2021
Essex Countywide Traveller Unit (ECTU) Joint Committee	Anthony McQuiggan Mark Durham	11/06/2021 11/06/2021
Essex Local Highways Panel – Basildon	Adele Brown Aidan McGurran Jeff Henry Luke Mackenzie Tony Ball Dr Richard Moore	16/07/2021 16/07/2021 16/07/2021 16/07/2021 16/07/2021 16/07/2021
Essex Local Highways Panel – Braintree	Chris Siddall Graham Butland Lynette Bowers-Flint Paul Thorogood Peter Schwier Ross Playle Tom Cunningham	17/08/2021 17/08/2021 17/08/2021 17/08/2021 17/08/2021 17/08/2021 17/08/2021
Essex Local Highways Panel – Brentwood	Andy Wiles Lesley Wagland Louise McKinlay	18/06/2021 18/06/2021 18/06/2021
Essex Local Highways Panel - Castle Point	Andrew Sheldon Beverley Egan Peter May	20/08/2021 29/07/2021 29/07/2021
Essex Local Highways Panel – Chelmsford	Anthony McQuiggan Bob Massey Ian Grundy John Spence Marie Goldman Mike Steel Stephen Robinson Mrs Jude Deakin	11/06/2021 11/06/2021 11/06/2021 11/06/2021 11/06/2021 11/06/2021 11/06/2021 11/06/2021
Essex Local Highways Panel – Colchester	Dave Harris David King John Jowers Lee Scordis Lewis Barber Mark Cory Simon Crow	29/07/2021 29/07/2021 29/07/2021 29/07/2021 29/07/2021 29/07/2021 29/07/2021
Essex Local Highways Panel - Epping Forest	Christopher Whitbread Holly Whitbread Jaymey McIvor Marshall Vance Sam Kane	29/07/2021 29/07/2021 29/07/2021 29/07/2021 29/07/2021
Essex Local Highways Panel – Harlow	Mike Garnett	18/06/2021
Essex Local Highways Panel – Maldon	Jane Fleming Mark Durham Wendy Stamp	18/06/2021 01/07/2021 18/06/2021
Essex Local Highways Panel – Rochford	June Lumley Laureen Shaw Michael Hoy	11/06/2021 11/06/2021 11/06/2021

	Mike Steptoe	11/06/2021
Essex Local Highways Panel – Tendring	Carlo Guglielmi Dan Land Ivan Henderson Mark Platt Mark Stephenson Mick Skeels Paul Honeywood	29/07/2021 29/07/2021 29/07/2021 29/07/2021 29/07/2021 29/07/2021 29/07/2021
Essex Local Highways Panel – Uttlesford	Martin Foley Paul Gadd	11/06/2021 11/06/2021
Essex Rural Partnership	Graham Butland	11/06/2021
Essex Waterways Ltd: Chelmer and Blackwater Navigation	John Spence Mark Durham	11/06/2021 11/06/2021
Feering and Kelvedon Local History Museum	Paul Thorogood	15/06/2021
Firstsite	Mark Durham	11/06/2021
Fitch and Mott Trust	Graham Butland	11/06/2021
Great Notley Country Park Joint Partnership Board	Graham Butland Mark Durham	11/06/2021 11/06/2021
Jaywick Sands Community Forum	Paul Honeywood	18/08/2021 (Reported to Council in October 2021)
Kent and Essex Inshore Fisheries and Conservation Authority	Jane Fleming Michael Skeels	11/06/2021 11/06/2021
King Edward VI School at Chelmsford (Foundation) VC	Mr Walter Hall	18/11/2021
Lee Valley Regional Park Authority	Holly Whitbread (Sub Cllr Mclvor) Marshall Vance (Sub Cllr Kane) Mrs Susan Barker (Sub Cllr Whitbread)	11/06/2021 11/06/2021 11/06/2021
Leverton Educational Foundation	Sam Kane	11/06/2021
LGA - Executive Board	Kevin Bentley	11/06/2021
LGA - General Assembly	Chris Pond Kevin Bentley Louise McKinlay Tony Ball	19/04/2022 11/06/2021 14/04/2022 14/04/2022
LGA Coastal Special Interest Group	Mark Platt	18/08/2021 (Reported to Council in October 2021)
LGA Resources Board	Kevin Bentley	11/06/2021
Local Children's Partnership Board - Mid Essex	Mark Durham	11/06/2021
Local Children's Partnership Board - North East Essex	Lewis Barber	11/06/2021
Local Children's Partnership Board - South Essex	June Lumley	11/06/2021
London Southend Airport Consultative Committee	Jaymey Mclvor	28/04/2022

North East London Foundation NHS Trust	Luke Mackenzie	11/06/2021
North East London Joint Health Overview and Scrutiny Committee	Marshall Vance	20/08/2021
North Essex Parking Partnership (NEPP)	Sue Lissimore	11/06/2021
Partnership Member Board - Waste	Malcolm Buckley	11/06/2021
Princess Alexandra Hospital NHS Foundation Trust	Holly Whitbread	11/06/2021
Regional Flood & Coastal Committee Anglian (Eastern)	Dan Land John Jowers Mark Platt	11/06/2021 11/06/2021 08/07/2021
Regional Flood & Coastal Committee Anglian (Great Ouse)	Susan Barker	11/06/2021
Regional Flood & Coastal Committee Thames	Andrew Sheldon	20/10/2021
Rivenhall Airfield Waste Site Liaison Group	Paul Thorogood Ross Playle	20/08/2021 11/06/2021
Rural Community Council of Essex (RCCE)	Graham Butland	11/06/2021
Safer Essex	Ross Playle	11/06/2021
Safer Essex Roads Partnership	Lee Scott	11/06/2021
Saffron Walden Town Library Society	Paul Gadd	11/06/2021
South Essex Parking Partnership	Sue Lissimore	03/08/2021
Standing Advisory Committee for Religious Education	Aidan McGurran Andy Wiles Ross Playle Jude Deakin (sub Jane Fleming)	18/06/2021 18/06/2021 18/06/2021 18/06/2021 18/06/2021
Stansted Airport Consultative Committee	Tom Cunningham	07/07/2021
Thames Estuary 2100 Strategic Programme Board	Lee Scott	11/06/2021
The Plume Educational Trust	Jane Fleming	11/06/2021
Thomas Plume's Library Charitable Incorporated	Jane Fleming	11/06/2021
Transport Routes Appeal Panel	Mike Steel	11/06/2021
Veolia Pitsea Marshes Maintenance Trust	Luke Mackenzie	02/08/2021
Visit Essex Board	Mark Durham	11/06/2021
Youth Strategy Group-Basildon	Adele Brown Aidan McGurran Jeff Henry Luke Mackenzie Tony Ball Richard Moore	19/08/2021 19/08/2021 19/08/2021 19/08/2021 19/08/2021 19/08/2021

Youth Strategy Group- Braintree	Chris Siddall	19/08/2021
	Derrick Louis	19/08/2021
	Lynette Bowers-Flint	19/08/2021
	Paul Thorogood	19/08/2021
	Peter Schwier	19/08/2021
	Ross Playle	19/08/2021
	Tom Cunningham	19/08/2021
Youth Strategy Group- Brentwood	Andy Wiles	19/08/2021
	Lesley Wagland	19/08/2021
	Louise McKinlay	19/08/2021
Youth Strategy Group- Castle Point	Andrew Sheldon	19/08/2021
	Beverley Egan	19/08/2021
	Peter May	19/08/2021
Youth Strategy Group- Chelmsford	Anthony McQuiggan	19/08/2021
	Bob Massey	19/08/2021
	John Spence	19/08/2021
	Marie Goldman	19/08/2021
	Mike Steel	19/08/2021
Youth Strategy Group- Colchester	David King	19/08/2021
	Lee Scordis	19/08/2021
	Lewis Barber	19/08/2021
	Mark Cory	19/08/2021
	Simon Crow	19/08/2021
	Sue Lissimore	19/08/2021
Youth Strategy Group- Epping Forest	Chris Whitbread	19/08/2021
	Holly Whitbread	19/08/2021
	Jaymey McIvor	19/08/2021
	Lee Scott	19/08/2021
	Marshall Vance	19/08/2021
	Sam Kane	19/08/2021
Youth Strategy Group- Harlow	Clive Souter	19/08/2021
	Michael Hardware	19/08/2021
	Mike Garnett	19/08/2021
Youth Strategy Group- Maldon	Jane Fleming	19/08/2021
	Mark Durham	19/08/2021
	Wendy Stamp	19/08/2021
Youth Strategy Group- Rochford	June Lumley	19/08/2021
	Laureen Shaw	19/08/2021
	Michael Hoy	19/08/2021
	Mike Steptoe	19/08/2021
Youth Strategy Group- Tendring	Alan Goggin	19/08/2021
	Dan Land	19/08/2021
	Mark Platt	19/08/2021
	Mark Stephenson	19/08/2021
	Mick Skeels	19/08/2021
Youth Strategy Group- Uttlesford	Martin Foley	11/06/2021
	Paul Gadd	11/06/2021
	Ray Gooding	19/08/2021
	Susan Barker	19/08/2021

Appendix 2 – Full list of approved bodies as of 29 April 2022

Abberton Rural Training
ACCESS Pension Fund Pool Joint Committee
Active Essex Foundation
Adoption Panel Mid
Adoption Panel North
Adoption Panel South
Adoption Panel West
Ann Johnson's Educational Foundation
Bancroft School
Billericay Educational Trust
Bradwell Local Community Liaison Committee
Bradwell Quarry Liaison Group
Bulls Lodge Liaison Group
Chelmsford Educational Foundation
Civilian Military Partnership Board
Clinical Commissioning Group: Basildon and Brentwood
Clinical Commissioning Group: Castle Point and Rochford
Clinical Commissioning Group: Mid Essex
Clinical Commissioning Group: North Essex
Clinical Commissioning Group: West Essex
Coast & Heaths AONB Partnership
Coast & Heaths AONB Joint Advisory Committee (JAC)
Coastal Renaissance Partnership Board (CRPB)
Coleman's Farm Quarry Liaison Group
County Councils Network (CCN)
Crouch Harbour Advisory Committee
Crumps Farm Liaison Group
Danbury Lakes Country Park Forum
Dedham Vale and Stour Valley AONB Partnership
Dedham Vale and Stour Valley AONB Joint Advisory Committee (JAC)
Earls Colne and Halstead Educational Charity
East of England LGA (EELGA) Assembly
East Suffolk and North Essex NHS Foundation Trust (formerly Colchester Hospital University Trust)
Epping and Theydon Garnon Joint Charities
Essex Association of Local Councils
Essex Cares Limited
Essex Coastal Forum

Essex Countywide Traveller Unit (ECTU) Joint Committee.
Essex Local Highways Panel - Basildon
Essex Local Highways Panel - Braintree
Essex Local Highways Panel - Brentwood
Essex Local Highways Panel - Castle Point
Essex Local Highways Panel - Chelmsford
Essex Local Highways Panel - Colchester
Essex Local Highways Panel - Epping Forest
Essex Local Highways Panel - Harlow
Essex Local Highways Panel - Maldon
Essex Local Highways Panel - Rochford
Essex Local Highways Panel - Tendring
Essex Local Highways Panel - Uttlesford
Essex Partnership University Foundation Trust
Essex Rural Partnership
Essex Waterways Ltd: Chelmer and Blackwater Navigation
Family Hub Advisory Board, Braintree district (formerly Chelmsford Children's Centre Partnership Group)
Family Hub Advisory Board, Chelmsford district (formerly Chelmsford Children's Centre Partnership Group)
Family Hub Advisory Board, Maldon district (formerly Chelmsford Children's Centre Partnership Group)
Fawbert and Barnard's Educational Foundation
Feering and Kelvedon Local History Museum
Firstsite
Fitch and Mott Trust
Fostering Panels
Gosling Education Foundation
Grange Farm Centre Trust
Great and Little Leighs Educational Charity (British School, Great Leighs)
Great Notley Country Park Joint Partnership Board
Harlow College of Further Education Corporation
Harlow Strategic Partnership for Educational Attainment
Hatfield Forest National Trust Local Committee - Management Committee
Jaywick Sands Community Forum
Kent and Essex Inshore Fisheries and Conservation Authority
King Edward VI School at Chelmsford (Foundation) V.C.
Lee Valley Regional Park Authority

Leverton Educational Foundation
LGA - Executive Board
LGA - General Assembly
LGA Resources Board
LGA Coastal Special Interest Group
Local Children's Partnership Board - Mid Essex
Local Children's Partnership Board - North East Essex
Local Children's Partnership Board - South Essex
Local Children's Partnership Board - West Essex
Local Strategic Partnership - Basildon
Local Strategic Partnership - Chelmsford
Local Strategic Partnership - Epping Forest
Local Strategic Partnership - Harlow 20/20
Local Strategic Partnership - Rochford
Local Strategic Partnership - Uttlesford
Local Strategic Partnership - Castle Point
London Southend Airport Consultative Committee
Mid and South Essex NHS Foundation Trust
National Association of Areas of Outstanding Natural Beauty
North East London Foundation NHS Trust
North East London Joint Health Overview and Scrutiny Committee
North Essex Parking Partnership (NEPP)
Partnership Member Board - Waste
Princess Alexandra Hospital NHS Trust
Regional Flood & Coastal Committee Anglian (Eastern)
Regional Flood & Coastal Committee Anglian (Great Ouse)
Regional Flood & Coastal Committee Thames
Reserve Forces and Cadets Association for East Anglia (East Anglia RFCA)
Rivenhall Airfield Waste Site Liaison Group
Rural Community Council of Essex (RCCE)
Safer Essex
Safer Essex Roads Partnership
Saffron Walden Museum Society
Saffron Walden Town Library Society
South East Local Enterprise Partnership (SELEP) Accountability Board
South Essex Parking Partnership (SEPP)
Standing Advisory Committee for Religious Education (SACRE)
Stansted Airport Community Trust
Stansted Airport Consultative Committee

Thames Estuary 2100 Strategic Programme Board
Thames Gateway South Essex Partnership
The Plume Educational Trust
Thomas Plume's Library Charitable Incorporated Organisation
Transport Routes Appeal Panel
Veolia Pitsea Marshes Maintenance Trust
Visit Essex Board
Youth Strategy Group - Basildon
Youth Strategy Group - Braintree
Youth Strategy Group - Brentwood
Youth Strategy Group - Castle Point
Youth Strategy Group - Chelmsford
Youth Strategy Group - Colchester
Youth Strategy Group - Epping Forest
Youth Strategy Group - Harlow
Youth Strategy Group - Maldon
Youth Strategy Group - Rochford
Youth Strategy Group - Tendring
Youth Strategy Group - Uttlesford

Motions

Members have given notice that they intend to move the following motions in accordance with paragraph 16.8.2 of the Constitution:

The Courts have made it clear that the Public Sector Equality Duty applies to the Council when it is considering these motions, even if they are motions without legal effect. There is not a general requirement for an equality impact assessment but regard should be had to the equality duty when drafting and considering motions.

The equality duty requires Council to have due regard to the need to:

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

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

1. Mental Health Services for Young People

Moved by Councillor Foley and seconded by Councillor Gadd

'Council gratefully recognises the work of schools, charities, mental health professionals and our own officers, and notes the important role they play in the lives of young people.

Council however acknowledges there has been an increase in the number of mental health problems and illness including self-harm in some of our schools...despite the Everyone's Essex aspiration, demand for mental health support services for this age group now greatly exceeds supply.

Council therefore:

- Calls on the Government to increase funding to local government and health services for young people's issues
- Asks Cabinet to review available budgets and wherever possible to redistribute funds to provide the support needed
- Refers this subject formally to the People and Families Policy and Scrutiny Committee and the Health Overview Policy and Scrutiny Committee with a request they conduct an urgent review of mental health services for young people and report back during 2022.'

2. Bus Back Better

Moved by Councillor Playle and seconded by Councillor Barber

'This Council recognises the benefits to the economy and environment that increasing bus usage across the County would bring, including, contributing to the priorities set out in the adopted Everyone's Essex plan.

The Council also welcomes the proposed Enhanced Partnership Plan which will "level-up" the bus network across the county and make buses a more accessible and attractive travel option for residents in Essex.

This Council therefore:

- (1) Supports the measures and ambitions set out in the Enhanced Partnership to increase bus usage in Essex.
- (2) Calls on the Cabinet Member for Highways Maintenance and Sustainable Transport to write to the Department for Transport, asking them to provide additional support and resources to ensure that the full objectives of the Enhanced Partnership can be met'

3. School Streets

Moved by Councillor David King seconded by Councillor Mike Mackrory.

'The physical and mental health of Essex children has markedly worsened in recent years. Many are obese or overweight (4 in 10 by Year 6). 1 in 6 are likely to have a mental health problem. Under half are active enough and that number is declining.

This is unacceptable when we know active children are less overweight, happier, more resilient, more trusting, and less likely to have mental health issues.

Active Travel, and as part of that, School Streets, would help significantly with these issues. School Streets incorporates exercise into daily routines, as well as reducing congestion and improving air quality. But we are failing the children of Essex as not enough School Streets are underway. Some areas are not seen as a priority, and most are not properly funded.

This Council therefore calls on the Cabinet Member for Highways Maintenance and Sustainable Transport to ensure existing School Street projects are prioritised and fully funded and delivered at pace. We also ask the Cabinet Member to commit to invest in safe cycle and pedestrian routes to connect these and future School Streets to the communities they serve and to work with the NHS and the DfT, to secure their help and funding to the benefit of our community's and the physical and mental health of our children.'

1. Code of Conduct

1.1 Purpose of the report, background and issues

- 1.1.1 On 21 March 2022 the Audit, Governance and Standards Committee made the recommendation that Essex County Council should adopt the LGA Model Code of Conduct with effect from 1 June 2022.
- 1.1.2 In early 2019 the national Committee on Standards in Public Life published a report on standards in local government. They made a number of recommendations to local authorities, to the LGA and to central government. ECC has broadly implemented the recommendations. Central government has just responded to the recommendations, although it does not propose to implement most of them it does support the national code.
- 1.1.3 The key recommendation to the LGA was that it should produce a model code for local authorities to consider adopting. At present all local authorities have their own code. A 'model' code was produced by the Essex authorities in 2012 but almost all authorities – including ECC – have amended the 'model' code to reflect their own circumstances. Over time the authorities have carried out further reviews and most authorities are now using a code which, though based on the original Essex Code, has significant differences.
- 1.1.4 This has a particular impact on members of ECC given that 84% of the members elected in May 2021 are members of at least one other authority, 20% are a member of two other authorities. It is possible that a member may be subject to four different codes of conduct at different times.
- 1.1.5 ECC's starting point should therefore be that it would welcome the introduction of a model national code, in the hope that all Essex authorities will adopt it. The adoption of a national code would of course mean that ECC has to accept a code designed for all local authorities rather than specifically for ECC, but the benefits of all Essex local authorities using the same code, could be thought to outweigh these disadvantages.
- 1.1.6 In December 2020 the LGA code was published. The Committee considered the draft code in March 2021 but most Essex authorities were not at that stage intending to adopt it. This was because there were a number of concerns about the clarity of the rules about declaring interests. As a result this committee decided not to recommend adoption, but to keep a watching brief on the situation.
- 1.1.7 In May 2021 the LGA published a revised version of the model code. This addresses the main concerns that monitoring officers had with the LGA code. Essex monitoring officers met and decided that they would explore with their authorities whether or not they would be prepared to adopt the model code,

with most monitoring officers feeling that they would be prepared to recommend it to their authorities and that the 2022 annual meeting would be a good time for the new code to take effect.

1.1.8 There has been a significant shift in opinion across the Essex authorities and most authorities are now working towards adopting the LGA code although there are thirteen

1.1.9 It therefore seems sensible for ECC to now adopt the national code. ECC members have the most to gain from a single code. What would adopting the Code mean?

1.1.10 If ECC adopts the code then we will need to ensure that there is a programme of communications and training for all councillors. In terms of the key differences it is useful to consider three aspects of the code –

- rules of behaviour
- registration of interests and gifts
- declaring interests.

1.1.11 The rules of behaviour are very similar to the current ECC code. The rules on non-discrimination are slightly different and would allow an argument that a decision taken by a cabinet member is a breach of the code if it discriminates. However, such a complaint would not be likely to be investigated as under our current policy, so this is unlikely to create any problems in practice. The LGA code includes a definition of bullying, something which our code does not have. The Committee on Standards in Public Life recommends that local authorities include such a definition in their code.

1.2 **Interests**

1.2.1 The rules about registering interests would mean that fewer interests would be required to be registered under the LGA code than under the current ECC code. Members would no longer be required to register:

- tenders submitted to ECC within the last two years
- contracts with ECC which have expired in last two years
- contracts with ECC subsidiary companies.

1.2.2 This would perhaps slightly reduce transparency, but members would still be required to register live contracts with the Council.

1.2.3 The threshold for registration of gifts and hospitality would be increased from £25 to £50. Gifts or hospitality under £50 would not need to be registered. The £25 limit was set in 2001 so is due for a review; many other authorities have increased the registration threshold. In addition there is a requirement in the code to register offers of gifts/hospitality over £50 which have been refused – this is not in our current code.

- 1.2.4 The rules on declaring interests and leaving the room are similar to the current rules. They are more nuanced than the current rules although they are likely to operate in a similar way. For example, different rules apply where a decision affects your interest than if it directly affects it. In practice this does mean that district councillors will be unable to consider a matter which directly affects the other authority, although ECC will be able to grant dispensations. As an example, the Council currently grants a dispensation relating to membership of another local authority which allows members to speak and vote on matters relating to their other authority.
- 1.2.5 The LGA code is likely to be reviewed regularly. Every time it changes ECC will need to consider updating its own code to reflect the changes in the national code. The LGA have indicated that the code won't change in 2022.
- 1.2.6 If we adopt the model code, all members will need to review their register of interests as the requirements for registration are slightly different, although the requirements of the LGA code are slightly simpler.
- 1.3 Disclosable Pecuniary Interests.**
- 1.3.1 Most conflicts of interest, arise between members are disclosable pecuniary interests. The current rules are set by law and won't change as a result of adopting the code.
- 1.3.2 The version of the LGA code published in May 2021 is a significant improvement from previous versions. Moving to the national code can only help the council demonstrate high standards of conduct and it will make things much simpler for members who are twin hatted if their district also adopts the model code. On balance it is now recommended to adopt the code of conduct.
- 1.3.3 The Council is required by the Localism Act 2011 to adopt a code of conduct which is consistent with the 'Nolan' principles. It has a wide discretion as to what the code says, but there is a clear benefit to it being consistent with codes adopted by other authorities where there is an overlap of membership between ECC and the other authority.
- 1.3.4 The LGA Code of Conduct is appendix 1 to this report.

Recommendations:

1. That Essex County Council adopts the LGA Model Code of Conduct (including appendices A and B to the Code with effect from 1 June 2022 and that the code is inserted into part 24 of the Constitution.
2. That the Monitoring Officer communicates the changes to members including holding a Member briefing session on Thursday 26 May at 11:30 and this is made available to members who are unable to attend via a recording.

2. Review of ‘written questions’ pilot

2.1 Introduction

- 2.1.1 In December 2021 Council agreed to trial the replacement of the process for dealing with written questions at council meetings with a rolling ability for members to ask written questions.
- 2.1.2 The trial was to start in early 2022 and be reviewed before the annual meeting of the Council. The process was launched to members in January 2022
- 2.1.3 If no action is taken, the temporary changes to the constitution will expire meaning that written questions at council will resume at the July 2022 meeting.
- 2.1.4 Answered questions are published here [EssexCmis5 > Written Questions to Cabinet Members](#). Members are notified when a batch of questions and answers are published. On average it has taken 7.8 calendar days for a response to be sent, which the quickest reply being sent after one day and the slowest after fourteen days.

Recommendation:

- 1. That the trial is extended until the December meeting, bringing back a further report to the October meeting.
- 2. That paragraph 16.12 of the Constitution is amended by replacing the words ‘until after the annual meeting of the Council taking place in 2022’ with ‘until after the meeting of the Council on 11 October 2022’

3. Parental Leave Policy

3.1 Purpose of the report, background and issues

- 3.1.1 Essex County Council does not currently have a Parental Leave Policy in place for Members of the Council.
- 3.1.2 The Council is committed to ensuring fairness and equality and has recently signed the new ‘Family Friendly Employers Charter’. This outlines ECC’s commitment to supporting working parents and carers to manage both their work and caring commitments.
- 3.1.3 The next logical step is to work to ensure that elected members are supported if they have a child, whether it be through birth or adoption. This applies equally to the father and mother.
- 3.1.4 Largely due to a significant number of female councillors retiring in 2021, the diversity of membership of the Council in terms of sex has decreased. There is a national campaign run by the LGA to encourage individuals to stand and

one way we can encourage greater diversity in Essex, is in making the role more accessible for individuals who may feel excluded from standing and to retain councillors, particularly women who plan to have a family.

- 3.1.5 By introducing a parental leave policy, we would ensure that where possible, Members were able to take time away from their duties at the time of a birth or adoption, this would apply to both parents. It would also aim to ensure adequate arrangements are in place to provide cover for those in receipt of a Special Responsibility Allowance.

Recommendation:

1. That Council adopts the Parental Leave Policy in the form appended to this report and includes it within the Member Allowance Scheme from 13 July 2022.

4. Minor changes to the constitution

- 4.1 One change to the constitution is proposed. This is to correct two paragraphs and to make the constitution more accurate.

(a) Public Speaking Procedure

It is proposed to amend paragraphs 20.5 and 21.5 to refer to the public speaking procedure in 17.5.2. Currently they refer to 17.4.2, which no longer exists.

Recommendation:

That the following amendments to the constitution be made with effect from the close of this meeting:

- (1) Amend paragraph 20.5 of the constitution to read:

At the start of every Ordinary meeting of the Cabinet and Scrutiny Committees there shall be a period of up to 15 minutes to enable members of the public to make representations on an item on the Agenda for that meeting.

The Procedure for public speaking is as set out in 17.5.2 above.

- (2) Amend paragraph 21.5 of the constitution to read:

At the start of every Ordinary meeting of the Cabinet and Scrutiny Committees there shall be a period of up to 15 minutes to enable members of the public to make representations on an item on the Agenda for that meeting.

The Procedure for public speaking is as set out in 17.5.2 above.

5. Dates of forthcoming Council meetings

- 5.1 The dates of the future meetings of Council were agreed at the meeting held in October 2021, to be on the following Tuesdays, 12 July, 11 October and 13 December 2022.
- 5.2 The meetings of the Council are normally held at County Hall in the Council Chamber and commence at 10:00am.
- 5.3 It is necessary to schedule a meeting to be held in February 2023. The proposed date of this meeting is Thursday 9 February 2023.

Recommendation:

- 1. That the dates of Council meetings scheduled in 2022 on the following Tuesdays, 12 July, 11 October and 13 December, remain unchanged.
- 2. That the Council meeting in February 2023 be held on Thursday 9 February 2023.

Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and

contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local authority or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport

- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. [Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative or close associate; or
 - c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. [Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor’s knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You must register as an Other Registrable Interest :

- a) any unpaid directorships
 - b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
 - c) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
- of which you are a member or in a position of general control or management

Appendix 2

Draft Parental Leave Policy for Essex County Councillors.

The County Council wishes to encourage parents to be represented at all levels of politics.

The purpose of this Policy is to confirm ECC's commitment to supporting members who have or wish to have children in the future and encouraging individuals to stand for election to the Council.

Within this policy, Parental Leave refers to the period of absence for an elected member of this Council following the birth or adoption of a child, this is applicable for both mothers and fathers.

1. Attendance and leave periods

- 1.1 Section 85 of the Local Government Act 1972 requires councillors to attend at least one meeting of the Council in any six-month period.
- 1.2 Following the birth or adoption of a child, a dispensation will be put to the full Council to be given an extended leave of absence if requested.
- 1.3 Elected members will be allowed to attend any meetings of Council during this period if they wish.
- 1.4 Elected members giving birth are entitled to up to 52 weeks parental leave. This leave may be split between the parents. If either parent is in paid employment then any shared parental leave will reflect the arrangements made with the member's employer.
- 1.5 If no shared parental leave arrangement is in place then elected members shall in any event be entitled to two weeks parental leave following the birth of a child to their partner/spouse. Special and exceptional arrangements may be made in cases of premature birth.
- 1.8 If an elected Member adopts a child through an approved adoption agency, they shall be entitled to take up to 26 weeks adoption leave from the date of placement, with the option to extend up to 52 weeks by agreement if required.
- 1.9 Elected members will be provided with adequate IT equipment to allow them to work remotely whilst on parental leave and when returning to their role.
- 1.10 Any member taking parental leave should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep officers and colleagues informed and updated in relation to intended dates of return and requests for extension of leave.
- 1.11 Members will not be expected to deal with constituency business during the absence. The Head of Democracy and Transparency will work with members

to identify alternative arrangements, preferably via another local member agreed with the member concerned for dealing with this.

2. Allowances

- 2.1 Elected Members on Parental Leave will continue to receive their Basic Allowance without deduction.
- 2.2 Elected Members on Parental Leave will continue to receive any Special Responsibility Allowances to which they are entitled.
- 2.3 Essex County Council's Democracy Team will facilitate any arrangement to allow case work to be completed and in consultation with the individuals Group will support cover arrangements.
- 2.4 Where a member who is taking parental leave is in receipt of a special responsibility allowance this will be paid for the period of their parental leave.
- 2.5 Where a replacement member is appointed to cover the period of parental leave, that member must be formally appointed via the usual processes and will receive the special responsibility allowance on a pro rata basis for the period of the temporary appointment (subject to the rule that no member may have more than one special responsibility allowance).
- 2.6 Payment of allowance to someone on parental leave will cease if the member ceases to be a member for any reason. In addition, payment of a special responsibility allowance will stop if
 - (a) There is a change in the leader of the Council and the leader appoints a permanent replacement
 - (b) The role attracting the special responsibility is abolished or ceases to attract a special responsibility allowance
 - (c) The member resigns from the role or indicates that they do not wish to return to the role.
 - (d) The member has been on parental leave for six months (unless the Council agrees to extend it in any particular case).
- 2.7 The Council's policy is that a member receiving special responsibility allowance whilst on parental leave will normally be entitled to return to the same role (or if that's not possible, a similar role) when they return from parental leave. This applies subject to the normal rules on appointments and would not apply in the circumstances set out in paragraph 2.7 (a) to (c). It is recognised that any member may be removed from any office as part of a wider reshuffle at any time.

3. Resigning from Office and Elections

- 3.1 If a Member decides that they no longer wish to be a councillor, they must notify the Head of Democracy and Transparency at the earliest possible opportunity. All allowances will cease from the effective resignation date.
- 3.2 If an election is held during the Member's maternity, paternity, shared parental or adoption leave and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate will cease from the day on which they leave office (normally the Monday after polling day).

The Leader's Report of Cabinet Issues

This report is

- a) To note decisions that have been taken as urgent key decisions, not on the forward plan (Constitution para 19.17), or non-key decisions exempt from call-in on the grounds of urgency as attached as Appendix 1 to the report since the last meeting of Council on 10 February 2022 and
- b) To receive the minutes of the Cabinet meeting held on 15 February and 15 March and 19 April 2022 and attached to the report as Appendices 2, 3 and 4.

Recommendations

To receive the list of urgent decisions taken and the minutes of the Cabinet meeting held on 15 February and 15 March and 19 April 2022.

Urgent Decisions

Part 1: Key decisions taken prior to the 28-day notice

The following decisions were taken prior to the 28-day notice. This is only possible if the Chairman of the Corporate Policy and Scrutiny Committee agrees to such action being taken.

DATE PUBLISHED	CABINET MEMBER	TITLE OF DECISION	REFERENCE NUMBER
09/03/22	KB	Acquisition and disposal of land at Knowles Farm, Maldon	FP/313/02/22
25/03/22	KB	Settlement of the disputes in relation to the MBT Facility in Basildon, Essex	FP/344/03/22

Part 2: Decisions Exempt from Call-in

The following decisions were taken which were either not key decisions or where prior notice was given, but the Chairman of the Corporate Policy and Scrutiny Committee agreed that it was in the best interests of the Council for the decision to be implemented urgently and the decision was therefore exempted from call-in.

DATE PUBLISHED	CABINET MEMBER	TITLE OF DECISION	REFERENCE NUMBER
10/02/2022	KB	Appointment of Independent Chair of the Essex Climate Action Commission and Proposal for Extension of Essex Climate Action Commission to 2025	FP/299/02/22
17/02/2022	LS	Bid to the Office of Zero Emission Vehicles and Procurement of a ChargePoint Provider	FP/921/12/20
04/03/2022	LM	Household Support Fund: Funding to Support Families and Vulnerable Adults	FP/335/03/22
25/03/2022	KB	Settlement of the disputes in relation to the MBT Facility in Basildon, Essex	FP/344/03/22

Minutes of a meeting of the Cabinet that took place in the Council Chamber at County Hall on Tuesday 15 February 2022

Present:

Councillor	Cabinet Member Responsibility
Councillor K Bentley	Leader of the Council (Chairman)
Councillor T Ball	Education Excellence, Life-Long Learning and Employability
Councillor M Buckley	Waste Reduction and Recycling
Councillor G Butland	Devolution, the Arts, Heritage and Culture
Councillor B Egan	Children's Services and Early Years
Councillor L Scott	Highways Maintenance and Sustainable Transport
Councillor J Spence	Adult Social Care and Health
Councillor L Wagland	Economic Renewal, Infrastructure and Planning
Councillor C Whitbread	Finance, Resources and Corporate Affairs

Councillors M Mackrory, D King, P Schwier, M Platt, and M Durham were also present. Councillors C Pond and D Harris attended remotely, via Zoom.

1. Membership, Apologies, Substitutions and Declarations of Interest.

The report of Membership, Apologies and Declarations was received and the following were noted:

1. There had been no changes of membership since the last report.
2. Apologies were received from Councillor McKinlay, Deputy Leader and Cabinet Member for Community, Equality, Partnerships and Performance, and Councillor Henderson, Leader of the Labour Group, for whom Councillor Harris substituted.
3. There were no declarations of interest.

2. Minutes of Previous Meeting

The Minutes of the meeting held on 18 January 2022 were approved as a true record and were signed by the Chairman.

3. Questions from the public

There were no questions from members of the public.

4. Approval to place 2022/23 contractual task orders with Ringway Jacobs for values of £2m and over (FP/235/11/21)

The Cabinet received a report containing matters related to the submission of business cases for the delivery of Essex Councils projects as part of the Colchester Town Deal programme for their consideration and approval.

The Cabinet Member for Highways Maintenance and Sustainable Transport responded to questions from Councillors Mackrory, Pond, and Harris in respect of the ordering and priority afforded to the various works, funding for cycleways, assurance around the quality of the work delivered, and how efficiencies may be identified and delivered in relation to Task Order 21.

Written responses would also be provided to:

Councillor Pond in relation to Task Order 28 and how the local overheads were determined, and the total breakdown of spend across a number of task orders related to footways, cycleways and highways;

Councillor King providing statistics on the number of times repairs to works were required and confirmation that these were delivered at no further cost;

Councillor Harris in respect of the position on liability for claims as referenced at paragraph 3.7 in the report.

Resolved:

1. Agreed that the Director, Highways and Transportation may issue the task orders to Ringway Jacobs as outlined in Table 1, Appendix 1 of the report after taking legal advice about the form and content of the task orders.
2. Agreed that the Cabinet Member for Highways Maintenance and Sustainable Transport, may change the work to be undertaken under the task orders.

5. Integrated Residential Nursing (IRN) Framework Annual Refresh and Placement Price Uplifts for 2022 (FP/262/12/21)

The Cabinet received a report containing matters related to the Integrated Residential Nursing (IRN) Framework Annual Refresh and Placement Price Uplifts for 2022 for their consideration and approval.

The Cabinet Member for Adult Social Care and Health responded to questions from Councillors Mackrory, King and Pond in respect of the checks undertaken for new providers, whether gap analysis and lobbying to government regarding further relaxation of immigration rules in this area would be of benefit and assurances in relation to the supply of care to rural areas. A written response would also be provided to Councillor Harris regarding what the 6.1% and 6.4% increases in the price bands for residential care and residential care with nursing meant in monetary terms and whether testing on the impact this may have on the industry had taken place.

Resolved:

1. Agreed to vary the price matrix in the IRN Framework Agreement with effect from 1 June 2022 so that each price band is increased by:
 - 6.1% for residential care as set out in Appendix A

- 6.4% for residential care with nursing as set out in Appendix A.
2. Agreed to undertake the annual Preferred Supplier Ranked List Review Process in accordance with the processes set out within the IRN Framework Agreement, to allow new providers on to the IRN Framework and existing IRN Framework providers to resubmit prices that will apply to new placements from 1 June 2022.
 3. That subject to the Executive Director, Adult Social Care being satisfied that it is lawful in each case to do so, to increase the weekly rate of all existing care home placements in place on 31 March 2022 and delivered via the IRN Framework Agreement by 6.1% for Residential and 6.4% for Nursing, capped at £685.72 per week for residential and £835.03 per week for nursing placements, with effect from 1 April 2022.
 4. Agreed to vary the IRN Framework Agreement to permit the changes set out in recommendation 2.3 above.
 5. That subject to the Executive Director, Adult Social Care being satisfied that it is lawful in each case to do so, agree to increase the weekly rate of all existing care home placements in place in the administrative area of the Council on 31 March 2022 commissioned by the Council pursuant to a spot purchase contract by 6.1% for Residential and 6.4% for Nursing, capped at £685.72 per week for residential and £835.03 per week for nursing placements, with effect from 1 April 2022.
 6. Agreed that the Executive Director, Adult Social Care is authorised, following the conclusion of the annual Preferred Supplier Ranked List Review Process set out in 2.2, to:
 - agree the terms of the variation to the IRN Framework Agreement referred to in paragraphs 2.1 and 2.4 above.
 - award IRN Framework Agreements to new providers;
 - award new providers on the IRN Framework an IRN Call Off Contract;
 - to agree the terms of the contract variations required for existing contracts referred to in paragraphs 2.3 and 2.5 above; and
 - re-rank providers in accordance with the published criteria in the IRN Framework Agreement.
- 6. Live at Home Framework Agreement Pricing Refresh and Pricing Increase for Domiciliary Care Placements (FP/261/12/21)**

The Cabinet received a report containing matters related to the Live at Home Framework Agreement pricing refresh and pricing increase for Domiciliary Care Placements for their consideration and approval.

Resolved:

1. Agreed to vary the Live at Home Framework Agreement by increasing the hourly rates by 7.1% for all care types excluding target supply area rates,

as set out in Appendix B of the report, with such change taking effect from 3 April 2022.

2. Agreed to commence the Annual Review Process in the Live at Home Framework Agreement to allow existing providers to amend their framework prices with such price increases to be effective from 3 April 2022 until the next pricing refresh.
3. That subject to the Executive Director, Adult Social Care being satisfied that it is lawful in each case to do so, to increase the hourly rate as set out below for all existing placements in place on 2 April 2022 delivered via the Live at Home Framework Agreement with such price increase coming into effect from 3 April 2022 until the end of such placement:
 - a. an increase of £1.44 per hour for personal care (including carer's support, carer's break and night awake) placements;
 - b. an increase of £0.92 per hour for night sleeping placements; and
 - c. an increase of £0.92 per hour for 24-hour live-in care placements.
4. Agree to vary the Live at Home Framework Agreement to permit the changes set out in 3. above.
5. Subject to the Executive Director, Adult Social Care being satisfied that it is lawful in each case to do so, to increase the hourly rate as set out below for all existing placements commissioned by the Council in the administrative area of the Council for domiciliary care, in place on 2 April 2022, delivered via spot purchase contracts with such price increase coming into effect from effect from 3 April 2022 until the end of such placement:
 - a. an increase of £1.44 per hour for personal care (including carer's support, carer's break and night awake) placements;
 - b. an increase of £0.92p per hour for night sleeping placements; and
 - c. an increase of £0.92p per hour for 24-hour live-in care placements.
6. Agree that the Executive Director, Adult Social Care is authorised:
 - a. to agree the terms of the variation to the Live at Home Framework Agreement referred to in 1. and 4. above
 - b. following the conclusion of the Annual Review Process set out in 1., to re-rank providers in accordance with the published criteria set out in the Live at Home Framework Agreement; and
 - c. to agree the terms of the contract variations required for existing placements referred to in 3. and 4. above.

7. Replacement of temporary accommodation and enhancement of provision at Cedar Hall School, Benfleet (FP/278/01/22)

Cabinet received a report containing matters related to the replacement of temporary accommodation and enhancement of provision at Cedar Hall School, Benfleet, for their consideration and approval.

The Cabinet Member for Education Excellence, Life-Long Learning and Employability responded to questions from Councillor Mackrory regarding the proportions of the price / quality split, and the condition and standard of the site whilst the works were underway.

Resolved:

1. Agreed to replace temporary classrooms, and provide additional new accommodation in a new, permanent building, to be net-zero in operation, at Cedar Hall School, Benfleet.
2. Agreed to enter into a Pre-Construction Agreement with the successful contractor following completion of the first stage tender process in the Essex Construction Framework.
3. Agreed that the Head of Infrastructure Delivery is authorised to agree the terms of the Pre-Construction Agreement.
4. Agreed that the Head of Infrastructure Delivery is authorised to award a construction contract to the successful contractor, following the completion of the second stage tender process in the Essex Construction Framework, when he is content that the following conditions have been met:
 - 4.1. A satisfactory planning permission has been granted; and
 - 4.2. The construction costs are within the agreed budget and represent value for money.
5. Approve the capital budget for construction and associated project fees, as per the profile stated in the Confidential Appendix.

8. Decisions taken by or in consultation with Cabinet Members (FP/270/01/22)

The report was noted.

9. Date of the next meeting

The next meeting of the Cabinet would take place on Tuesday 15 March 2022, and was expected to be held in the Council Chamber at County Hall, Chelmsford.

10. Urgent Business

There was no urgent business.

11. Confidential Appendix: Replacement of temporary accommodation and enhancement of provision at Cedar Hall School, Benfleet (FP/278/01/22) (Public and press excluded)

The confidential appendix to report FP/278/01/22, to which minute 7, above, refers was agreed.

12. Urgent exempt business (Public and press excluded)

There was no urgent exempt business.

There being no further business, the meeting closed at 10.46am.

Minutes of a meeting of the Cabinet that took place in the Council Chamber at County Hall on Tuesday 15 March 2022

Present:

Councillor	Cabinet Member Responsibility
Councillor K Bentley	Leader of the Council (Chairman)
Councillor M Buckley	Waste Reduction and Recycling
Councillor G Butland	Devolution, the Arts, Heritage and Culture
Councillor B Egan	Children's Services and Early Years
Councillor J Spence	Adult Social Care and Health
Councillor L Wagland	Economic Renewal, Infrastructure and Planning
Councillor C Whitbread	Finance, Resources and Corporate Affairs
Councillor L Scott	Highways Maintenance and Sustainable Transport (via Zoom)
Councillor McKinlay	Deputy Leader and Cabinet Member for Community, Equality, Partnerships and Performance (via Zoom)

Councillors M Mackrory, D King, I Henderson, and M Platt were also present.
Councillor P Schwier attended remotely, via Zoom.

1. Membership, Apologies, Substitutions and Declarations of Interest.

The report of Membership, Apologies and Declarations was received and the following were noted:

1. There had been no changes of membership since the last report.
2. There were apologies for absence from Councillor Ball, Cabinet Member for Education Excellence, Life-Long Learning and Employability.
3. In relation to agenda item no. 4 (Army and Navy Sustainable Transport Package: Preferred Option for the junction improvement) Councillors Bentley and Butland declared code interests as Chairman and Board member respectively of Transport East and participated in full in the consideration of that item. In relation to agenda item no. 6 (Freeport East – Submission of the Full Business Case to HM Government) Councillor Henderson declared a code interest as a member of Tendring District Council's Freeport working party and participated in full in the consideration of the item.

2. Minutes of Previous Meeting

The Minutes of the meeting held on 15 February 2022 were approved as a true record and were signed by the Chairman.

3. Questions from the public

There were no questions from members of the public.

4. Army and Navy Sustainable Transport Package: Preferred Option for the junction improvement (FP/274/01/22)

The Cabinet received a report containing matters related to the Army and Navy sustainable transport package: preferred option for the junction improvement for their consideration and approval.

The Cabinet Member for Economic Renewal, Infrastructure and Planning responded to a question from Councillor Mackrory in respect of the arrangements for utilising Community Infrastructure Levy monies.

Resolved:

1. Agreed that the Hamburger Roundabout option is taken forward as the preferred option for the junction improvements.
2. Agreed that the Director, Highways and Transportation, in consultation with the S151 Officer, should develop an Outline Business Case for this option and submit it to the Cabinet Member to approve for submission to the Department for Transport (DfT) for funding from Major Road Network (MRN) fund.

5. Essex Housing - Annual Delivery Plan 2022/23 (FP/156/09/21)

The Cabinet received a report containing matters related to the Essex Housing – annual delivery plan 2022/23 for their consideration and approval.

The Cabinet Members for Economic Renewal, Infrastructure and Planning, and Adult Social Care and Health responded to a question from Councillor Henderson on the influence the Council would have to ensure specified services were provided in specialist housing units. The Cabinet Member for Economic Renewal, Infrastructure and Planning would also provide a written response to Councillor Henderson in relation to the target numbers for the provision of different types of housing unit.

Resolved:

1. Agreed the Essex Housing Annual Delivery Plan 2022/23 contained in the Confidential Appendix to the agenda report.
2. Noted that further formal decisions will need to be taken for each site for development, financing, and land disposal to Essex Housing Development LLP for 2022/23 as set out in paragraph 3.7 of the agenda report.

6. Freeport East – Submission of Full Business Case to HM Government (FP/282/01/21)

The Cabinet received a report containing matters related to Freeport East – submission of full business case to HM Government for their consideration and approval.

The Cabinet Member for Economic Renewal, Infrastructure and Planning responded to questions from Councillors Henderson and King in relation to:

- How the current freeports differed from those seen in the 1980s;
- The governance of the company limited by guarantee and its voting arrangements;
- The allocation of funds from the three ‘pots’ containing retained business rates monies and the priority to be given to training and skills programmes;
- The level of confidence that the identified significant funding gap could be met;
- Analysis into whether the economic case for freeports had been established.

Resolved:

1. Agreed that the Leader of the Council can sign a letter of support to accompany the Final Business Case (“Final Business Case”) for Freeport East to HM Government, providing provisional support for the Freeport East programme, making it clear that our support is subject to it providing benefits to Essex.
2. Agreed that the County Council is in principle prepared to participate in a company limited by guarantee.
3. Agreed that the Cabinet Member for Economic Renewal, Infrastructure and Planning may make the final decision on participation in the Company as a member or by the appointment of a director or both, if she is satisfied that:
 - (a) Participating in the Company does not expose us to disproportionate risk of cost or to the council’s reputation.
 - (b) The Company has a governance model which is considered likely to deliver economic benefits to Essex by the distribution of income.
 - (c) The Freeport is likely to result in the delivery of the green energy hub at Bathside Bay.

7. Enhanced Partnership Plan and Scheme (FP/226/11/21)

Cabinet received a report containing matters related to the Enhanced Partnership plan and scheme for their consideration and approval.

The Cabinet Member for Highways Maintenance and Sustainable Transport responded to questions from Councillors Mackrory, Henderson and King in relation to:

- The importance of the reliability of buses when seeking to encourage usage;
- Contingencies should funding from central Government not be received;
- The ability to strengthen commitments from bus operators around environmental considerations and whether this could include contractual stipulations;
- The level of government funding necessary to complete the projects set out in Appendix A of the report;
- Whether the number of passengers currently seen was felt to be viable.

Resolved:

Agreed that the Enhanced Partnership Plan and Scheme at Appendix A is made and takes effect from 31 March 2022.

8. Better Care Fund Plan and arrangements – 2022/23 (FP/286/01/22)

Cabinet received a report containing matters related to the Better Care Fund Plan and arrangements for their consideration and approval.

The Cabinet Member for Adult Social Care and Health took the opportunity to advise those present that it was World Social Work Day, and noted his thanks and appreciation to all involved in this vital work.

Resolved:

1. Agreed that the BCF Plan for Essex, approved by NHS England and NHS Improvement (NHSEI) on 12 January 2022 for the financial year 2021/22, continues to be implemented in the financial year until new arrangements are able to be agreed following the publication of BCF Policy Framework for 2022/22.
2. Agreed to vary the six section 75 agreements relating to the BCF entered into by the Council with the five Essex Clinical Commissioning Groups to ensure that the CCGs' funding commitments to the BCF Pooled Fund continues at the same level as approved by NHSEI for the financial year 2021/22 into the financial year 2022/23 and until such time as NHSEI publishes the 2022/23 BCF allocations for Essex.
3. Agreed that the Cabinet Member for Adult Social Care and Health is Authorised to agree subsequent variations to the six BCF section 75 agreements if required to reflect the BCF Policy Framework for 2022/23.
4. Agreed that the Executive Director for Adult Social Care is authorised to Agree the terms of the deeds of variation required to vary the six BCF section 75 agreements pursuant to paragraphs 2.2 and 2.3 above.

9. Procurement of accommodation-based support for people with mental health needs (FP/285/01/22)

Cabinet received a report containing matters related to the procurement of accommodation-based support for people with mental health needs for their consideration and approval.

The Cabinet Member for Adult Social Care and Health responded to a question from Councillor King regarding the pace of change and the consistency of care that could be expected by those using the service during that period.

Resolved:

1. Agreed to undertake a competitive procurement process using the open procedure to procure providers of Mental Health Supported Accommodation Services in four lots across North-East and West Essex as follows and as set out in paragraph 3.27 of the report. Volumes have been determined via historical referral data as per paragraph 3.28:
 - Intensive Assessment Beds (6 units in North-East Essex)
 - Complex needs (six units in North-East Essex and six in West Essex)
 - Medium and Low North-East Essex (70 units) Medium and Low West Essex (45 units)
2. Agreed that the new contracts will commence in October 2022 with a duration of five years within a budget envelope of £17.4m split between ECC and Health Partners.
3. Agreed to award a 12-month contract starting on 1 October 2022 to existing providers in Mid and South Essex for new placements whilst further work is undertaken to move towards extending the new model across Mid and South Essex.
4. Agreed that the Cabinet Member for Health and Adult Social Care, in consultation with the Executive Director for Adult Social Care, may award the contracts following completion of the competitive process once the necessary funding is in place.
5. Agreed to enter into s75 Agreements with Clinical Commissioning Groups or, once they are established, Integrated Care Boards, to delegate the necessary health functions to the Council for the purposes of commissioning Mental Health Supported Accommodation services.

10. Procurement of a new Integrated Community Equipment Service contract for 2023-2028 (FP/237/11/21)

Cabinet received a report containing matters related to the procurement of a new integrated community equipment service contract for 2023-2028 for their consideration and approval.

Resolved:

1. Agreed that the community equipment contract between the Council and Essex Cares Limited will terminate on the contract expiry date of 31 March 2023.
2. Agreed to terminate the contract between the Council and The Mayor and Burgess of the London Borough of Croydon known as The Integrated Procurement Hub (Croydon) for the provision of community equipment with effect from 31 March 2023.
3. Agreed to procure a contract for the Council, Thurrock Council, Castle Point and Rochford Clinical Commissioning Group, Basildon and Brentwood Clinical Commissioning Group, Thurrock Clinical Commissioning Group, Essex Partnership University Trust, Mid Essex Clinical Commissioning Group, Mid Essex Hospital Trust and East Suffolk and North Essex NHS Foundation Trust for the provision of an Integrated Community Equipment Service for Essex residents, to support them to live safely and/or independently in the community, for a five year contract term commencing in April 2023, with an option to extend for up to a further two years.
4. Agreed that the new contract will have an expected expenditure of up to £83m over the five-year contract period (£57m for the Council and £26m for the Health and Local Authority Partners), based on forecast spend at current activity levels, which will be managed by the Council under a pooled fund arrangement with additional contributions from the partners if there is any over-spend.
5. Agreed that the contract will be procured using the competitive procedure with negotiation as outlined in section 3 of this report.
6. Agreed that the services will be procured using an evaluation model based on 30% price, 50% quality and 20% social value and climate action.
7. Agreed to purchase up to a maximum of £1.1m of equipment owned by Essex Cares Limited which can be reused at the expiry of the current contract, which will be purchased by the successful bidder if they are not the incumbent.
8. Agreed to enter into a section 75/101 partnership agreement with Thurrock Council, Castle Point and Rochford Clinical Commissioning Group, Basildon and Brentwood Clinical Commissioning Group, Thurrock Clinical Commissioning Group, Essex Partnership University Trust, Mid Essex Clinical Commissioning Group, Mid Essex Hospital Trust and East Suffolk and North Essex NHS Foundation Trust under section 75 of the National Health Service Act 2006 and section 101 of the Local Government Act 1972 (respectively) under which the Council

procures and purchases and manages the community equipment services and manages a pooled fund on behalf of such partners.

9. Agreed that the Executive Director, Adult Social Care, in consultation with the Cabinet Member for Health and Adult Social Care, is authorised to agree the detailed evaluation model for the procurement.
10. Agreed that the Executive Director, Adult Social Care, in consultation with the Cabinet Member for Health and Adult Social Care, is authorised to approve the final terms of the partnership agreement and service contract.
11. Agreed that the Cabinet Member for Health and Adult Social Care is authorised to award the contract to the successful bidder following completion of the procurement process.

11. Decisions taken by or in consultation with Cabinet Members (FP/292/02/22)

The report was noted.

12. Date of the next meeting

The next meeting of the Cabinet would take place on Tuesday 19 April 2022, at County Hall, Chelmsford, CM1 1QH.

13. Urgent Business

There was no urgent business.

14. Confidential Appendix: Essex Housing Annual Delivery Plan 2022/23 (FP/156/09/21) (Public and press excluded)

The confidential appendix to report FP/156/09/21, to which minute 5, above, refers was agreed.

15. Confidential Appendix: Procurement of a new Integrated Community Equipment Service contract for 2023-2028 (FP/237/11/21) (Public and press excluded)

The confidential appendix to report FP/237/11/21, to which minute 10, above, refers was agreed.

16. Urgent exempt business (Public and press excluded)

There was no urgent exempt business.

There being no further business, the meeting closed at 10.45am.

Minutes of a meeting of the Cabinet that took place in the Council Chamber at County Hall on Tuesday 19 April 2022

Present:

Councillor	Cabinet Member Responsibility
Councillor K Bentley	Leader of the Council (Chairman)
Councillor T Ball	Education Excellence, Life-Long Learning and Employability
Councillor M Buckley	Waste Reduction and Recycling
Councillor G Butland	Devolution, the Arts, Heritage and Culture
Councillor B Egan	Children's Services and Early Years
Councillor L McKinlay	Deputy Leader and Cabinet Member for Community, Equality, Partnerships and Performance
Councillor J Spence	Adult Social Care and Health
Councillor L Wagland	Economic Renewal, Infrastructure and Planning
Councillor C Whitbread	Finance, Resources and Corporate Affairs
Councillor L Scott	Highways Maintenance and Sustainable Transport

Councillors M Mackrory, I Henderson, T Cunningham, B Massey, M Durham, P Schwier, M Hardware and A Goggin and M Platt were also present. Councillor D King attended remotely, via Zoom.

1. Membership, Apologies, Substitutions and Declarations of Interest.

The report of Membership, Apologies and Declarations was received and the following were noted:

1. There had been no changes of membership since the last report.
2. There were apologies for absence from Councillor Pond, Leader of the non-aligned group.
3. There were no declarations of interest.

2. Minutes of Previous Meeting

The Minutes of the meeting held on 15 March 2022 were approved as a true record and were signed by the Chairman.

3. Questions from the public

There were no questions from members of the public.

4. Chelmsford North East Bypass (FP/977/02/21)

The Cabinet received a report containing matters related to the Chelmsford North East Bypass for their consideration and approval.

The Cabinet Member for Economic Renewal, Infrastructure and Planning responded to questions from Councillor Mackrory in connection with the configuration of the conveyor bridge, receipt of the Secretary of State's confirmation of the related planning application, and the risks associated with the removal of flood compensation areas.

Resolved:

1. Agreed that the Council procures works to provide the conveyor bridge using the Eastern Highways Alliance Framework to facilitate construction of the main bypass works.
2. Agreed that Director for Highways and Transportation may enter into a Compensation Agreement with Hanson Quarry Products Europe Ltd (HQPE) to allow them to carry out advanced works to facilitate construction of the main bypass works subject to him being satisfied that the agreement represents value for money.
3. Authorised the Director for Highways and Transformation to award a contract for the conveyor bridge enabling works project to a principal contractor and agree compensation for silt lagoon works to HQPE (subject to finalising a compensation agreement), after consulting the Leader of the Council.
4. Agreed that land negotiations continue for the land required for the Chelmsford North East Bypass (CNEB) alongside preparations for Compulsory Purchase Order, if required.
5. Agreed that if the Director for Highways and Transportation is unable to acquire the land shown in Appendix 2.1 by agreement on reasonable terms he may, after consulting the Leader of the Council and the Director, Legal and Assurance, authorise:
 - a) the making of one or more compulsory purchase orders to acquire land necessary for the construction of the Chelmsford North East Bypass
 - b) the undertaking of additional processes (Side Roads Orders and/or traffic regulation and speed limit orders) required for the changes to the existing road network as a result of the project, and
 - c) to pursue the Orders to confirmation.
6. Agreed the Council launches a competitive procurement for the Chelmsford North East Bypass main works contract Phase 1 via the Crown Commercial Services Framework.
7. Agreed that tender evaluation criteria to be used for the North East Bypass Phase 1 are 50/50 Price/Quality split with 15% of Quality represented by Social Value criteria to the extent that they are consistent with the most economically advantageous tender.

8. Noted that a further report will be brought back to the Cabinet on the award of the main bypass contract Phase 1. This will confirm funding sources to inform the Cabinet's decision on awarding the contract.

5. Adoption of the new plan for libraries: 'Everyone's Library Service 2022 – 2026' (FP/284/01/22)

The Cabinet received a report containing matters related to the adoption of the new plan for libraries: 'Everyone's Library Service 2022 – 2026' for their consideration and approval.

The Deputy Leader and Cabinet Member for Community, Equality, Partnerships and Performance responded to questions from Councillors Henderson, Mackrory and King in connection with;

- The priority given to traditional library services within libraries rather than other external services;
- Assurances around consultation should location changes be suggested in the future;
- The need to look carefully at any charges made for external services;
- Assurances around the level and maintenance of book stocks;
- The levels of qualified staff, including librarians, rather than volunteers and future intentions with regard to partnership working;
- Assurances around the retention of opening hours;
- The views of library staff and their levels of engagement with the plan.

Resolved:

1. Agreed to adopt the plan for Everyone's Library Service 2022- 2026 as at Appendix 1 subject to two changes at pages 8 and 13 of the plan replacing references to 'dyslexia' to 'reading difficulties' and 'literacy difficulties' respectively.
2. Agreed that the plan supersedes Essex Future Library Services Strategy 2019 – 2024, and the remaining Transformation Reserve funds set aside for that previous strategy (£2.4m) should be directed towards Everyone's Library Service.
3. Approved the drawdown of £800,000 from the Transformation Reserve to support delivery of the elements of Everyone's Library Service set out in paragraph 6.1.2. The profile of spend for financial years 2022/23 and 2023/24 is set out in paragraph 6.1.3. Further formal requests will be made against the remaining £1.6m allocation as the detailed business cases are prepared.

6. Essex Renewal Fund (FP/245/12/21)

The Cabinet received a report containing matters related to the Essex Renewal Fund for their consideration and approval.

The Cabinet Member for Finance, Resources and Corporate Affairs responded to questions from Councillor King in relation to the provision of advice on early projects given the breadth of the Fund, and whether return on investment or wider benefits were the key drivers.

Resolved:

1. Agreed to the establishment of an Essex Renewal Fund on the basis contained in this report, to deliver a balanced portfolio of land and property projects focussed on economic renewal and growth.
 2. Agreed in principle that the Council will make capital investment in the Essex Renewal Fund. Specific allocations for the capital programme will be set out in the individual decisions that will support each investment.
 3. Agreed to draw down £590,000 for 2022/23 from the Commercial Investment in Essex Places reserve to the Economic Renewal, Infrastructure and Planning portfolio (£350,000) and Finance, Resources and Corporate Affairs portfolio (£240,000), for the internal and external resource costs for the first year of operation. Any unspent funding will be returned to the reserve at the end of the financial year. The future years' budget requirement will be incorporated into the Council's Medium Term Resource Strategy (MTRS) from 2023/24 onwards (see paragraph 6 below).
 4. Agreed that investments will only be made in line with the specific investment criteria set out in paragraphs 3.27 to 3.30, subject to variation as appropriate from time to time, and always following the Council's Constitution and Financial Regulations.
 5. Agreed to run a competitive procurement to provide independent and specialist investment and real estate expertise that will be required for the successful delivery of the Fund and to delegate the decision to award the contract to the Cabinet Member for Economic Renewal, Infrastructure and Planning, in consultation with the Cabinet Member for Finance, Resources and Corporate Affairs. This will include the management of the existing commercial property portfolio. The external support required for individual projects within the Fund will be requested in separate decisions.
- 7. Procurement of contract(s) for bio-waste treatment, transfer and transport services (FP/230/11/21)**

Cabinet received a report containing matters related to the procurement of contract(s) for bio-waste treatment, transfer and transport services for their consideration and approval.

The Cabinet Member for Waste Reduction and Recycling responded to a question from Councillor Mackrory in connection with initiatives taken by the Council to reduce food waste.

Resolved:

1. Agreed to launch a competitive procurement using the open procedure to procure contractors to provide treatment, transfer and transport of separately collected food and green waste at an estimated value of £6m per annum.
2. Agreed to the contract length of 5 years with options to extend in any number of periods not exceeding an extension period of five years in total.
3. Agreed that the following award criteria is applied in the procurement: 70% price: 30% quality (of which 5% of the quality score will be allocated to social value).
4. Agreed that the Director, Environment and Climate Action is authorised to agree the division of lots for the procurement and the detailed evaluation criteria.
5. Agreed that the Cabinet Member for Waste Reduction and Recycling, in consultation with the Cabinet Member for Finance, Resources and Corporate Affairs, is authorised to award contract(s) to the successful bidders following completion of the procurement process, subject to the outcome being within budget.
6. Agreed to run a mini-competition, using the procedure set out in ECC's Biowaste Framework Agreement, for a two year service order for the treatment, transfer and transport of mixed food and green waste at an estimated value of £1.1m per annum.
7. Agreed that the Cabinet Member for Waste Reduction and Recycling is authorised to award a service order to the successful bidder following completion of the mini-competition process, subject to the outcome being within budget.

8. Short Breaks Community Clubs and Activities Contracts 2023- 2028 (FP/339/03/22)

Cabinet received a report containing matters related to short breaks community clubs and activities contracts 2023- 2028 for their consideration and approval.

The Cabinet Member for Children's Services and Early Years responded to a question from Councillor Mackrory regarding how eligible families accessed the services.

Resolved:

1. Agreed the procurement of twelve contracts for the provision of short breaks, community clubs and activities, through a single stage,

procurement for an initial contract term of three years from April 2023 to March 2026 with an option to extend for up to two years to March 2028.

2. Agreed that the procurement will be based on county wide needs-based lots across the south, west, northeast and mid-Essex quadrants (making twelve lots in total). The three needs-based lots are:
 - Children with a learning disability and/or autism (under 8 years and 8-15 years)
 - Children with a physical or sensory impairment (under 8 years and 8-15 years)
 - Older adolescents (aged 15-19 years)
3. Agreed that the evaluation model for the procurement will be based on 30% price and 70% quality, of which 10% of the quality criteria will assess social value.
4. Agreed that the Cabinet Member, Children's Services and Early Years is authorised to agree the terms of and award the SBCCA contracts to the successful bidders within the budget envelope of £1.32m per year.
5. Agreed to set up an annual innovation and inclusion grant fund of £150,000 per year for three years to 2026, at which time it is to be reviewed in line with the SBCCA core offer. The arrangements for the innovation and inclusion grant will be made under separate governance and funded within existing resources.
6. Agreed £20,000 per year to be allocated from the SBCCA budget to enable the development and sourcing of a virtual offer to run concurrently delivery of SBCCA to 2026 at which time it will be reviewed in line with the SBCCA core offer. The arrangements for the virtual offer will be made under separate governance and funded within existing resources.

9. Procurement of Additional Reablement and Bridging Services Capacity (FP/327/03/22)

Cabinet received a report containing matters related to the procurement of additional reablement and bridging services capacity for their consideration and approval.

The Cabinet Member for Adult Social Care and Health responded to a question from Councillor Henderson regarding the links between the current proposal and the Connect programme.

Resolved:

1. Agreed to undertake an open procurement process to appoint providers to deliver additional reablement and bridging services across seven lots as set out in paragraph 4.1 of the report commencing in September 2022 for

a period of 2 years, with the option to extend for a further 12-month period at a maximum two-year cost of £16.5m.

2. Agreed that the high-level evaluation criteria for the procurement will be 35% price and 65% quality, and that the Executive Director, Adult Social Care, is authorised to agree the detailed evaluation criteria for the procurement.
3. Agreed that the Cabinet Member for Health and Adult Social Care is authorised to award the contracts to the successful bidders following completion of the procurement process.
4. Agreed to extend the six current contracts for in-lieu-of-reablement services and two contracts for bridging services in North-East Essex and West Essex for a period of three months at a cost of up to £1.6m to ensure continuity of service during the mobilisation and commencement of the new services.
5. Agreed that ECC will establish local arrangements with NHS partners to ensure delivery to the specification as part of ECC's continued ambition for health and care integration.
6. Agreed to vary the S75 agreement that is in place between ECC and Basildon and Brentwood Clinical Commissioning Group to reflect the terms of an extension to a contract entered into between Basildon and Brentwood CCG and Mid and South Essex Foundation Trust, for the provision of bridging services. This is a service that is commissioned by Basildon and Brentwood CCG on behalf of ECC at a cost of £5.4m until September 2024.

10. Colchester Rapid Transit System, 'Section A' – Decision to Publish Tender for Main Works Contract (FP/280/01/22)

Cabinet received a report containing matters related to the Colchester Rapid Transit System, 'Section A' – decision to publish tender for main works contract for their consideration and approval.

The Cabinet Member for Economic Renewal, Infrastructure and Planning responded to questions from Councillors King and Henderson about the standards to which the project would be delivered, the need to effectively communicate to local Members about upcoming disruption so that they could support residents and the funding arrangements for the works.

Resolved:

1. To launch a competitive procurement for the Section A of the RTS (A134 Northern Approach Road) Works contract via the Eastern Highways Alliance Framework.

2. Agreed that tender evaluation criteria to be used are 50/50 Price/Quality split with 15% of Quality represented by Social Value criteria to the extent that they are consistent with the most economically advantageous tender.
3. Agreed that the Cabinet Member for Economic Renewal, Infrastructure and Planning may award the contract if the successful tender is within the budget then available.

11. Decisions taken by or in consultation with Cabinet Members (FP336/03/22)

The report was noted.

12. Date of the next meeting

The next meeting of the Cabinet would take place on Tuesday 24 May 2022, at County Hall, Chelmsford, CM1 1QH.

13. Urgent Business

There was no urgent business.

14. Urgent exempt business

There was no urgent exempt business.

There being no further business, the meeting closed at 11.45am.

Annual Report of Overview and Scrutiny 2021/2022

Report by the Scrutiny Board Chairman, Councillor Ray Gooding

Enquiries to Joanna Boaler, Head of Democracy and Transparency and Statutory Scrutiny Officer on joanna.boaler@essex.gov.uk

1. Purpose of the Report

To present the annual report of Overview and Scrutiny to the County Council.

2. Recommendation

To note the attached report.

Overview and Scrutiny

Annual Report

2021 - 22

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Introduction

By Scrutiny Board Chairman, Councillor Ray Gooding



Scrutiny is “fundamentally important to the successful functioning of local democracy” so said the then Minister for Local Government, Rishi Sunak in 2019.

A lot has changed nationally and locally since 2019, but I am pleased that through the upheaval of the pandemic, local elections, and the current cost-of-living crisis the central role of scrutiny has remained a constant here at Essex County Council.

Scrutiny has a vital job in holding the executive to account on behalf of the residents we represent. Scrutiny should be key to the decision-making process, and it should be tackling the biggest issues. Pleasingly, this review of our work over the last 12 months suggests that all these things are happening.

Issues such as the future of libraries, climate change, local maternity services and the Everyone’s Essex strategy have been closely scrutinised. This work is summarised in this report, and I would like to thank all members and officers who have contributed.

Over the last year, we have increased joint-working opportunities to ensure that the four scrutiny committees are operating collaboratively and pooling resources. This move also reflects that issues such as mental health or climate change impact on all areas of the council’s activities; they do not follow traditional committee remits and our working practices now reflect this.

Scrutiny is not however resting on its laurels. As Chairman of the Scrutiny Board, I have instigated a review into the effectiveness of the function. This will look at best practice from other local authorities and parliamentary select committees to see what we can do better at Essex before making recommendations to Council later this year.

For now, however, it is time to reflect on the last year and I am delighted to introduce and commend this report to Council.

A handwritten signature in black ink, appearing to read 'Ray Gooding', written in a cursive style.

Councillor Ray Gooding, Scrutiny Board Chairman

What is Scrutiny?

Scrutiny is a core feature of the Council's decision making process.

At Essex County Council the governance model used to make decisions is that of the Leader and Cabinet, also referred to as the Executive model. Introduced by the Local Government Act (2000) this model is the most commonly used within local government and sees decision making powers afforded to a small group of the Council's 75 Councillors. These are the Leader and his nine Cabinet colleagues.

The Act requires that Councils using the Executive model also operates a scrutiny function to act as a 'check and balance' to the significant power held by the Cabinet. As such, only Councillors who are not members of the Cabinet can work within the scrutiny function. Their role is to consider the decisions taken, or that are proposed to be taken by the Cabinet and provide constructive advice and comment for Cabinet's consideration. This is characterised as taking the position of a 'critical friend' and the most effective outcomes are achieved when there is mutual trust and understanding between scrutiny and the Cabinet.

Although the existence of the function is set out in legislation, how it operates and how it is structured is left to individual Councils. This provides for a high degree of flexibility and the ability to consider different topics and issues in the most appropriate way. In Essex, the Scrutiny Board coordinates the work of the four standing Scrutiny committees by considering the best use of resources, particularly where topics to be considered may fall within the remit of more than one committee. The committees are:

- [Corporate Policy and Scrutiny Committee](#)
- [Health Overview and Policy and Scrutiny Committee](#)
- [Place Services and Economic Growth Policy and Scrutiny Committee](#)
- [People and Families Policy and Scrutiny Committee](#)

Meetings of the Scrutiny committees are held in public and are livestreamed to YouTube. As well as these meetings the committees are also able to commission to smaller working groups, usually called Task and Finish groups, to consider issues that require more in depth attention. These groups produce reports, which are publicly available, and are submitted to the relevant Cabinet Member for their consideration and response.

There can sometimes be the perception that Scrutiny is somewhat powerless when compared to its Executive cousin. However, where there is a culture of trust and respect between the Scrutiny function and the Executive, the Scrutiny function can attain and deploy a great deal of influence ultimately benefiting both the Council and the residents of Essex. Whilst it is true to say that this culture does currently exist between Scrutiny and the Executive at Essex County Council it is also appropriate to reflect and consider ways in which the relationship could be further developed and enhanced. This forms a key part of the review to be undertaken by the Scrutiny Board, on which more information now follows.

Review of the Scrutiny Function

The County Council elections took place in May 2021. Some existing Members chose to step down prior to the elections, some lost their seats, and a high number of new Members were elected. This, combined with some further changes resulting from the commencement of a new Administration, led to significant changes to the membership of the four Scrutiny committees. All four Scrutiny committees had new Chairmen appointed and via the Scrutiny Board, the Chairmen identified that it would be timely and appropriate to commission a review into the operation and effectiveness of both the Board itself and the wider Scrutiny function.

The Board had carefully considered the scope of the review and have identified the key areas below for consideration. Of perhaps particular interest are ensuring good budget and resource management including how to ensure that good value is being delivered, and further developing the Council-wide culture in which Scrutiny's input and advice is valued as a key part of the decision-making process.

Structure and Outcomes – to include how can the effectiveness of scrutiny be measured / do the current arrangements support effective scrutiny / how to ensure scrutiny is focused on outcomes / the structure and remits of the current scrutiny committees / whether the current structure fully supports engagement and understanding;

Processes – to include whether existing working practices can be improved / how best practice can be shared / building a culture where pre-decision is encouraged;

The Scrutiny Board – to include the management of budget and resources / the most effective operating style for the Board;

Visibility – to include how effectively the work of the Scrutiny function is communicated within and outside the Council;

Member Development – to include whether Members have the skills and knowledge to be effective scrutineers / the pros and cons of Members being subject experts / whether there is sufficient understanding of the function amongst all Members in relation to the Council's decision making processes.

The review has commenced and intends to conclude by early summer 2022. The initial focus has been on the structure operated at ECC, how this compares with other authorities and what other options may be appropriate, for instance the select committee model. The Board expects to be able to consider the recommendations from the review in June, subsequently reporting on them to Full Council in July. Should any Members not directly involved in the review wish to contribute, Councillor Gooding invites them to make contact with him in order that their views can be fed through.

The Work of the Scrutiny Committees

Over the following pages you will find an introduction to the work undertaken by the scrutiny function over the course of the year. The four Scrutiny committee Chairmen have selected some key pieces of work completed by their individual committees also highlighting, where relevant, work that has taken place jointly across two committees where it had been identified that this would make the best use of time and resources.

The Task and Finish review undertaken by a group of Members from the Place Services and Economic Growth Policy and Scrutiny Committee related to Local Highways Panels is included as an example of this type of work. Task and Finish groups allow a more focused and detailed look at a particular topic than would be possible in a standard committee setting. Recommendations are produced at the conclusion of the review and passed to the appropriate Cabinet Member, once endorsed by the 'parent' scrutiny committee, for consideration and response.

1. Chairmen's Highlights from each Committee:

- Corporate Policy and Scrutiny Committee (CPSC)
- Health Policy and Scrutiny Committee (HOPSC)
- People and Families Policy and Scrutiny Committee (PAFSC)
- Place Services and Economic Growth Policy and Scrutiny Committee (PSEG)

2. Example Task and Finish Review:

A summary of the work undertaken by PSEG members considering Local Highways Panels.

Corporate Policy and Scrutiny Committee

This committee reviews the overall strategic direction, policies and priorities of the Cabinet and Council including the budget strategy, financial resources, equality and diversity issues, procurement and the delivery of Everyone's Essex.

The Committee's Chairman and Vice Chairmen are Councillors Chris Pond, Michael Mackrory and Mike Steptoe. Full details of the committee's work and membership can be found on the Council's [website](#).



An important part of the CPSC's remit is to consider the overall Council revenue and capital budget strategy and financial resources. The Committee has been keen to assess the financial impact of, and response to, Covid and the subsequent challenges on the budget process, including the assumptions being made for future budgets. The CPSC will continue to challenge the progress in meeting the targets in the medium-term financial outlook.

All of this means regular updates from the Cabinet Member for Finance, Resources and Corporate Affairs, both formally with the full Committee, and informally with my Vice Chairmen and me. This regular dialogue has proved invaluable in understanding the complexities of the challenges being faced and how the Council is responding to them. It does not mean, of course, that the committee in any way sets aside its duty of challenge when that is required.

The Committee knows that ECC continues to face many challenges to its financial sustainability with the national review of funding for local government bringing uncertainty to future finances, the permanent and the full impact of the pandemic still not yet fully known. In addition, there are other pressures including increased care complexity and demand in the Adult Social Care and Health budgets. Whilst the Committee has a legal duty to provide robust challenge to decision-makers it will also offer support and assistance wherever it can to help the organisation meet these challenges.

Historically, the Committee has considered quarterly financial outturns and the full year outturn. Whilst this is essential for an overview of finances, we intend to supplement it by deep diving on certain budget aspects as and when we feel it appropriate and helpful to get a greater understanding of what lies behind some challenges and issues. To date we have had a specific update on the commercial property portfolio held by the County Council and, in future, will consider other areas such as commercial investment portfolio and reserves and provisioning.

Our financial scrutiny can vary in approach and sometimes means seeking further information on specific entries and/or challenging how a particular commitment or project is to be financed: For example, Members have recently pushed for clarifications on the impact of reprofiling or budget slippages and are also keen to challenge the financing of

climate commission and climate change aspirations and targets. Understanding and consolidating these specific entries and commitments will help the Council understand the broader budget challenge.

The Committee has also taken the lead in establishing an approach for continued reporting and oversight of the Everyone's Essex performance framework. Everyone's Essex is the core organisational (and local partners') strategy driving everything the Council should be doing. The Committee will be scrutinising progress on a regular basis to ensure transparency in holding the Executive to account on delivery of the objectives and targets within it. Chairmen and Vice Chairmen from the other scrutiny committees will also continue to be invited to join the sessions so that they are able to identify and break-out any follow-up work that they would like their respective committees to pursue.

I was pleased that the Committee worked jointly in a session hosted by the Place Services and Economic Growth Policy and Scrutiny Committee to look at the draft Economic Renewal Investment Strategy which was being prepared for consideration by Cabinet. This will be an important initiative as the county emerges from the pandemic and warrants ongoing scrutiny and support and we will arrange a suitable scrutiny committee to lead on this going forward. Influencing policy development or 'pre-scrutiny' as it is sometimes also called, is an important part of the role of the committee and I will encourage good constructive engagement when further such opportunities arise.

As the organisation continues to both respond to changes arising from the pandemic and broader evolutionary changes to ways of working, the Committee will continue to scrutinise both the impact of proposed changes on the organisation and on staff. Again, there will be aspects of this of interest to my colleagues in other scrutiny committees and we will consider some elements of joint scrutiny work for this going forward as we receive regular updates. I am also looking forward to scrutinising the review of Essex Archive Services and to influence the future approach on the delivery of services, including the use of digitisation.

The Committee has also been updated on the aspirations and ambitions for levelling up and devolution in Essex, with the County Council complementing the recent Government White Paper with its own local proposals. One of the significant elements of the White Paper was that the conversation regarding devolution has been decoupled from a conversation on local government reorganisation and I look forward to continuing to scrutinise the opportunities this may offer for the whole county. We are keen to ensure no part of the County gets left behind.

Finally, I would like to thank the members of my committee for their commitment in this first year of the new committee membership, and their collaborative and non-partisan approach to scrutiny which is vitally important in building trust in the political independence of the scrutiny function here at the County Council. I am sure the Committee will seek to further challenge decision-makers going forward on how they continue to respond to financial and organisational challenges.

Councillor Chris Pond – Chairman

Health Overview Policy and Scrutiny Committee

This committee reviews and scrutinises matters relating to the planning, provision and operation of health services in the County of Essex. This includes primary, secondary, tertiary care, and public health, and may involve reviewing the work of commissioners (such as local clinical commissioning groups), providers of health services (such as hospitals) and other organisations in the health sector.

The committee's Chairman and Vice Chairmen are Councillors Jeff Henry, Dave Harris and Clive Souter. Full details of the committee's work and membership can be found on the Council's [website](#).



Essex has one of the most complex health environments in the country. In recent years it has been split across three different strategic health footprints that do not align with our County Council borders. The footprints have been operating at different speeds meaning that the HOPSC has the ongoing challenge of continuing to have strategic oversight over these different paced programmes and with further changes expected in July in the form of Integrated Care Systems, more commonly known as ICS's, the challenge is likely to continue.

After focusing understandably on Covid-19 related matters for the past two years, during the past year the committee have been focusing on a range of issues and services across the health service, including scrutiny of maternity services at East Suffolk and North Essex Foundation Trust (ESNEFT) after they received a 'requires improvement' from the Care Quality Commission (CQC). This was also the case for the East of England Ambulance Service Trust (EEAST) after they also received the same rating from the CQC. Both Trusts have since implemented and met a number of recommendations that were put forward and the HOPSC will continue to engage with them over the coming year.

The HOPSC were also required, under its Terms of Reference, to endorse two variation of service changes. The first being how Children's Community Services were run at the Mid and South Essex NHS Foundation Trust (MSEFT) and changes to community inpatient beds in Mid and South Essex at the Mid and South Essex Health and Care Partnership. After receiving a briefing on these changes, both were endorsed by the committee.

Towards the end of the municipal year, the committee have begun looking at the proposed new Princess Alexandra Hospital in Harlow and are looking forward to receiving further updates through the planning and business sign off process.

I would like to thank all my HOPSC members for their commitment over the last year and those who participate in additional activities such as extra briefings to broaden their knowledge and expertise.

Councillor Jeff Henry – Chairman

People and Families Policy and Scrutiny Committee

This committee exercises the scrutiny function on matters relating to children and young people, families, education, adult social care, special needs and safeguarding.

The committee's Chairman and Vice Chairmen are Councillors Ray Gooding, Carlo Guglielmi and Peter May. Full details of the committee's work and membership can be found on the Council's [website](#).



The PAF has a wide remit covering so many of the services that were at the brunt of the pandemic, such as education, services for children and families and adult social care, and so much of our focus going forward will be on the recovery of these and other key services post-pandemic.

Over the last year, as we came through a resurgence of Covid-19, the Committee heard about the challenges now facing adult social care provision in Essex going forward, and possible changes in the demand for services in future – perhaps with an increased trend towards home-based (domiciliary) care rather than residential care. Similarly, the Education and Children and Families Services faced extra-ordinary challenges during the pandemic and we have considered how they have also responded to them. The four-year Adult Social Care Business Plan has been considered by the Committee and its stress on the challenge of increasing complexity of cases and its emphasis on more place-based support with partners. We will continue to challenge how the Plan may continue to be impacted by the pandemic and how it may need to further adapt.

Part of the valid scrutiny challenge even during a pandemic is to identify learning from this crisis and the PAF has been pleased to hear about changes to working practices and service delivery being made as a result.

An ongoing challenge for scrutiny is to not only reflect back on decisions made and monitor performance but to also influence policy development or 'pre-scrutiny' as it is sometimes also called. To facilitate and encourage decision-makers and officers to be more positive in coming forward to seek input into policy development it is important to demonstrate good constructive challenge and engagement when the opportunity arises and positive productive outcomes.

During the last year the PAF has had the opportunity to influence the development of a number of new corporate strategies such as Early Years' and Childcare, Special Educational Needs and Disabilities (SEND), and the Corporate Parenting Strategy. Each time, the Committee has challenged the assumptions and priorities of each strategy and, as scrutiny engagement was at a relatively early stage in the development of the strategy, was able to suggest changes and additions to the draft strategies. Interestingly, the specific changes requested varied between the different strategies but included further detail on the rationale for the strategy and objectives, implementation actions and milestones, metrics for

measuring implementation (which in the case of the SEND Strategy could also look for outcomes beyond just formal qualifications) and timetable.

I was also very pleased to see public questions being asked ahead of the discussion on the draft SEND Strategy and this direct interaction with our residents is something we all need to continue to promote.

Whilst bringing some transparency to decision-making it is also important to demonstrate outcomes from the scrutiny process and I felt that these discussion on draft corporate strategies were particularly worthwhile engagements for the committee to have had.

During the pandemic our library services were also impacted and, for a period at the height of the spread of Covid-19, the buildings were closed. Nothing highlights the importance of something more than when it suddenly is no longer available. The County Council has identified an opportunity for libraries to have a wider community and family role in the future. A new public consultation on such a new enhanced role provided an opportunity for my Committee to work jointly with the Place Services and Economic Growth Committee to scrutinise the proposals. Importantly this enhanced role for libraries also needs to include further addressing the needs of the more vulnerable members of our society and those hard-to-reach to facilitate greater equality in accessing those services. This aligns with the national government's agenda for more levelling-up and this will continue to be an overarching theme across my committee's work programme going forward.

The Domestic Abuse Act 2021 has imposed additional duties on ECC and the Committee has considered these together with the new Domestic Abuse Commissioning Strategy 2021- 2024. Members particularly challenged the communications and messaging in place. As a result, we convened a one-off meeting of a whole-committee Task and Finish Group to look at domestic abuse and improving the knowledge and information available to local members to help them signpost services and support to constituents. This had also been identified as being particularly helpful to officers and a value-add. A number of recommendations have been made to be considered for implementation including an all-member communication to be sent advising on the availability of domestic abuse awareness training and further strengthening the opportunities for parish councils to receive awareness training. The risk of increasing incidence of Domestic Abuse has been identified as an unfortunate consequence of the pandemic lock downs and the Committee will continue to challenge how the local system responds to the likely additional demands for support in this area.

One of our highest profile pieces of work for the Committee prior to the 2021 County Council elections was a task and finish group scrutiny of the effectiveness of partnership working by local agencies in responding to the challenge of drug gangs, knife crime and County Lines. The issue of drug gangs has not gone away and the PAF will continue to challenge governance arrangements, the support for young people, safeguarding the vulnerable, actions being taken to discourage school exclusions, and the level of influence that can be had over elective home education. Educational attainment for these young people has been adversely impacted and the Committee will be seeking assurance on actions being taken to address this.

Whilst it is fair to say that the first year of scrutiny since the County Council elections in May 2021 is always likely to be partly transitional as members get up to speed on the complexity of issues and the challenges being faced, I am sure the Committee will seek to further challenge decision-makers going forward on how they support and protect the most vulnerable in our society.

Finally, I would like to thank the members of my committee for their commitment in this first year of the new committee membership, and their collaborative and non-partisan approach to scrutiny which is vitally important in building trust in the political independence of the scrutiny function here at the County Council.

Councillor Ray Gooding – Chairman

Place Services and Economic Growth Policy and Scrutiny Committee

This committee exercises the scrutiny function on matters relating to environment, economic growth and infrastructure, sustainability, highways and transportation, libraries, planning, communities, waste and recycling and trading standards.

The committee's Chairman and Vice Chairmen are Councillors Alan Goggin, Dave Blackwell and Laureen Shaw. Full details of the committee's work and membership can be found on the Council's [website](#).



When I took over as Chairman of the Place Services and Economic Growth Policy and Scrutiny Committee (PSEG) last summer, I was excited that the Committee covered so many of the areas that matter most to our residents. With a remit that includes climate change, libraries, bus services and highways it was always going to be a busy year and suffice to say the last 12 months have not disappointed!

First and foremost, I would like to thank members and officers for their commitment and hard work in tackling these topics, as well as all those who have attended and contributed to our meetings. Particular thanks goes to my two Vice-Chairman, Councillor Laureen Shaw and Councillor Dave Blackwell.

Following the 2021 county elections, many PSEG members were new to the Council and new to scrutiny so it has been a steep learning curve, but one that has already seen the Committee produce tangible outcomes that I am certain will make a real difference.

We began the year by hearing from the four Cabinet Members whose portfolios are covered by the Committee along with the Climate Tsar, Councillor Peter Schwier. These sessions

were invaluable in ensuring that we understood the challenges facing the Cabinet and the ambitions outlined in Everyone's Essex.

Whilst it is important the scrutiny is independent of the executive; it is nevertheless crucial that scrutiny is both aware of and contributing to the overall objectives of the Council. Providing robust challenge when needed, but also coming up with ideas on how to improve council services.

As a part of this, PSEG has a policy development role that was demonstrated in the Task and Finish Group on Local Highway Panels (detailed on pages 14 to 15 of this report). I am immensely proud of this work and given my competitive streak I was particularly pleased that our Committee was the first to complete a Task and Finish Review since the local elections!

As a member of the Task and Finish Group, it became clear to me just how much hard work is needed to conduct a review around such a key subject like this. Credit should go to the Chairman of the Group, Councillor Mike Steel and the invaluable behind-the-scenes dedication exemplified by Councillor Marshall Vance. Well done to all.

Alongside this Task and Finish Group, the Committee has scrutinised the ongoing efforts to tackle Climate Change. The ambition to make Essex climate neutral is the biggest challenge facing our county and our Committee has a vital role in ensuring that this ambition is turned into reality in the coming years.

Climate Change – like so many other issues – crosses so many portfolios and is therefore one of the many areas where the scrutiny committees are working together. PSEG members have attended joint meetings with PAF on libraries and with CPSC on the new Economic Renewal Investment Fund. This collaboration will continue into the new civic year and is vital in ensuring that scrutiny is working as effectively as possible.

At our other meetings, topics have included the emerging Local Minerals Plan, Country Parks, Tourism and the work of Visit Essex as well as regular updates on bus services in the county and the Bus Service Improvement Plan.

Buses is one of those issues that really matter to residents. Since the pandemic, the sector has been facing a perfect storm of decreasing footfall and rising costs. It is therefore imperative that the Council is working closely with bus companies to help them to deliver a reliable, regular, and greener service. Our Committee will again play a key role in ensuring that this is happening.

With topics such as this, I am sure the next 12 months will be as busy as the last, and we are looking forward to working with officers and members to ensure that PSEG continues to deliver strong, non-partisan and collaborative scrutiny that most of all delivers outcomes for our residents.

If you would like to contribute to our work or make suggestions for our work programme, then please get in touch with me at cllr.alan.goggin@essex.gov.uk.

Councillor Alan Goggin - Chairman

Task and Finish Review – Local Highways Panels

In March 2022 the Local Highway Panels (LHP) Task and Finish Group presented its final report and recommendations.

The report, which was the culmination of months of hard work by members and officers, was supported by the Place Services and Economic Growth Policy and Scrutiny Committee (PSEG) and will now be considered by the Cabinet Member for Highways Maintenance and Sustainable Transport.

Task and Finish Groups can be established by the Scrutiny Committees to carry out in-depth reviews on a particular service area, policy or issue and make recommendations. They are a way by which scrutiny members can help to develop policy.

The Task and Finish Group was set up following a presentation by the Cabinet Member for Highways Maintenance and Sustainable Transport on LHPs to the PSEG Committee in September 2021. Its aims were to investigate whether the objectives of the LHPs were still relevant and whether those objectives were being met. Lines of Enquiry were established in a Scoping Document, and the Group held its first meeting in November 2021.

The Group quickly identified the main causes for concern were a lack of funding for LHPs, the length of time to complete schemes, the makeup of panels, and a general concern about the ability of LHPs to deliver the best outcomes for residents.

The Group however recognised that it needed to do more than just identify these causes of concern; it was important to ‘drill down’ to identify what could be done to help resolve some of these issues and make recommendations on the way forward.

Task and Finish Groups gather evidence in a variety of ways including written submissions, interviews with internal and external witnesses, site visits, work with partner organisations and other councils, desktop research, public meetings, and surveys.

At subsequent meetings the Group analysed LHPs, tackling important questions on budgets, membership, how schemes are delivered, whether decision-making and/or delivery could be devolved (or centralised), and the potential overlap with highways maintenance issues.

The Group considered evidence from members and officers, whilst individual group members conducted independent work and then reported back to the Group. Each issue was given focused consideration to inform the development of targeted and evidence-based recommendations. The Group also conducted an online survey of the 12 LHP Chairmen to support its work.

In March, the Group finalised its recommendations. These are publicly available and can be found [here](#). Key proposals include a reorganisation of LHPs to ensure schemes can be delivered, extra training for members, extra monitoring of highways maintenance performance, and a new LHP reporting mechanism to keep members and residents up to date.

The Cabinet Member's response to the recommendations is expected shortly and will be submitted to the PSEG Committee thereafter. Emerging policies in this area will then be scrutinised to ensure that the work of the Group is being followed-up.

Task and Finish Group recommendations are made to the 'parent' scrutiny committee and then to the relevant Cabinet Member who will give a formal response.

Training and Development

Following the elections that took place in May 2021 a focussed induction programme was delivered to members of the Scrutiny committees on the nature of the scrutiny function itself and to provide an introduction on the remit of the individual scrutiny committees. Although intended primarily as sessions for new members, or those new to scrutiny, they were open to all members that wished to attend.

Feedback from these sessions was positive, and the Scrutiny Board subsequently agreed that training and development should be kept under review and that suitable opportunities for further development should be identified and delivered as they were required. With this in mind the Scrutiny Board again considered training and development provision in February 2022.

To inform their considerations Board Members received headline information from the interviews that all members had been invited to undertake to consider their own development needs and establish a Personal Development Plan (PDP). As PDPs are completed on a confidential basis, the development requested by specific individuals was not identified. However, when considered thematically the majority of responders who identified scrutiny as a development need requested support in relation to the following topic areas:

- a greater understanding of the scrutiny function as a whole;
- the decision making process more generally;
- questioning skills.

The first two points were included, although by necessity briefly, in the induction sessions of May 2021. The sessions were recorded, and Scrutiny Board members requested that the recordings were recirculated in order for members to identify any areas on which further information would be of benefit. The Board would be pleased to support their member colleagues in accessing the most appropriate training for their individual needs, and

members are encouraged to speak with their individual committee Chairman to take this forward or through the personal development process.

The Board consider that the third point, questioning skills, is key to a successful scrutiny function. It can be viewed as two separate elements; identifying the right questions to ask to begin with, then actively listening to the response given and putting appropriate follow up questions where needed. The Board recognises that this is something that takes time and practice to develop and accordingly recommend the use of Key Lines of Enquiry (KLOE) to support this. KLOE assist in bringing structure to committees' questioning strategies and in making best use of the time at meetings.

There are various ways of developing KLOE; it is best practice for members to be actively involved in doing so. The Board suggest that there will not be a 'one size fits all' solution, and it is up to the individual committees to find the approach that best works for them. As a starting point however, Chairmen are keen to encourage members to really engage with the reports that are submitted to meetings and clearly identify what it is that they wish to achieve when questioning Cabinet members or officers.

It is not necessarily vital that members serving on scrutiny committees must be subject matter experts in order to fulfil their role effectively. The ability to actively engage with and critically analyse the information that is presented to them in order to recognise gaps or weaknesses in service provision or policy can be effectively applied across all topic areas even when the topic is new or unfamiliar.

However, committee members having an interest in the portfolio areas falling within that particular scrutiny committee's remit, and a willingness to gain an understanding of the wider issues that may impact on a particular policy position can only be of benefit. The scrutiny review referenced earlier in this report will consider this area of development further, specifically in relation to the operating models that may be used to encourage this way of working.

Scrutiny Chairmen are keen to understand how training and information can be most effectively provided to members of their respective committees and in some cases have started to develop bespoke solutions to enable this. Committee members are encouraged to continue to actively consider what measures to be provided to them. Officers within Democratic Services can provide support and advice as requested.

How the Public can get Involved

Attending a meeting

Members of the public are welcome to attend any public meeting of a scrutiny committee, which are listed on the [online meeting calendar](#).

All scrutiny committees normally allow 15 minutes for public questions at the beginning of each meeting. If you wish to ask a question, let the Chairman or clerk know by 1pm the day before a meeting is scheduled. Public meetings are usually streamed live on YouTube, with recordings available afterwards, via this link [ECC Democracy - YouTube](#).

Scrutiny regularly asks organisations or individuals to give evidence at meetings for the purpose of their investigations. If you will be attending scrutiny to give information to a committee, you can find information and guidance about what to expect in the [Scrutiny Handbook](#).

If you would like to feed into the scrutiny process, or suggest a topic for scrutiny's attention, you can get in touch with the Scrutiny Team at democratic.services@essex.gov.uk.

Alternatively, you can contact any of the Councillors who are on the relevant committee or task and finish group and ask them to consider representing you or calling you to give evidence. You can find out which local Councillors are on which committee by checking on the [website](#).

**This document has been produced by Essex County Council's Democracy and Transparency service.
Contact us by email at democratic.services@essex.gov.uk.**

Member Development Annual Report 2021/2022

Report by the Member Development Steering Group Chairman, Councillor Jill Reeves

Enquiries to Joanna Boaler, Head of Democracy and Transparency and Statutory Scrutiny Officer on joanna.boaler@essex.gov.uk

1. Purpose of the Report

To present the Member Development Annual Report 2021/22 to Essex County Council.

2. Recommendation

To note the attached report.

Annual Report of Member Development 2022

Introduction from Cllr Jill Reeves, Chairman of the Member Development Steering Group



The Member Development annual reports sets out the achievements of the last year, the objectives of member development, our current development offer and how the Council supports its delivery to all Councillors.

The role and expectations of an elected Member are continuously changing and following the County Council election in 2021, we welcomed 31 new County Councillors onto the Council.

Essex County Council continues to face difficult challenges and the personal development of all Members is essential to the successful delivery of our strategic priorities on behalf of the people we represent and serve.

I am particularly pleased how in member development we mobilised training to an online offer quickly and how we delivered a successful induction in 2021.

The current Member Development Steering Group have a good working relationship and have worked to ensure that the member development offer meets the needs of all members.

In January of this year, we were subject to the LGA review of the Councillor Development Charter Plus assessment, I am delighted that we were again seen as exemplar in our delivery of development and look forward to working on further developing our offer over the coming year.

I urge all Members, even those with many years of experience, to take full advantage of the range of development opportunities on offer and to have a development discussion if you haven't had one.

I would like to take this opportunity to thank all the key officers, principally Sophie Crane and Joanna Boaler, who support the MDSG for their time and invaluable support. Without them we would not be where we are now.

Councillor Jill Reeves
Chairman of the Member Development Steering Group
April 2022

1. Induction 2021

The election and induction in 2021 took place during the middle of the COVID-19 pandemic, case numbers were still high and vaccines were still in their early days. The 2017-2021 Member Development Steering Group (MDSG) worked with officers to prepare an induction programme that would meet the needs of members, whilst keeping members and officers safe. We received positive feedback from new and returning members on the induction programme and will use the feedback in the development of the programme for the next election. A copy of the timetable and summary of the feedback can be found at Appendix 1.

2. Member Development Offer post induction

Following the induction period in 2021, a full member development programme has been delivered, members can read the schedule at Appendix 1.

One of the successful innovations of the last year, has been to record sessions and make them available for members to view back in the own time or watch again at a later stage to clarify information. This is something, in addition to holding briefing sessions on a virtual basis, that the MDSG has asked officers to continue.

Personal development planning should be seen as a means to help Members update their knowledge and learn new skills to assist them to be more effective in supporting their large and diverse communities, we actively championed personal development planning following the election, with most conversations taking place from October 2021. Members are encouraged to complete the personal development planning questionnaire and then are able to have a confidential, individual meeting to discuss their developmental aspirations and agree any actions to take this forward. To date, 68 members have personal development plans in place.

Officers are now starting to review plans and will continue to do so over the coming months in addition to implementing the requests from the initial round. The topics suggested in individual meetings or through the personal development questionnaire, feed into the Annual Member Development Programme, this helps officers build a programme that meets the needs of members.

3. Councillor Development Charter Plus

The LGA Councillor Development Charter and Charter Plus provides councils with a robust framework and encourages member development across the sector. In 2020 South East Employers launched a new Charter framework is based on extensive consultation by the LGA. The Councillor Development Charter (Charter Plus) has three objectives:

1. There is a clear commitment to councillor development and support
2. The council has a strategic approach to councillor development
3. Learning and development is effective in building skills and knowledge

In January 2022 the LGA Assessment Team received a portfolio of evidence against the standards and an assessment team held a series of interviews and workshops to

assess the Council against the Charter Plus. The feedback from the Charter Plus assessment can be found as below.

ECC Charter Plus assessor's comments 2022

Continuous Improvement

- Further embed and take forward partnership working and identify opportunities for shared development with partners. This could include inviting partners to facilitate specific member development session.
- Explore offering additional training for Dementia Awareness, Being an Effective Opposition Member and how to have an impact on Outside Bodies.
- For twin hatted councillors, identify how the PDP recommendations can support councillors in their district roles and, subject to a councillor's agreement, share the development priorities with district/borough council key officers. This should assist in both prioritising and avoiding the duplication of training and development across the two tiers.
- Promote the benefits of councillor development and the Charter to district and borough councils to support a more strategic and joined-up approach to councillor development across the county.
- Further develop and support councillors with overview and scrutiny with a particular focus on embedding an approach for pre-decision scrutiny, which will enable non - executive councillors to make recommendations ahead of decisions being taken by Cabinet.
- The MDSG to look at how it can strengthen the evaluation of councillor development, including increasing the return rate of evaluation forms and follow up e mails with regards how Members are applying the learning.

Special Mention

- Top political and managerial commitment to councillor development. High level commitment and support from all group leaders and Chief Executive
- High profile and dedicated officer support, with recognised expertise and having the support of Members
- Engaged MDSG which meets regularly and has a strategic focus. Effectively chaired and accountable for the design, delivery and evaluation of the member development programme
- An effective response to Covid-19, quickly transferring the member development programme to virtual learning. Now looking at a hybrid approach based on member learning styles and preferences. To be led by the MDSG
- Commitment to the Be A Councillor campaign and approach
- Member development strategy regularly reviewed by MDSG and a member development programme supports the corporate strategy 'Everyone's Essex Strategy'
- Sustainable and regularly evaluated budget
- The Personal Development Process (PDP) is embedded and has a very high take up, with 68 out of 74 councillors having a PDP meeting and plan
- Councillors see the PDP's as a valuable process and help promote them to others. "Members are selling the PDP's to each other"

- Structured role profiles are in place. Member development is well promoted and supported via Charter Plus Case Studies that evidence the impact of programme
- Dedicated and structured leadership development programme both for inner and outer cabinet. Commitment and support to LGA Leadership Programmes. Awareness of key leadership development priorities with a recent focus on strengthening overview and scrutiny and support for Deputy Cabinet Members
- ECC approach to councillor development is exemplary and there is a clear culture of development underpinning the Charter Plus award.

Assessors' Comments

Thank you to members and officers at the council for making the assessment team feel so 'virtually' welcome.

Recommendation from the Verification Team

Essex County Council continues to meet, achieve and excel in respect of the Charter Plus Standard. A review of progress against the assessment team's recommendations for continuous improvement will take place in approximately 18 months. Congratulations on your continued success! We would encourage ECC to promote and share the benefits of MD and the Councillor Development Charter to the districts and boroughs across the County area.

4. Action Plan

The MDSG consider all feedback received from the induction, individual development opportunities both internally and externally and briefings, this feedback helps the Council develop a robust and useful development schedule.

This, in addition to the feedback from the LGA Assessment Team from the Councillor Development Charter Plus, forms the basis of the Action Plan which will be monitored by MDSG throughout 2022/23. Members are encouraged to provide feedback following all sessions both internally and externally, to assist in the betterment of the offer at ECC.

5. Further information

Further information on Member Development at ECC can be found by reviewing our Member Development Strategy, the terms of reference of the MDSG and the Member Portal.

6. Appendices

Appendix 1: Member Development Schedule 2021/22, including the induction timetable 2021

Title (all held via Zoom)	Date	Attendees
Introduction to ECC	11 May 2021	30
Information Technology and Governance at ECC	12 May 2021	19
Code of Conduct and Standards member /officer relations* <i>*Mandatory for new members</i>	13 May 2021	31
Children, Safeguarding and Education 1) An overview of safeguarding for vulnerable children 2) An overview of the Education service.	1) 13 May 2021 2) 1 July 2021	22 24
Essex Highways: 1) Highways Strategy and management. 2) Local Highways Panels. 3) Highways operations.	1) 17 May 2021 2) 18 May 2021 3) 7 June 2021	33 33 28
Local Government Finance and ECC Budget	19 May 2021	30
Scrutiny	20 May 2021	25
Adults and Safeguarding	21 May 2021	29
Place and Public Health (PPH)	26 May 2021	20
Member Enquiries	27 May 2021	24
Locality Fund	27 May 2021	23
Social Media	8 June 2021	25
Allowances, Expenses and ePayroll	9 June 2021	29
Equality and Diversity introduction	14 June 2021	19

Member Personal Safety	30 June 2021	18
Beulieu Park Station briefing	21 July 2021	12
Flood Partnership briefing	8 July 2021	27
Covid Summer Fund briefing	19 July 2021	25
Superfast broadband briefing	28 July 2021	15
Corporate Parenting briefing	2 September 2021	19
Safer Essex Roads Partnership briefing	8 September 2021	25
Skills, Employment and ACL briefing	6 October 2021	23
My Oracle briefing	8 October 2021	23
Highways Winter Service	11 October 2021	24
Emergency planning briefing	8 November 2021	23
Health and care briefing	12 November 2021	22
'Levelling up' briefing	29 November 2021	22
Fostering and adoption panels briefing	15 December 2021	14
Trading Standards briefing	3 December 2021	17
Anti-Fraud and Corruption	2 February 2022	18
British Sign Language	4 February 2022	10
Audit, Governance and Standards Committee Training	10 March 2022	8
Corporate Policy and Scrutiny Committee Training on S106/S278 Planning processes	31 March 2022	22

Summary of feedback from the July 2021 evaluation survey and the November 2021 follow up survey.

- 83% of respondents said the overall induction was excellent, 16% said good, no other responses received
- 100% of respondents said the sessions were useful to their role as an ECC Councillor
- 100% of respondents said the pace of the sessions was right
- 100% of respondents said the sessions were pitched at the right level and the use of presentation materials was appropriate
- Most respondents said they had or intended to watch back any recordings of sessions they missed
- 86% of respondents said they were very satisfied with the support received since May 2021 from the Democracy Team, with 13% says satisfied and no other responses