



Essex County Council

Summons

To all Members of Essex County Council

You are hereby summoned to attend the meeting of the County Council to be held as shown below to deal with the business set out in the Agenda.

10:00	Tuesday, 08 December 2020	Online Meeting,
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Gavin Jones
Chief Executive

Officer Support to the Council:

Andy Gribben, Senior Democratic Services Officer

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Prayers The meeting will be preceded by Prayers led The Right Reverend Hugh Allan O. Praem, the Titular Abbot of Beeleigh and Chaplain to the Chairman of Essex County Council.

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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.

In accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, this meeting will be held via online video conferencing.

Members of the public will be able to view and listen to any items on the agenda unless the Committee has resolved to exclude the press and public from the meeting as a result of the likely disclosure of exempt information as defined by Schedule 12A to the Local Government Act 1972.

How to take part in/watch the meeting:

Participants: (Officers and Members) will have received a personal email with their login details for the meeting. Contact the Democratic Services Officer if you have not received your login.

Members of the public:

Public Questions:

A period of up to 30 minutes will be allowed for members of the public to ask questions or make representations on any matter of Council business. Speakers must be registered with the officer in support of the meeting at least one week in advance of the meeting. For full details please email Democratic.services@essex.gov.uk

Online:

You will need to visit the ECC Democracy YouTube Channel <https://tinyurl.com/yynr2tpd> where you will be able watch live or view the meeting at a later date.

Accessing Documents

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

Audio recording of meetings

Please note that in the interests of improving access to the Council's meetings, a sound recording is made of the public parts of many of the Council's Committees. The Chairman will make an announcement at the start of the meeting if it is being recorded.

If you are unable to join the virtual meeting and wish to see if the recording is available, you can find out by checking the [Calendar of Meetings](#) any time after the meeting starts. Any audio available can be accessed via the 'On air now!' box in the centre of the page, or the links immediately below it.

Minutes of the meeting of the Full Council, held virtually on Tuesday, 13 October 2020

Present: Chairman: Councillor J G Jowers
Vice-Chairman: Councillor E C Johnson

J Abbott	A Goggin	G Mohindra
J F Aldridge	R J Gooding	Dr R Moore
B Aspinell	I Grundy	J Moran
J Baker	C Guglielmi	M Platt
T Ball	M Hardware	C Pond
S Barker	D Harris	R Pratt
J Beavis	A M Hedley	J M Reeves
K Bentley	I Henderson	P Reid
D Blackwell	J Henry	S Robinson
A Brown	S Hillier	W Schmitt
M Buckley	P Honeywood	L Scordis
G Butland	A Jackson	A Sheldon
J Chandler	D J Kendall	K Smith
S Canning	S Lissimore	C Souter
P Channer	D Louis	J Spence
A Davies	M Mackrory	M Stephenson
J Deakin	R A Madden	M Steptoe
M Durham	M Maddocks	A Turrell
B Egan	B Massey	L Wagland
A Erskine	P May	S Walsh
D Finch	M McEwen	C Weston
R Gadsby	L McKinlay	C Whitbread
M Garnett	V Metcalfe	A Wood
		J A Young

Prayers

The meeting was preceded by Prayers led by The Right Reverend Hugh Allan O.Praem, the Titular Abbot of Beeleigh and Chaplain to the Chairman of Essex County Council.

The Chairman, Councillor Jowers, formally opened the meeting

The Chairman welcomed members to the meeting.

The Chairman reminded members that although attendance at the meeting was 'remote' they should remain engaged in the meeting and refrain from responding to emails and texts during the meeting.

Members were also reminded to keep their microphone on mute for the duration of the meeting unless they wish to speak, and they should remember to address all remarks through the Chairman.

The Chairman confirmed that he had received a list of members wishing to speak on agenda items in advance and that he would call everyone on that list, however if others wish to speak or to raise a point of order or personal explanation the 'raise hand' function was to be used. He then gave other more advice concerning the management of the remote meeting.

1. Apologies for Absence

Apologies for absence were received on behalf of Councillors Lumley and Mitchell.

2. Declarations of Interest

There were no declarations of interest

3. Confirmation of the minutes of the meeting held on 14 July 2020

Resolved:

That the minutes of the meeting held on 14 July 2020 be approved as a correct record and signed by the Chairman

4. Public Questions

The Chairman noted that no members of the public had registered to speak.

5. Chairman's Announcements and Communications

Deaths

Former County Councillor, Rodney Bass, OBE:

The Chairman announced that Alderman Rodney Bass, OBE, died early in

the morning on 14 July following his battle with cancer. He died at home with his wife Margaret and his family with him.

The Chairman noted that former County Councillor Bass had been a member of the Council, representing Tollesbury between May 1997 and May 2005 and then Heybridge and Tollesbury from 2005 until his retirement in 2017, having served 20 years. During that time, he had been a member or chaired most committees of the Council and had been Cabinet Member for both Finance and Resources and Highways and Transportation.

He had become Vice-Chairman in 2008 and then Chairman in 2010. It was when he retired that he was then appointed an Honorary Alderman.

The Chairman noted that he had been the youngest councillor in England whilst at university, when he was elected to the Maldon District Council as the Member for Great Totham and where he served for 40 years both as Chairman and Leader. He had expressed great pride in entertaining the Queen in Maldon whilst he was Chairman of the County Council with the Chairman of Maldon District Council.

He was honoured when the Queen returned the favour and made him Officer of the Order of the British Empire (OBE) in 2017, for his services to local government.

The Chairman had received a huge number of messages of condolence for Rodney and these have been put in a book to be presented to his family.

Former County Councillor Ron Williams, CBE, D.L:

The Chairman announced that former County Councillor Ron Williams, CBE and D.L. passed away peacefully on 18 July at the age of 97.

He had served on the Essex County Council twice, first between 1970 and 1993 and later from 1997 until 2005 representing the Division of Hadleigh during both his terms of office.

He had been elected Chairman of the Council between 1983 and 1986 and served on many committees, including as committee chairman. He later was appointed as the Cabinet Member for Strategic Planning and Transportation

The Chairman was certain that the thoughts of many members were with his family at this difficult time.

Former County Councillor Michael Rose:

The Chairman also announced that former County Councillor Michael Rose has passed away at the end of September.

He noted that he had represented the Division of Broomfield and Writtle from 1985 until 1993.

During his term of office, he had been Vice-Chairman of the Highways Committee and Chairman of the Environment Committee. He had also served on Estates and Policy and Resources Committees as well as being a member of various other committees.

He was also an elected member of Chelmsford Borough Council and served as Mayor from 1983-1984.

At the invitation of the Chairman, a number of members paid tribute to former Councillors Rodney Bass, Ron Williams and Michael Rose.

Members observed a minute's silence in remembrance.

Queen's Birthday Honours

The Chairman was pleased to announce that 33 residents of the County of Essex had been honoured in the Queens' birthday honours.

He was especially pleased to inform members that HM Senior Coroner for Essex, Caroline Beasley-Murray had been made an Officer of the Order of the British Empire in recognition of her service.

Members were also informed that Sarah Shaw, Director, Firstsite, Colchester had been awarded an Order of the British Empire for services to the Arts.

Award

The Chairman was pleased to invite Councillor Whitbread to speak to inform Council about an Award to the ECC Income Collection Team who have been accredited by the Chartered Institute of Credit Management. The Essex team had been the first local authority team in England to receive such an award.

6. Receipt of petitions and deputations

The Chairman received a petition from Councillor Pond concerning a request for a school crossing patrol officer for The Roding Valley High School.

7. Executive Statement

The Leader of the Council, Councillor Finch, made a statement concerning Protecting Essex, Now and in the Future.

The statement was subsequently [published on the website](#).

8. Motions

1. Local Government Reform

In response to a Point of Order raised by Councillor Young, the Chairman advised members that he had received advice from the Monitoring Officer that, in accordance with paragraph 16.9.8 of the Constitution, the amendment moved by Councillor Whitbread was in order. However, he recognised the concerns of Councillor Young and undertook to request that the relevant paragraph be considered by the Constitutional Working Group.

It was moved by Councillor Young and seconded by Councillor Davies that:

‘As the government seeks to reform Local Government, this council believes any reorganisation to local government should:

- give the people of Essex more power and control of decisions,
- be vested locally, with more devolution of powers to local communities,
- value representative democracy and reject any dilution of this power, and
- be done with the people and not to the people.

Furthermore, we recognise the part local councils have played and will continue to play to support and keep Essex residents safe during this pandemic.

Therefore, any reorganisation of local democratic structures should only be progressed when:

1. this pandemic is behind us,
2. adequate time and attention has been given to determining where vital services such as Adult Social Care and Children’s Services should be administered,
3. agreement is achieved between a majority of district authorities in Essex on a preferred model, and
4. when the new model can be seen to protect the unique identity of place, respecting the traditions and characteristics of each community.’

It was moved by Councillor Smith and seconded by Councillor Pond that the motion be amended to read as follows:

‘As the government seeks to reform Local Government, this council believes any reorganisation to local government should:

- give the people of Essex more power and control of decisions,
- be vested locally, with more devolution of powers to local communities,
- value representative democracy and reject any dilution of this power, and
- be done with the people and not to the people.

Furthermore, we recognise the part local councils have played and will continue to play to support and keep Essex residents safe during this pandemic.

Therefore, any reorganisation of local democratic structures should only be progressed when:

1. this pandemic is behind us,
2. adequate time and attention has been given to determining where vital services such as Adult Social Care and Children's Services should be administered,
3. agreement is achieved between a majority of district authorities in Essex on a preferred model,
4. when the new model can be seen to protect the unique identity of place, respecting the traditions and characteristics of each community and
5. that there should be the minimum of at least four new unitary authorities that will take the place of Essex County Council, Thurrock and Southend.'

It was moved by Councillor Whitbread, and seconded by Councillor Butland that the motion be amended to read as follows:

'This Council will continue to work with all local authorities, and the public, to determine the most appropriate structure for local government in Essex where legislation permits.

This Council confirms that when the White Paper on LGR is published it will conform to the requirements as specified and particularly where there is a requirement for public consultation and recognition of unique local conditions.

The Council clearly will not proceed with any activities which contravene Public Health regulations or directions for the safety of the public.'

The Chairman decided not to put the amendment moved by Councillor Smith to the vote since Councillor Young had indicated that she would accept that amendment and no member raised any objection to this amendment.

The amendment moved by Councillor Whitbread and seconded by Councillor Butland was put to the meeting and was **carried** and became the substantive motion.

Those Members voting for the amendment to the motion were Councillors:

J F Aldridge	R J Gooding	V Metcalfe
T Ball	I Grundy	Dr R Moore
S Barker	C Guglielmi	J Moran
K Bentley	M Hardware	M Platt

A Brown	A M Hedley	R Pratt
M Buckley	J Henry	J M Reeves
G Butland	S Hillier	W Schmitt
J Chandler	P Honeywood	A Sheldon
P Channer	A Jackson	C Souter
M Durham	S Lissimore	J Spence
B Egan	D Louis	M Steptoe
A Erskine	R A Madden	L Wagland
D Finch	M Maddocks	S Walsh
R Gadsby	B Massey	C Weston
M Garnett	M McEwen	C Whitbread
A Goggin	L McKinlay	

Those Members voting against the amendment to the motion were Councillors:

J Abbott	I Henderson	L Scordis
B Aspinell	D J Kendall	K Smith
J Baker	M Mackrory	M Stephenson
D Blackwell	P May	A Turrell
A Davies	C Pond	A Wood
J Deakin	P Reid	J A Young
D Harris	S Robinson	

Those abstaining were Councillors Beavis, Johnson and Jowers.

The motion as amended was put to the meeting.

Resolved:

‘This Council will continue to work with all local authorities, and the public, to determine the most appropriate structure for local government in Essex where legislation permits.

This Council confirms that when the White Paper on LGR is published it will conform to the requirements as specified and particularly where there is a requirement for public consultation and recognition of unique local conditions.

The Council clearly will not proceed with any activities which contravene Public Health regulations or directions for the safety of the public.'

Those Members voting for the motion were Councillors:

J F Aldridge	R J Gooding	L McKinlay
S Barker	I Grundy	V Metcalfe
K Bentley	C Guglielmi	Dr R Moore
A Brown	M Hardware	J Moran
M Buckley	A M Hedley	M Platt
G Butland	J Henry	R Pratt
J Chandler	S Hillier	J M Reeves
P Channer	P Honeywood	W Schmitt
M Durham	A Jackson	A Sheldon
B Egan	S Lissimore	C Souter
A Erskine	D Louis	J Spence
D Finch	R A Madden	M Steptoe
R Gadsby	M Maddocks	L Wagland
M Garnett	B Massey	S Walsh
A Goggin	M McEwen	C Weston
		C Whitbread

Those Members voting against the motion were Councillors:

J Abbott	I Henderson	L Scordis
B Aspinell	M Mackrory	K Smith
J Baker	P May	M Stephenson
D Blackwell	C Pond	A Turrell
A Davies	P Reid	A Wood
J Deakin	S Robinson	J A Young
D Harris		

Those abstaining were Councillors Beavis, Johnson, Jowers and Kendall.

9. Adjournment

With the agreement of Council, the Chairman adjourned the meeting at 12:04. The meeting reconvened at 12:15.

10. Motions (continued)

2. Active Travel in Essex

It was moved by Councillor Wagland and seconded by Councillor Buckley that:

‘This Council is committed to a carbon neutral target by 2050. Measures taken by this Administration so far demonstrate this determination. The successful launch and work of the Climate Change Commission and the work to increase more use of sustainable forms of transport such as walking and cycling. We recognise that more must be done across the entire County but applaud the work undertaken thus far.

This Council calls on all County Councillors to play their part in greatly reducing CO₂ emissions through encouragement of our constituents and leading by example.’

It was moved by Councillor Scordis and seconded by Councillor Davies that the motion be amended to read as follows:

‘This Council is committed to a carbon neutral target by 2050. Measures taken by this Administration so far demonstrate this determination. The successful launch and work of the Climate Change Commission and the work to increase more use of sustainable forms of transport such as walking and cycling. We recognise that more must be done across the entire County but applaud the work undertaken thus far.

This Council calls on all County Councillors to play their part in greatly reducing CO₂ emissions through encouragement of our constituents and leading by example.

We also call on this council to:

- expand on Safer Greener and Healthier routes, working with local councillors, businesses and interested groups,
- put active travel and sustainable transport at the heart of all capital schemes,
- investigate more sustainable means of travel for staff in the field, including our vehicle fleet, and
- declare a Climate Emergency.’

The amendment moved by Councillor Scordis and seconded by Councillor Davies was put to the meeting and was **lost**.

Those Members voting for the amendment to the motion were Councillors:

J Abbott

D Harris

P Reid

B Aspinell

I Henderson

S Robinson

J Baker	D J Kendall	L Scordis
D Blackwell	M Mackrory	A Turrell
A Davies	P May	A Wood
J Deakin	C Pond	J A Young

Those Members voting against the amendment to the motion were Councillors:

J F Aldridge	R J Gooding	V Metcalfe
T Ball	I Grundy	Dr R Moore
S Barker	C Guglielmi	J Moran
J Beavis	M Hardware	M Platt
K Bentley	A M Hedley	R Pratt
A Brown	J Henry	J M Reeves
M Buckley	S Hillier	W Schmitt
G Butland	P Honeywood	A Sheldon
J Chandler	A Jackson	K Smith
P Channer	S Lissimore	C Souter
M Durham	D Louis	J Spence
B Egan	R A Madden	M Stephenson
A Erskine	M Maddocks	M Steptoe
R Gadsby	B Massey	L Wagland
M Garnett	M McEwen	S Walsh
A Goggin	L McKinlay	C Weston
		C Whitbread

Those abstaining were Councillors Johnson and Jowers.

The motion moved by Councillor Wagland and seconded by Councillor Buckley was put to the meeting.

Resolved:

‘This Council is committed to a carbon neutral target by 2050. Measures taken by this Administration so far demonstrate this determination. The successful launch and work of the Climate Change Commission and the work to increase more use of sustainable forms of transport such as walking and cycling. We recognise that more must be done across the entire County but applaud the work undertaken thus far.

This Council calls on all County Councillors to play their part in greatly reducing CO₂ emissions through encouragement of our constituents and leading by example.'

Those Members voting for the motion were Councillors:

J Abbott	R J Gooding	Dr R Moore
J F Aldridge	I Grundy	J Moran
J Baker	C Guglielmi	M Platt
T Ball	M Hardware	C Pond
S Barker	D Harris	R Pratt
J Beavis	A M Hedley	J M Reeves
K Bentley	I Henderson	P Reid
D Blackwell	J Henry	W Schmitt
A Brown	S Hillier	L Scordis
M Buckley	P Honeywood	A Sheldon
G Butland	A Jackson	C Souter
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P Channer	D Louis	M Stephenson
A Davies	R A Madden	M Steptoe
M Durham	M Maddocks	L Wagland
B Egan	B Massey	S Walsh
A Erskine	P May	C Weston
R Gadsby	M McEwen	C Whitbread
M Garnett	L McKinlay	J A Young
A Goggin	V Metcalfe	

Councillor Smith voted against.

Those abstaining were Councillors Aspinell, Deakin, Johnson, Jowers, Kendall, Mackrory, Robinson, Turrell and Wood.

11. Adjournment

With the agreement of Council, the Chairman adjourned the meeting at 13:10. The meeting reconvened at 13:40.

12. Motions (continued)

3. Traineeship and Apprenticeship Schemes

It was moved by Councillor Gooding and seconded by Councillor Ball that:

‘This Council recognises the effects that Coronavirus COVID-19 has had on businesses and jobs and particularly the vast number of Essex SMEs that are adversely affected by this awful virus.

This Council supports firms and employees which are the backbone of our economy by ensuring it is at the vanguard of the new Kickstart and New Traineeship and Apprenticeship schemes launched by the Government.

This Council notes that it is a major employer in the county and will use these schemes to create the opportunity for people in Essex to access employment and in doing so will invest over £300k as evidence of its commitment.

This Council will also encourage all employers, public and private, to use these schemes for the benefit of Essex and be at the forefront of the economic recovery from this virus.’

Resolved:

‘This Council recognises the effects that Coronavirus COVID-19 has had on businesses and jobs and particularly the vast number of Essex SMEs that are adversely affected by this awful virus.

This Council supports firms and employees which are the backbone of our economy by ensuring it is at the vanguard of the new Kickstart and New Traineeship and Apprenticeship schemes launched by the Government.

This Council notes that it is a major employer in the county and will use these schemes to create the opportunity for people in Essex to access employment and in doing so will invest over £300k as evidence of its commitment.

This Council will also encourage all employers, public and private, to use these schemes for the benefit of Essex and be at the forefront of the economic recovery from this virus.’

4. Memorial to Coronavirus Victims

It was moved by Councillor Mackrory and seconded by Councillor Kendall that:

‘This Council believes that there should be a permanent memorial to all those residents of Greater Essex, currently approaching 1,800, who have tragically lost their lives through the Coronavirus pandemic. Such a memorial will ensure that those who have died from the virus will never be forgotten.

Council therefore resolves that the Chairman of the County Council convene a panel of members comprising himself, the Leader, the relevant Cabinet Member and the three Opposition Group Leaders to propose a suggestion for a suitable memorial for consideration and decision by The Leader.'

It was moved by Councillor Aldridge and seconded by Councillor Spence that the motion be amended to read:

'This Council recognises the enormous toll this current pandemic has had on every resident in Essex and the devastating loss of family members for many. Therefore, we are committed to exploring ways of creating a permanent memorial, or memorials across the county, to all those hundreds of residents in Essex, who have tragically lost their lives due to Coronavirus COVID 19. Such a memorial will ensure that those who have died from the virus will never be forgotten.

Council therefore resolves that the Chairman of the County Council should consult with representatives of our public services and communities to explore ways of creating a public memorial through public subscription or other means of funding.'

Councillor Madden proposed that the amendment moved by Councillor Aldridge be amended by the deletion of the words 'to explore ways of creating a public memorial through public subscription or other means of funding.' There appeared to be general agreement to this and the Chairman agreed to his amendment being moved and debated as part of the debate.

The amendment moved by Councillor Aldridge as amended by Councillor Madden was passed by general assent.

In response to a Point of Order raised by Councillor Young, the Chairman advised members that he could and would permit this amendment to be moved without notice (Constitution paragraph 16.9.8(ii)(b)).

Resolved:

'This Council recognises the enormous toll this current pandemic has had on every resident in Essex and the devastating loss of family members for many. Therefore, we are committed to exploring ways of creating a permanent memorial, or memorials across the county, to all those hundreds of residents in Essex, who have tragically lost their lives due to Coronavirus COVID 19. Such a memorial will ensure that those who have died from the virus will never be forgotten.

Council therefore resolves that the Chairman of the County Council should consult with representatives of our public services and communities.

The following Councillors asked for it be recorded that they had abstained from voting: Butland, Johnson, Jowers, Smith, Schmitt, Stephenson, Souter and Wagland.

13. Essex Pension Fund Strategy Board Annual Report 2019- 20

Councillor Barker, Chairman of the Essex Pension Fund Board, presented the report.

It is having been moved by Councillor Bentley and seconded by Councillor Madden it was

Resolved

That the report be noted.

14. Annual Scrutiny Report 2019-20

Councillor Jill Reeves, Chairman of the Scrutiny Board, presented the report.

It is having been moved by Councillor Bentley and seconded by Councillor Madden it was

Resolved

That the report be noted.

15. Report of the Task and Finish Group on Drug Gangs, Knife Crime and County Lines, established by the People and Families Policy and Scrutiny Committee

Councillor Carlo Guglielmi, Lead Member of the Task and Finish Group presented the report.

It is having been moved by Councillor Bentley and seconded by Councillor Madden it was

Resolved

That the report be noted.

16. The Leader's Report of Cabinet Issues

Councillor Bentley, Deputy Leader of the Council, presented the report.

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

Resolved

To receive the list of urgent decisions taken and the minutes of the Cabinet meetings held on 21 July and 15 September 2020.

17. Council Issues

Councillor Bentley, Deputy Leader of the Council, presented the report.

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

Resolved

1. That the next date of Council be unchanged and noted to be 8 December 2020.
2. That the date of the budget-setting Council meeting that was to be on 16 February 2021 be rescheduled to 23 February 2021.
3. That the date of the Annual Meeting of Council that was to be on 11 May 2021 be rescheduled to 18 May 2021.
4. That the meetings of Council thereafter be unchanged and noted to be 13 July, 12 October and 7 December 2021.

18. Written Questions

The published answers to the 20 written questions submitted in accordance with Standing Order 16.12.1 were noted.

Members sought points of clarification from the relevant Cabinet Members, details of which are available on the ECC website [via the audio recording of the meeting](#).

The written questions were:

1. By Councillor Maddocks of the Cabinet Member for Health and Adult Social Care

‘During the COVID-19 crisis what extra help has ECC given to the providers of care homes throughout Essex, and what provisions are in place during a second wave of COVID-19 especially in the winter months ahead?’

Reply

‘Overall ECC has taken a significant number of urgent decisions totalling over £74m enabling additional expenditure or services to be available, in the Council’s response to COVID-19. This included specific provision of some £18.6m for the residential care market, £11.4m for the homecare market and £5.6m to support day services.

In addition we committed some £2m for the provision of PPE to ensure council staff and care providers had immediate access to PPE while supplies were under pressure and allocated a further £7m to cover the additional cost of PPE associated with complying with the new national guidance as it emerged during the peak.

Throughout we have worked closely with our providers and I would like to pay tribute to their work and the bravery and resilience of them and their staff who have responded magnificently during this very difficult time

Care homes have felt the impact of the pandemic very acutely with the cost in human terms being impossible to overstate. We recognised these challenges and working with our providers we have established multi-disciplinary Care Home Hubs to support homes where outbreaks have occurred to get them under control and to assist care homes in implementing effective infection prevention regimes.

We have also actively worked with providers to ensure they are aware of, and can take advantage of, the Infection Control Fund money made available by the government, which for Essex was over £16m, to help providers meet the additional costs associated with providing effective infection control.

In anticipation of an increase in the number of COVID-19 cases over the winter period, as preparation for a possible second wave, and to help support providers with wider winter pressures, such as seasonal flu, we have put in place additional measures, including focused risk reporting, to ensure that we are actively monitoring trends in infection and hospital admission and taking coordinated action to help reduce onward transmission.

Care homes remain vulnerable and the work of our Care Home Hubs will continue. We have sufficient stockpiles of PPE to ensure providers and adults using Direct Payments will have immediate access to the necessary supplies should their own supply chain fail, and we will continue to work flexibly to ensure access to social care support is available when required.

We are committed to doing all we can to support our providers and will continue to work closely with them as the pandemic continues to unfold.’

2. By Councillor Grundy of the Deputy Leader and Cabinet Member for Infrastructure

‘I have had a number of residents complaining of vehicles short circuiting queues at the Army and Navy by using the Bus Lane – currently we do not have enforcement cameras there. In view of this current abuse and future plans for more sustainable transport in that area, could this be reviewed?’

Reply

‘I thank the member for Stock for his question on the Bus Lane at the Army and Navy Junction in Chelmsford.

I sympathise with residents who must be frustrated to see individuals break the rules. We have monitored the bus lane previously to see if there is a significant level of contraventions that would warrant the installation of cameras. However, the level of contravention is low and therefore given that this a bus lane and not a bus gate, the number of cameras would be needed to enforce would be greater than warranted at this location, for a significant cost to taxpayers. While not all bus lanes and bus gates have enforcement cameras, Essex Highways monitor sites and look at where the need for enforcement may present itself alongside the ability to self-fund the site (fines income covering investment costs). Even given the previous monitoring, we will continue to note this specific site for consideration in future camera rollout programmes.’

3. By Councillor Sheldon of the Deputy Leader and Cabinet Member for Infrastructure

‘The overrunning of the latest phase of the Sadlers Farm Roadworks by Balfour Beattie has caused misery for thousands of Castle Point residents. Appreciating that the works are taking place under an existing contract and at no further cost to the taxpayer, what pressure can the Deputy Leader and Cabinet Member for Infrastructure, and Essex County Council Highways, place on Balfour Beattie to ensure they stick by their final deadline for full completion of scheduled works by the end of December?’

Reply

‘I thank the member for South Benfleet for his question on the Sadlers Farm road works.

The works requiring the closure of Sadlers Farm Bridge and the A13 on slip road to the Sadlers Farm Roundabout were completed and the road reopened on the 21 September at no cost to the taxpayer.

There are still some residual issues that Balfour Beatty need to address. That will require lane closures in the underpass once the solution has been agreed. However, from experience this traffic management set up does not cause an issue and maintains free flowing traffic from the A13 to the A130. A date for this has not been set and will need to be agreed with ECC; it is unlikely that Balfour Beatty will complete all the required works by Christmas. However, ECC officers are continuing to put pressure on Balfour Beatty to undertake these remedial works as soon as possible and to safeguard future maintenance costs to this authority. These structures should have a design life of 120 years and we are seeking to ensure this is achievable with acceptable levels of maintenance to ECC.'

4. By Councillor Scordis of the Leader of the Council

'Given reports of the way that Uyghur Muslims have been treated in China, will this council terminate all relationships and interests we have with China as well as oppose the Bradwell B plans until these humanitarian issues are addressed and resolved?'

Reply

'This is a question of Foreign Policy. By law, local authorities do not have foreign policies and we must work within the policies of national government. We work within, and will continue to work within, whatever parameters are set by national government.'

5. By Councillor Reid of the Cabinet Member for Health and Adult Social Care

'The Government has lifted the restrictions from the NHS Trusts regarding partners or a loved one being able to participate in pregnancy appointments, scans and during labour. Can we be assured that Essex NHS Trusts are complying with these guidelines as it is reported that not all Trusts are?'

Reply

'Unfortunately, we only received notification of this question at the end of last week and so have not had time to get a full response from the various Essex Trusts. However, having contacted the Trusts on Friday, we have, at the time of writing, had confirmation from Mid and South Essex that they are allowing partners into all areas of maternity services (at Basildon, Broomfield and Southend hospitals). There is currently a small exception for some pregnancy scans at Basildon Hospital due to some of the ultrasound rooms being very small. The Trust is working with the sonography team to try and make some

further adjustments so we can facilitate access for partners consistently.

I will be happy to update you on any response from elsewhere in Essex as soon as we receive them.'

6. By Councillor Reid of the Cabinet Member for Health and Adult Social Care

'It has been reported that Councils are to get additional National Resources to help them reach more people with COVID-19. Can some of these resources be put towards more mobile testing units within the Essex County, maybe in schools and universities where there is a density of population. There have been some schools which have had to close year bubbles or classes due to COVID-19 cases.

To enable us to get on top of this virus we need an efficient Test, Track, Contact and Support system to be put into place now, not in six months' time.'

Reply

'The Council received £5.8m to set up and run a local Test, Trace, Contact and Support system. This money was not expected to cover testing which is separately funded nationally.

The Essex programme is delivered across a wide group of system partners and is seen as one of the best nationally. We have been given additional responsibilities by PHE, recognising we can offer a more complete contact service than most areas. An example of this recognition came when we were asked to lead on the response to the recent Norfolk poultry outbreaks, helping the Norfolk system. Regional Assurance feedback is consistently positive, and we are seen as robust and thorough in managing the outbreak.

The national test system is under pressure - while testing capacity increases, so do the demands as the case numbers increase. However, we recognise the importance of everyone who experiences symptoms seeking a test, and we would encourage all to do so.

We recognise the need in Essex to support the system further exactly as suggested. We set up an innovative system with NHS and private sector colleagues to specifically allow bespoke rapid access to testing of teachers and their families to minimise the need for these key workers to be absent from work.

We have worked with the national system to establish testing sites on the university campuses at Essex and Anglia Ruskin University. In addition, we are working with the University of Essex and using our

resources to ensure rapid access to testing for students through NHS pillar 1 services.

We have worked with national testing services to ensure that testing is in the right place at the right time in Essex. This has included increased testing in Epping Forest, where we have seen more cases and the very rapid, urgent deployment of a unit to a specific local outbreak.

Ultimately, however, the overall availability of testing capacity rests with NHS. We are market-leading in our drive for collaboration, as seen by what is outlined above, but decisions on deployment are only partially in our gift.'

7. By Councillor Harris of the Deputy Leader and Cabinet Member for Infrastructure

'Regarding the 20mph Policy for Essex, would the Portfolio Holder and Cabinet review the current arrangements and policy, to give consideration to residents who wish to put in a zone or limit, without the need for costly and time-consuming traffic surveys?

Residents in older, smaller estates would like 20mph on their estates, regardless of speed surveys and in many cases are frustrated in trying to influence in a positive way their communities.

Many 20mph have been put in place on newly built estates, and even planning applications seem to include for future areas being built, so it is those older estates that now need to catch up with the current design for local roads where estates have single or dual entrances. Examples in South Colchester who have 20mph already are

- 1) Lethe Grove
- 2) Solus Estate
- 3) Marlboro Place
- 4) Quarters Estate
- 5) Oakapple Estate
- 6) Willows Estate
- 7) Birch Glen estate

Local highways budgets are used on surveys when overwhelming resident support a speed change, so a County Council review to policy and conditions would be a cost saving and democratic step.

With the COVID-19 pandemic in place, now more than ever residents views on 20mph for their local estates being put in would facilitate safer walking, safer cycling, and would actually save costs of Local

Highways budgets, and leave just the design and signage to be put in as budgets allow.'

Reply

'I thank the member for Maypole for his question on 20mph Speed limits in newly built estates.

The two locations that are Willows Estate and Birch Glen Estate were installed by the Local Highway panels last year period of 2019/2020.

Speed surveys are currently being undertaken to determine if a 20mph speed limit or zone is appropriate in the other areas you have listed. When average speeds are above 29mph then a 20mph limit is not appropriate as drivers will not adhere to the new limit. If the average speeds are below 20mph then spending public money on introducing a 20mph speed limit could be considered as counterproductive. Officers therefore believe that assessing the existing situation has merit when determining if a 20mph speed limit or zone is appropriate. To install a 20mph zone requires traffic calming features within 50m of any given point which need careful consideration before installing, one of those considerations is the existing average speed of drivers before any measures are implemented.

Of course, it is my ambition to focus on a safer, greener, and healthier transport network for Essex and our speed limit policy is one I plan to review. However, there is no guarantee of funding in the wake of the COVID-19 Pandemic nor should the funding be used in any way other than the government's intention.'

8. By Councillor Henderson of the Deputy Leader and Cabinet Member for Infrastructure

'The Portfolio Holder will be aware of serious concerns being raised with reference to the possibility of the Government breaking its promise with UK residents to secure a BREXIT deal with the EU by the December deadline.

Concerns for this County Council include:

An increase in Heavy Goods Vehicles using Essex Highways and Harwich International Port, due to substantial delays to thousands of freight vehicles using the Port of Dover.

Information needed to provide the exact locations of the 'inland clearance sites' (lorry parks) relevant to hauliers in Essex and Harwich International Port with a progress update on their preparedness with timescales.

The provision of facilities to carry out offsite border checks on goods arriving at Harwich International port – These checks could require

increased resources, including the Port Health Authority and Essex Trading Standards.

Can the Portfolio Holder please publish and supply urgently to all members, all correspondence, including advice, plans and any reports received from all Government departments with reference to the above listed concerns.'

Reply

'I thank the member for Harwich for his question on BREXIT deal outcomes for Essex.

Government released its EU Transition Reasonable Worst Case Scenario (RWCS) for borders online on 23 Sept - <https://www.gov.uk/government/publications/reasonable-worst-case-scenario-for-borders-at-the-end-of-the-transition-period-on-31-december-2020>. This is a worst-case scenario to test contingency planning rather than a prediction. The planning assumption is based on the reintroduction of full border controls by EU member states at the end of the Transition Period combined with a significant proportion of HGVs not being "border ready" for travel to France. The RWCS identifies that for other ports that there is unlikely to be significant sustained disruption as a result of operators denying boarding to freight vehicles that are not ready to clear controls at destination, but it does identify a risk of queue and delays.

Government published proposals for reintroduction of inbound UK controls for EEA goods in its Border Operating Model which was updated 08 Oct 2020. <https://www.gov.uk/government/publications/the-border-operating-model>. This proposes the phased introduction of inbound controls with no inspections at Border for most EU goods until 1 July 2021. This document identified government's proposals for Inland border clearance sites and HGV facilities (section 0.5). There are no HGV holding sites proposed in Essex. The document does confirm HMRC's intention to use North Weald as an Inland clearance site along with a potential site at Thames Gateway.

HMRC intend to use the North Weald airfield site for deferred duty transit arrangements – CTC or ATA carnet - for some Kent port traffic. HMRC do not intend to provide HGV parking at the site. The site will operate alongside other multi-purpose sites in Kent which offer a wider range of facilities and North Weald will only take a proportion of traffic flow which wishes to use the duty deferment schemes. ECC officers have been informally engaged and provided data to support traffic modelling by HMRC's contractors. We expect that a formal 14-day engagement process will start imminently prior to HMRC's planning application. Engagement materials are not yet available, but we anticipate operation to be similar to that given

planning approval for no deal - <https://www.legislation.gov.uk/ukxi/2019/1228/contents/made>. In their engagement response ECC officers expect to raise matters concerning the site operators' proposals to control and balance flow to the site to match available capacity and funding for available traffic mitigation measures. ECC has not been notified of any other inland border sites within our council area.

The government is consulting with individual ports on the introduction of infrastructure needed for 1 July 2021 and has opened bidding for ports to apply for funding for on-port facilities under the Ports Infrastructure Fund. Bidding closes 31 October 2020 for delivery of facilities by 1 July 2021 (or 1 Jan 2021 for early delivery) <https://www.gov.uk/government/news/200-million-port-infrastructure-fund-opens-for-bids>.

At Harwich, ferry operators operate a pre-booked service and there are a limited number of ferries that can use the route and so the potential for significant increases in traffic in the short term is limited. The port itself has previously indicated that it has significant holding space for outbound vehicles, limiting the risk of disruption outside the port. On 14 Sept 2020 through the Essex Resilience Forum, ECC officers met with DfT and Highways England who are responsible for management of the Strategic Road Network which includes the A120, to understand traffic modelling and contingency plans. Verbal feedback from DfT at that meeting was that modelling did not raise concerns of significant queues for Harwich.

The central government departments responsible for funding and tasking Trading Standards operations have not asked that ECC increase its staffing for additional checks post 1 Jan 2021. Along with other councils in engagement with Border Delivery planners and via the Local Government Association, ECC officers have highlighted the potential for an increase in inspections at border sites, or inland, due to the requirement to inspect EEA goods, the potential for changes in sourcing of products after transition to new suppliers and more broadly due to proposed changes in the UK Internal market. ECC officers and those of other councils have also highlighted the recruitment and training timescales needed.'

9. By Councillor Henderson of the Deputy Leader and Cabinet Member for Infrastructure

'Can I ask the Portfolio Holder, given the government's announcement this week that hauliers will require Kent Access Permits to drive lorries into Kent, what will be the impact of this for the Essex-Kent border, including implications for the costs of infrastructure and additional policing as well as any possible consequences for residents and commuters?'

Reply

'I thank the member for Harwich for his question on lorries crossing the Essex/Kent border.

Department for Transport issued a consultation for Operation Brock Enforcement - <https://www.gov.uk/government/consultations/enforcing-operation-brock-plans-in-2021> which included proposals for Kent Access Permits. These would be required for any haulier using designated roads in Kent leading to Port of Dover and Eurotunnel, rather than all Kent roads. The permits are proposed to be issued via a Smart Freight app which would validate if the freight traffic is border ready. The measures are proposed to reduce the risk of queuing traffic in Kent caused by traffic not being able to pass border checks in France.

The consultation closed on 23 August and final arrangements have not been announced. ECC responded to the consultation and raised points over the requirement for the permitting system not to unreasonably disrupt domestic freight traffic and the need to avoid disruption outside Kent e.g. through vehicles waiting for clearance.

The Border Operating Model issued 8 October clarifies that HGV drivers doing domestic journeys that start, travel through, or end in Kent, will not need to obtain a KAP, but advises that all drivers transporting goods domestically, carry paperwork detailing their journey so any possible delays can be minimised. (section 4.1.7)

The costs of infrastructure and additional policing are matters for DfT and Police Authorities upon which I am unable to comment.'

10. By Councillor Young of the Deputy Leader and Cabinet Member for Infrastructure

Essex planning authorities work hard to keep pace with existing Government House Building targets, the proposed changes the Government have consulted upon are eye watering for some of our districts.

	Avg delivery (last 3 years)	Current Standard Method	Proposed new Standard Method	Actual Change	% Change
Essex	7,302	10,683	13,242	2,559	24.0%
Southend-on-Sea	498	1,181	1,324	143	12.1%
Thurrock	623	1,147	1,483	336	29.3%
Brentwood	191	453	393	- 60	-13.2%
Maldon	250	308	623	315	102.3%
Braintree	439	857	776	- 81	-9.5%
Chelmsford	1,089	946	1,557	611	64.6%
Colchester	1,045	1,078	1,612	534	49.5%
Tendring	713	866	1,141	275	31.8%
Basildon	364	1,001	820	- 181	-18.1%
Castle Point	160	354	386	32	9.0%
Rochford	226	360	586	226	62.8%
Epping Forest	380	953	868	- 85	-8.9%
Harlow	432	473	442	- 31	-6.6%
Uttlesford	892	706	1,231	525	74.4%

Can I have an assurance that the Portfolio Holder will lobby Government to resist such an over inflation of house building in Essex which would result from these figures being endorsed?’

Reply

‘Thank you for your question Councillor Young, and I hope you will be pleased to find that we agree. As you have highlighted, Essex continues to have a key role to play in contributing towards the Government’s ambition of 300,000 new homes a year. However, as result of the proposed revised standard method, there will be a county net increase in the local housing need (LHN) requirement of 25%, up from 8,355 to 10,435 per annum which will require Essex local authorities (in the majority of cases) required to plan for significant uplifts in housing need.

This will lead to difficult decisions on future spatial strategies where districts may need to seek assistance from neighbouring authorities to meet housing need, which will prove difficult if the duty to co-operate is to be revoked and without any clear replacement process identified in the Planning White Paper.

Furthermore, as the Green Belt remains protected, it is difficult to envisage how the housing numbers from the new standard method for assessing local housing need will be implemented, particularly prior to any local plan policies being in place and sites identified to deliver the housing uplift.

Meeting housing existing levels of growth are already challenging and, and these potentially significant increases will further increase pressure on existing towns and villages, the natural and historic environment, community infrastructure (including schools) and transportation networks. We feel that there needs to be further consideration in conjunction with proposals being put forward as part of the Government’s Planning White Paper – Planning for the future.’

11. By Councillor Davies of the Cabinet Member for Finance

‘Councils in England including Essex face a huge funding gap due to the unexpected spending on the pandemic. Could the Cabinet Member update the council on what representations ECC has made to government for more funding to meet the extra cost pressures?’

Reply

‘The Council recognises and welcomes the additional funding that Government has made available to support COVID-19 related costs incurred by local authorities. For ECC to date these have included Covid Emergency funding of £72.8m, Test and Trace funding of £5.8m, Adult Social Care Infection Control funding of £30.7m, Hardship Assistance funding of £1.4m, Home to School Transport funding of £1.3m, Sales, Fees and Charges loss support grant of £1.6m and £1.1m via the Coronavirus Job Retention Scheme. It is currently estimated that ECC costs will exceed these funding streams by around £10m in 2020/21, however we have significant concerns that there could be greater financial impacts in 2021/22 as a result of ongoing response requirements together with tax funding shortfalls as a consequence of the economic downturn. It is not expected that the 2021/22 financial settlement for local government will be announced before December, leaving little time for the council to take action if the funding from government falls short of modelling assumptions.

ECC has been updating MHCLG on its COVID-19 related financial impacts on a monthly basis in addition to responding to the Comprehensive Spending Review. ECC has highlighted projected 2021/22 funding shortfalls and cost pressures to Essex MPs and civil servant and has supported representations made via the County Councils Network and the Local Government Association on the potential impacts on council finances. Officers participate in the Essex Finance Officers network and ECC has initiated a Finance Portfolio Holder meeting to identify common areas of concern where we can work together to make the case for additional funding to support extra cost pressures.’

12. By Councillor Davies of the Cabinet Member for Health and Adult Social Care

‘Public Health England have found that children’s immunisation jabs fell by 20% during the pandemic. Could the Cabinet Member advise what measures have been taken to urge families to contact health centres to ensure children’s vaccinations are up to date?’

Reply

'It is not clear where the figure for a 20% reduction in childhood immunisations during the pandemic comes from but happily it has not been experienced by us in Essex. Our local NHS England / Public Health England Immunisation Team have supplied me with the latest figures. Comparing the immunisation for July to September 2019 to April to June 2020 (the most recent quarter for which we have data) the routine immunisation rate in children up to five-year-olds did reduce, but that reduction was only 1% from 94.9% to 93.9% of five-year-olds. In two-year-olds the rate increased fractionally by 0.2% (from 93.3% to 93.5%), and in one-year-olds it increased by half a percent (from 93.5% to 94.0%). Our local immunisation team has been working to support general practice to continue to offer this service.

Immunisations remain one of the most effective preventative measures known to mankind. The immunisation service is not complacent and continues to strive to increase levels of immunisation but in the midst of a pandemic it is clear they have done remarkably well.'

13. By Councillor Scordis of the Cabinet Member for Children and Families

'With a record number of young people unemployed and a recession expected as we recover from COVID-19, what are we doing as a council to support our care leavers to provide them with the tools to find employment?'

Reply

'Thank you for your question. You will also be aware that I have identified care leavers as a priority for the service in terms of support and have introduced measures and a programme of work in this regard. You will be aware that the areas of housing, employment and Council Tax obligations were identified as key concerns for care leaver. In April 2020 in partnership with our district, city and borough councils, we agreed to exempt care leavers from paying council tax up to the age of 21. This removes a financial burden which care leavers find difficult to afford whilst they start to find their independence. We are continuing to work across the Council to identify further employment opportunities and crucially to develop schemes to support sustainability in work.

Each quadrant has a targeted Youth Advisor (TYA) who is placed in the leaving care teams and works specifically with care leavers to help them identify appropriate education or employment opportunities, including help with applications and coaching skills for interviews.

This has obviously been more difficult during the COVID-19 crisis, but they continue to have virtual contact if face to face is not possible. In addition, we have two employability workers who work closely with the TYA's and employers to support young people in work. They have identified job/ apprenticeship opportunities for care leavers with many local companies and partners and maintain links to support the young people.

Essex County Council is working with partners across Essex to identify how we can best support employment opportunities for residents aged 16-24. This includes opportunities as part of the Kickstart scheme and various others to provide apprenticeships and training to young people so that they are able to access employment and get on a career path during these difficult times. All these opportunities will be made available for and promoted to those in care and those who are leaving care.

Finally, additional work is underway to support young people once they are in employment to ensure that they have the best chance of sustaining their positions.'

14. By Councillor Harris of the Leader of the Council

'With the government proposals about relaxing planning laws to a free for all, and a dramatic watering down of residents' ability to comment and influence, would the Leader of the Council represent Essex residents' views by joining me in writing in opposition to the relevant government ministers to express concerns?'

Reply

'Thank you for your question. The Planning White Paper (PWP) has already been the focus of significant attention and debate since it was published. Essex County Council Officers and Councillor Ball, Cabinet Member for Economic Growth, have met regularly with Planning and Housing Officers and Portfolio Holders to try to understand all the potential impacts of the PWP from a county council and local authority perspective (in our differing roles).

We are keen that we are consistent in our messaging to Ministers and civil servants about our concerns and where we see opportunities to improve the current system for the benefit of residents and our businesses. Essex County Council supports housing growth, but it is crucial that increased housing supply is not delivered at the expense of quality, sustainable infrastructure and quality of life for Essex residents. We support well planned, good quality, sustainable forms of development, built to the right standards and in built in the right places.

The PWP proposes that community engagement is front-loaded in the local plan stage and we would want to understand how this would operate, to ensure that residents can put their views forward. The PWP also proposes that enforcement powers and sanctions will be strengthened to provide community confidence as the system moves to one that is 'rules based' and again we would want to understand how this might affect communities.

The move to a digitalised system as highlighted in the PWP could be transformative for the user experience and public engagement but requires significant investment, both in terms of technology and upskilling within the industry and whilst the PWP seeks to promote community engagement in the up-front plan-making stage, it appears that the Government is moving to a top down approach on matters such as limiting consultation at the planning application stage, and assigning new nationally set housing numbers which will prove challenging to allocate in a condensed local plan preparation period.

Like all other local planning authorities Essex County Council is a consultee on the White Paper and we are setting out in detail our response through the already-agreed process, as I am sure most other authorities will be doing.

We have shared our initial thinking with the Place and Sustainable Economic Growth Scrutiny Board and are planning an All Members Briefing on 16 October where we will have a chance to hear members' views on how the proposed changes have the potential to impact positively and negatively on their residents.'

15. By Councillor Young of the Deputy Leader and Cabinet Member for Infrastructure

'It has been good to see the SGH (Safer, Greener, Healthier routes) coming into Colchester Town Centre. Residents in my Division want to see radical change within their neighbourhoods and want to see more space for cycling and walking.

When can my residents in Wivenhoe and Greenstead see SGH coming into these neighbourhoods?'

Reply

'I thank the member for Wivenhoe St Andrew for her question on Safer, Greener and Healthier measures.

Colchester's immediate priorities are centred on north south and east west routes and this is the subject of the EATF (Emergency Access Travel Fund) phase 2 bid. However, there is also a bid made earlier this year which we are awaiting government response. This was for

PinchPoint (PP) funding to ease congestion through a range of measures including sustainable transport. The County Council has put forward a bid for £9M to make a start on its LCWIP (Local Cycling and Walking Infrastructure Plan) routes and listed those routes in its bid. This includes LCWIP route no 8 which includes the Greenstead area. All significant funding for Transport schemes comes from Government and we bid whenever there is the opportunity. We expect to hear the results of both the EATF and PP bids later this autumn and we also expect further opportunities in the new year through the Government's Cycling and Walking Investment programme which has been delayed due to the COVID-19 pandemic. Although Wivenhoe is not in the LCWIP set of proposals we would be happy to investigate the priorities within the town. Wivenhoe does have a relatively new route to the University as well as the NCN route to Colchester.

Unfortunately, Wivenhoe does not currently form part of tranche 1 or 2 of the bid to central government for funding to improve walking and cycling for Essex County Council. The latest bid put forward needed to concentrate on areas where there is the largest movement of walkers and cyclists in the first instance. The information on the bids put forward can be found on the website.

<https://www.essexhighways.org/transport-and-roads/getting-around/safer-greener-healthier.aspx#documents>

However, it is certainly my ambition to extend the Safer, Greener, Healthier routes to as many parts of Essex as soon as funding and resources allow.'

16. By Councillor Abbott of the Deputy Leader and Cabinet Member for Infrastructure

'The Cabinet Member, in answer to previous questions at Council meetings, has confirmed his support for efficient ways of working when highway repairs are carried out, including ensuring that groups of defects are repaired when sufficiently close together to do so.

Can he therefore explain why it sometimes continues to be the case, as with 3 recent examples in Rivenhall, where repairs have been carried out on some defects yet within the immediate vicinity other reported defects have been left?

Whilst I welcome the work that has been done recently in the village to the road surface in Church Road at two locations and to a footway in St Marys Road, does the Cabinet Member not agree that it would have been more efficient to repair all the reported defects that were close together, thereby avoiding the need for more system reporting, more inspections and further visits by repair crews to the same locations?'

Reply

'I thank the member for Witham Northern for his question on road repairs.

We would always look to include other similar work within the immediate vicinity so that these can be delivered at the same time. We would expect that this is the case where the other recorded defects are within the same traffic management and permit that is being used to fix the primary defect. We find that not all sites are the same and each particular location needs to be assessed.

By way of background we currently have 17 crews working across our 12 districts on carriageway or footway repairs and patching, and a backlog of over 13,000 recorded carriageway defects and over 130,000 recorded footways defects including kerbing. We look to target recorded defects when organising repairs and plan to group defects where possible to minimise travelling time and maximise efficient use of resources where possible. There is currently no direct ECC revenue funding allocation for reactive pothole repairs, we rely solely on DfT annual infrastructure funding to deliver this aspect of service. We also have to set some intervention limits for our teams for the scope of works, as they would simply not cover the geography of Essex without them. We utilise the 17 crews to attend to worst first, or high-profile defects due to safety issues or members enquiries for example. In reality, these crews are increasingly being directed to address follow up repairs where barriers have been used as a make safe.

Those defects that are reported but sit below our investigatory levels in the maintenance strategy are not included in the numbers above and are perhaps more accurately described as cosmetic damage. We cannot seek to include cosmetic or reported damage in our thinking as this would mean that we are leaving recorded defects elsewhere for longer and this may have a negative impact on safety of our highways.

Officers have reviewed the sites that were identified by yourself. Church Road was a carriageway patch delivered under three-way traffic signals, there appears to be an adjacent older patch that is showing signs of failure but may still be below investigatory levels. No other recorded defects are on our system related to Church Road. It needs to be appreciated that driven safety inspections have changed during the COVID-19 pandemic meaning that the inspectors are only recording safety related defects. The operations crew would not have been able to attempt to repair the failure identified above on the day as this would have needed a full road closure. We are also not clear if the signs of failure that we

noted this week were evident when the repair was delivered in August, it is possible that this has happened since this date.

The footway in St Mary's Road was a three-day job delivered as a follow up to a make safe when a lorry caused extensive rutting to the footway. A further defect was logged by the highways' inspector nearby, but this was after the follow up job was prepared and programmed. The operations team would not have been able to address this immediately on site as this would have needed substantially different traffic and pedestrian management as the position of the new defect was directly on a T-junction with the main road.'

17. By Councillor Kendall of the Leader of the Council

'If Essex County Council is keen to promote diversity, what steps can it take to improve our residents' awareness, knowledge and understanding of the different cultures and religions that are now practiced by the population of Essex?'

Reply

'Essex County Council is committed to making Essex a cohesive and welcoming place for everyone. With this in mind, ECC runs or supports many initiatives that seek to improve residents' awareness, knowledge and understanding of different cultures and religions.

Some recent examples of this activity include the following:

- The Essex Faith Covenant brings together faith communities and public services, with the aims of removing mistrust and promoting open, practical working. Collaborations to date have supported adoptive parents in Rayleigh, homeless people in Colchester and refugees in Braintree. The Covenant is currently exploring how faith-based organisations can support social prescribing and will oversee a faith and dementia action plan.
- Manage the Faith and Communities Tactical Coordination Group, part of the Greater Essex strategic response to coronavirus. This has strengthened relationships between faith groups (including Christian, Muslim, Reform and Orthodox Jewish including the Haredi Jewish Community on Canvey Island, Hindu and Buddhist, Essex Humanists, Essex Inter-Faith Network), and public services. It has published coronavirus safety advice for [people of faith](#) and for [Black, Asian and Minority Ethnic people](#) (BAME), a bereavement support directory and targeted information for employment sectors with higher proportions of workers at risk from COVID-19.

- The [Essex Cultural Diversity Project](#), supported by ECC, works to stimulate participation and engage new audiences in cultural activities. It leads on Black History Month, currently underway with events throughout October, and promotes a host of initiatives showcasing and celebrating diverse cultures and communities.
- [Essex 2020](#), a year-long, county-wide celebration of science, technology, engineering, arts and mathematics (STEAM), included among its many activities, celebrations on the contributions of pioneering and creative women in science.
- We are currently delivering Snapping the Stiletto: “Campaigning for Equality”, a community heritage project recording the lives of working-class, BAME and LGBTQ+ women whose stories and life experiences are missing from local museums. The project will work with four museums and targeted communities, preserving women’s experiences and encouraging donations of objects and ephemera to Essex museums from underrepresented communities. We will be working with at least 100 volunteers and aim to reach at least 25 000 people. This project builds on the success of a previous project Snapping the Stiletto: “Revisiting Essex Collections,” which was a two-year project where ECC worked with 11 museums to study existing museum collections and research the impact of the lack of representation of women’s history in museum collections.
- Our Strengthening Communities Team have launched ‘Essex is Inclusive,’ a digital platform using social media channels that aims to raise Essex resident’s awareness of both visible and invisible disabilities, whilst also not being afraid to ask difficult questions and cover challenging topics. In the last month, posts from ‘Essex is Inclusive’ have reached over 500,000 social media newsfeeds.
- ECC has support networks for BAME, Disabled, LGBTQ+, Women and Christian employees. Over recent months, senior leaders, working with the BAME Network have started a series of conversations to build a relationship with the difficult and uncomfortable subject of racism and understand how it can manifest within our society. In listening to and understanding the experiences of employees first, we can use that insight to inform what further steps and actions we and our partners can take.
- [Active Essex](#) offers funding and encouragement to BAME communities to get physically active through its ‘Let’s Do This!’ better health campaign and Lottery funding for groups to run activity sessions.
- Leading Greater Essex’s new programme will include projects focused on inclusion and cultural awareness.
- This week it is Hate Crime Awareness Week. We stand together with the organisations and communities across Essex

to denounce all forms of hate crime and emphasise the importance of being respectful to one another.

- We are currently recruiting to our residents' panel and are keen to include a more diverse range of residents to help make sure future services are relevant to our communities.'

18. By Councillor Kendall of the Cabinet Member for Children and Families

'Will Essex County Council accept the challenge of becoming the top Council in the country for meeting the needs of Essex families whose children have Aspergers and Autism? If it will what specific steps will it take to achieve this goal and what will be the timescale?'

Reply

'ECC and partners have set out ambitious plans and have set ourselves challenges within the All Age Autism 5 Year Strategy which was launched in April this year. Endorsed by the Health and Wellbeing Board, our Strategy vision is that Essex is recognised as an autism inclusive county in which people with autism, including children with Asperger's and Autism, can live fulfilling and rewarding lives.

We want Essex to be recognised as an autism inclusive county. We are working to ensure that people with autism live fulfilling and rewarding lives within a society that accepts and understands them. This means they can get a diagnosis if they choose to, access support if they need it, and have positive experiences with universal services.

The Strategy commits partners across the Health and Wellbeing partnership to work together and with individuals, families and communities to deliver our vision and aims. The full strategy can be found on the Living Well Essex website:

[https://www.livingwellessex.org/vision/commissioning-intentions/all-age-autism-strategy-\(1\)/](https://www.livingwellessex.org/vision/commissioning-intentions/all-age-autism-strategy-(1)/)

The strategy is underpinned by seven key principles which set out an all age, person-centred, whole system approach which focuses on early intervention.

The Strategy priority areas include:

- Awareness
- Diagnosis, assessment and support
- Accommodation
- Employment
- Education and Training
- Physical, emotional and social health and wellbeing
- Criminal Justice
- Planning

Essex has an All Age Autism Partnership (AAP) which was established under the Essex Health and Wellbeing Board. The AAP provides a championing and leadership body for autism in the county and a place from which the system can be viewed from the perspective of people with autism. The All Age Autism Partnership facilitates positive partnership working and collaboration by creating a network of people with the responsibility, expertise and passion to take forward the challenge together to improve outcomes, services and lives in relation to autism, including Asperger's.

The Partnership consists of the All Age Autism Coordination Group which meets quarterly and the All Age Autism Wider Network Group which meets every six months. The All Age Autism Coordination Group monitors the progress of the Strategy. A Strategy action plan has already been developed to support delivery and is regularly reviewed and refreshed as matters evolve and we make progress. Partners are assigned to and lead on specific priority areas in accordance to where their position can have the greatest impact.

ECC recognises that to fully integrate change across the system and ultimately meet the needs of families living with autism we need to align work with the delivery of the Special Education Needs and Disabilities (SEND) implementation plan and as such, the SEND implementation plan is aligned to the Autism Strategy through the priority area of Education and Training.'

19. By Councillor Smith of the Deputy Leader and Cabinet Member for Infrastructure

'From an email (Members Enquires dated 03/12/19) sent to Councillor. Kerry Smith, it was agreed to re-surface Valence Way in March 2020 and now the works have been put off until possibly the 2021/22 financial year. The reason for cancelling these promised works was that highway crews couldn't keep two meters apart. However, in March 2020, Durham Road (Laindon Park and Fryerns Division) was re-surfaced instead of Valence Way (Westley Heights Division).

Will this commitment be kept, to finally re-surface the badly damaged highway surface of Valence Way during the spring of 2021?'

Reply

'I thank the member for Basildon Westley Heights for his question on road resurfacing.

Valence Way was originally planned for Micro surfacing. At the outset of COVID-19 it was reassessed and decided that, as it would be

difficult to maintain social distancing and maintain the safety of our workforce and residents, it should be removed from the programme for 2020/21. Our intention is to deliver these works early in the new financial year 2021/22. This is of course subject to any future COVID-19 restrictions.

Durham Road was resurfaced using a different technique, Surface Dressing, which meant that the workforce was more able to maintain social distancing as it is a more mechanised process, and this allowed works to proceed.

Although both roads are fairly similar in road widths, Valance Way has many more parking areas and residential properties immediately adjacent to the working area.

Also, the difference in structure of the existing carriageway surfaces determined which treatment was most suitable for each location. Valance Way was not suitable for a surface dressing and was therefore withdrawn from the programme.

On a general point, now we are more familiar with restrictions due to COVID-19 we are revisiting and reassessing all sites removed from the current year's programme.'

20. By Councillor Smith of the Leader of the Council

'To date, how much has Essex County Council had to spend on combating and dealing with COVID-19? Has the Government fully paid these costs and if not, how much is still owed to Essex County Council?'

Reply

'The Council has been proactive around its response to COVID-19. Since March 2020, approved decisions have agreed that £76.1m of reserves can be drawn down to meet the cost of COVID-19 related actions. The welcome Emergency funding from central government has totalled £72.8m to date and in addition we have recently claimed £1.6m via the Sales, Fees and Charges loss scheme to support income losses during April to July. However, despite these funding sources, there is an estimated residual cost pressure of £10m. The Council has also where relevant used the Coronavirus Job Retention Scheme where staff have been furloughed and our total claim for the duration of the scheme is estimated to be £1.1m.'

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

A recording of the questions is available on the ECC website [via the audio recording of the meeting.](#)

The questions asked were:

Question asked by:	Question to:	Concerning:
Councillor Henderson	Deputy Leader and Cabinet Member for Infrastructure	Dualling of the A120 from Harwich
Councillor Wagland	Cabinet Member for Environment and Climate Change Action	Tovi Eco Park
Councillor Henry	Cabinet Member for Performance, Business Planning and Partnerships	Progress on Essex 2020 year.
Councillor Maddocks	Cabinet Member for Adult Social Care and Health	Support for people with disabilities affected by Covid-19.
Councillor Metcalfe	Cabinet Member for Finance	Engagement with district councils to support them during the pandemic.
Councillor Young	Cabinet Member for Adult Social Care and Health	Covid testing in Essex Universities being maintained and the safety of the students and wider community.
Councillor Chandler	Cabinet Member for Education and Skills	Response to letter from central government.
Councillor Steptoe	Deputy Leader and Cabinet Member for Infrastructure	Update on A127 taskforce.
Councillor Egan	Cabinet Member for Economic Development	Engagement with business during the pandemic.
Councillor Abbott	Cabinet Member for Environment and Climate Change Action	Rules at Witham Recycling Centre

Councillor Abbott	Deputy Leader and Cabinet Member for Infrastructure	Cycling investment in village/rural areas in Witham Northern
Councillor Hardware	Deputy Leader and Cabinet Member for Infrastructure	Repairs programme for Harlow cycling network.
Councillor Goggin	Cabinet Member for Education and Skills	Covid-19 and Essex Schools.
Councillor Hardware	Cabinet Member for Customer, Corporate, Culture and Communities	Works programme to create ACL programme at Harlow library.
Councillor Mackrory	Cabinet Member for Environment and Climate Change Action	progress made in securing alternative methods of processing black bag waste to the current landfill.
Councillor Moran	Cabinet Member for Children and Families	Summer camps.
Councillor Sheldon	Cabinet Member for Adult Social Care and Health	Healthy living and weight loss during the pandemic.
Councillor Guglielmi	Cabinet Member for Economic Development	Engagement with district councils about housing and planning during the pandemic.
Councillor Durham	Cabinet Member for Customer, Corporate, Culture and Communities	Use of Essex libraries following the pandemic and CIF bid outcome.
Councillor Smith	Deputy Leader and Cabinet Member for Infrastructure	Condition of Mandeville Way Basildon.
Councillor Pond	Cabinet Member for Education and Skills	Need for an extra primary school in Loughton in the next 10-12 years.

Chairman

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. Enabling Pedestrians to Travel Safely

Moved by Councillor Smith and seconded by Councillor Pond:

'Council seeks to help all Essex residents, especially those who are elderly, infirm or disabled, to travel about safely on foot (as well as those who need to use wheelchairs, powered or otherwise). Actions taken by the Cabinet Member so far are appreciated, and Council calls upon the Cabinet to take following steps without delay, especially during the need to distance socially and to avoid public transport;

- 1. write to the Government to call for the swift introduction of a default pavement parking ban (as enacted in London by the Greater London Council (General Powers) Act 1974) to Essex and the rest of England.
- 2. create a programme to install tactile paving on the footway at crossing points. This could be achieved if all members were asked each year to nominate a set number of locations to the Cabinet Member for Highways, rather than use the expensive and lengthy LHP process,
- 3. develop a smartphone app that connects with signalised pedestrian crossings to help less able residents to cross busy roads with far greater safety and
- 4. institute a programme for the prompt and consistent installation across all parts of the county of pedestrian route signage, school streets, residential quiet zones, and appropriate cycling infrastructure.'

2. Tackling Inequality Across Essex

Moved by Councillor Scordis and seconded by Councillor Henderson:

'Covid-19 has exposed the huge inequalities in our county after ten years of cuts to public services. Families that were 'just about managing' have faced an uncertain future, while our most disadvantaged have been relying on the kindness of the community to make it through lockdown. We now face the biggest economic crisis since the 1930s, where thousands of Essex residents face the possibility of redundancy or their business folding. Youth unemployment is already at record highs.

This council resolves to send its thanks Marcus Rashford MBE for his extraordinary work to expose holiday hunger, and to all the charitable organisations, teachers, residents and businesses of Essex that went above and beyond to help others. Their kindness exemplifies the best of Britain.

The council calls upon

1. the Cabinet to:
 - ensure that the "holiday activity and hunger" programme to be appropriately resourced and delivered in partnership with schools and partner agencies targeted to the most in need,
 - work with local district and borough councils to create youth zones, initially targeted at the areas of highest deprivation, to support the needs of all young people in Essex,
 - investigate the council's contract with Virgin Care to ensure lost children and families are identified and supported, and
2. the People and Families Policy and Scrutiny Committee to create a task and finish group with the role of scrutinising how to maximise opportunity for young people across Essex.'

3. ECC support for residents and businesses

Moved by Councillor McKinlay and seconded by Councillor Ball:

'This Council recognises the fears and concerns of residents as we enter a new year and are positioned between a post lockdown and pre vaccine COVID-19 era.

This Council will ensure that we are there to support our residents, businesses and those families and children in the greatest need.

The Council notes that it has already invested hundreds of thousands of pounds to run a holiday hunger programme, provide summer camps and given money to foodbanks and organisations to help the most vulnerable in

our communities. We recently announced a multi-million-pound rescue package to support communities and small firms with the assistance of our district colleagues.

Now, we must work with partner organisations as we plan for the new challenges and opportunities of the post lockdown, post Brexit, pre-vaccine world.

The Council calls upon the Leader and Cabinet to build on the work already undertaken with a focus on:

1. Ensuring support is given to young people and families across Essex to help them develop and seize opportunities.
2. Building resilience for families and communities as we ensure our vulnerable young people are protected.
3. Promoting and developing the conditions for businesses to grow the Essex economy, with a focus on the hospitality and leisure sectors.'

4. Acknowledgement to the Response to the COVID-19 Pandemic

Proposed by Councillor Spence and seconded by Councillor Henry:

'This Council recognises that 2020 has been an unprecedented year and wishes to formally thank all its employees, those of our partner organisations who have worked with us, the volunteers who have stepped forward from their community and the residents of Essex for their forbearance and resilience.

The Council particularly recognises all those across Essex who have been involved in creating a Covid-19 response that is regarded as being one of the best in the country. The level of support and performance given by our staff across all portfolios is something of which they should be rightly proud.

This Council commits, as we move into 2021, to maintain its high standards of financial probity and efficiency, and to expand still further the scale of its effectiveness. We recognise that innovation and focussed prioritisation will be required if we are to continue to deliver on the aims of the Organisational Strategy.

For the health and adult portfolio, this will require us to address the wider determinates of health, prevention agenda, and the ambition to optimise the quality of life and provide high standards of service to all in our care.

Annual Report of the Audit, Governance and Standards Committee

Report by the Chairman of the Committee, Councillor Anthony Hedley

Enquiries to Paul Turner, Director, Legal and Assurance paul.turner@essex.gov.uk
or 03330 134591

1. Purpose of the Report

- 1.1 The Audit, Governance and Standards Committee has delegated authority to oversee internal and external audit work and lead on member standards work.
- 1.2 In March 2020 the Committee, working with an external facilitator undertook a review of its own effectiveness. One of the proposals which emerged from the review was that it would be helpful to produce an annual report to council, highlighting the work of the Committee during the previous municipal year.
- 1.3 This is the first such report. It should be noted that in addition, a national report known as the Redmond Review has also recommended that an annual report is submitted to a meeting of the Full Council by the external auditor. The audit of the 2019/20 accounts has been delayed by the pandemic and we do not yet have a report from the external auditors but one will be presented to the full Council as soon as it is available. The full Redmond Review which makes these recommendations is published here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/916217/Redmond_Review.pdf
- 1.4 Together these measures will raise the profile of audit work in the Council and ensure that the auditor has an opportunity to raise any issues with the full council directly.

2. Recommendations

- 2.1 That the Annual Report of the Audit, Governance and Standards Committee for 2019/20 be received.

Audit, Governance and Standards Committee

Annual Report 2019/20

Foreward by the Chairman of the Committee



I present to you this annual report which provides an overview of the Audit, Governance and Standards Committee's activity and achievements during the financial year 2019/20. In line with the Chartered Institute of Public Finance and Accountancy's Practical Guidance for Audit Committees (2018 edition), it serves to demonstrate how the Committee has discharged its responsibilities.

Councillor Terry Cutmore was Chairman of the Committee from 12 October 2017 until he passed away on 1 April 2020. I was the Vice Chairman for the entirety of the period referenced to in this report. I was appointed

Chairman by the Council on 14 July 2020. On behalf of all Members of the committee I would like to pay tribute to the work of Councillor Cutmore for his leadership, friendship and the encouragement he gave to all of us who had the opportunity to work with him

This report demonstrates the continued good work of the Committee in providing an independent overview of the Council's governance arrangements. This role includes detailed consideration of the work of external audit, internal audit and counter fraud, plus robust scrutiny and challenge of the Council's financial performance and, through our Standards role, the approach the Council takes in upholding standards and investigating any complaints made about Members.

During 2019/20 the Committee met four times (and once in March 2020 for a "virtual conversation" due to Covid-19) and it is pleasing to note that, among the highlights, were unmodified financial accounts and use of resources opinions from our external auditors for both the Council and Essex Pension Fund; and a positive conclusion on the Council's internal control, governance and risk management arrangements from our Internal Auditors.

I would like to express my thanks to those officers and Members who have supported the achievements of the Committee during the year.

*Councillor Anthony Hedley,
Chair of Audit, Governance and Governance Committee*

November 2020

Introduction

The Council established the Audit, Governance and Standards Committee (the Committee) in October 2017; its functions incorporate those undertaken by the former Audit Committee as well as the responsibilities of the previous Standards Committee.

In January 2020 the Committee undertook its first Effectiveness Review, in line with recognised best practice. As part of that process the Committee committed to provide an annual report to Full Council outlining how it has discharged its responsibilities during the preceding financial year and to provide assurance to the Council that it is fulfilling its key objectives. This is the first such report.

Membership

During the 2019/20 financial year the Committee comprised of ten elected Members. Membership was made up of seven Conservative Members, one Labour, one Liberal Democrat and one independent. Committee members were as follows:

- Councillor Cutmore (Conservative), Chairman (until April 2020)
- Councillor Hedley (Conservative), Vice Chairman 2019/20, now Chair
- Councillor Channer (Conservative), Committee Member
- Councillor Davies (Labour), Committee Member
- Councillor Erskine (Conservative), Committee Member
- Councillor Mitchell, (Conservative), Committee Member
- Councillor Moore (Conservative), Committee Member
- Councillor Platt (Conservative), Committee Member 2019/20, now Vice Chairman
- Councillor Smith (Non-aligned Group), Committee Member
- Councillor Turrell (Liberal Democrats), Committee Member

Terms of Reference and Purpose

The terms of reference for the Committee are included in the Council's Constitution and extracted in full at Appendix 1.

The Committee is a key component of the authority's governance framework. It provides independent assurance, to Members and the public, on the adequacy of the Council's risk management framework, internal control environment and the integrity of the financial reporting and governance processes. By overseeing both internal and external audit it makes an important contribution to ensuring that effective assurance arrangements are in place.

The Committee monitors internal and external audit activity, reviews and comments on the effectiveness of the Council's regulatory framework and reviews and approves the Council's annual statements of accounts.

Section 151 of the Local Government Act 1972 requires the Council to "make arrangements for the proper administration of its financial affairs". The Council's Section 151 Officer is key to discharging these requirements but to be truly effective,

she requires an effective audit, governance and standards committee to provide support and challenge, as well as an adequate and effective internal audit.

The Committee brings many benefits:

- ✓ Demonstrates how good governance supports the authority in achieving its corporate objectives
- ✓ Reinforces the importance and independence of internal and external audit and supports an effective relationship between the two
- ✓ Provides additional assurance through the process of independent review and challenge
- ✓ Increases emphasis and awareness of internal control, governance and risk management
- ✓ Promotes anti-fraud and anti-corruption arrangements
- ✓ Promotes, develops and upholds high standards and ethics for Members

The Work of the Committee

The Committee has a Work Plan designed to cover its responsibilities, appropriately timed, over the financial year. Agendas for the meetings are published on the Council's website no later than 5 working days before each meeting. All Committee meetings are open to the public and are audio broadcast.

During 2019/20, the Committee met four times (and once in March 2020 for a “virtual conversation” due to Covid-19)

All the Committee agenda papers, minutes and audio recordings are available on the Council's website:

https://cmis.essex.gov.uk/essexcmis5/Committees/tabid/161/ctl/ViewCMIS_CommitteeDetails/mid/679/id/161/Default.aspx

In addition, the Standards Sub Committee met once during the year on 24 July 2019, with elected Members Councillor Channer and Councillor Turrell in attendance. The agenda papers and minutes are available on the Council's website: [Standards Sub Committee Meeting July 2019](#)

During the course of the year, the Committee has undertaken work covering the full range of its responsibilities. A full list of reports considered is at appendix 2 with key activities are outlined below.

Financial Statements and Accounts

The Committee has responsibility for reviewing, on behalf of the Council, the Council's Annual Statement of Accounts. They have specific responsibility to consider whether appropriate accounting policies have been followed and whether there are any concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.

The Committee's Activity in 2019/20:

- Considering a report from the Section 151 Officer and the Chief Accountant on the process for compiling the Council's and the Essex Pension Fund's financial statements for the year ended 31 March 2019, prior to the Committee's approval of the financial statements at the meeting in July 2019.
- Considering and approving the Annual Governance Statement (a statutory document that explains the processes and procedures in place to enable the Council to carry out its functions effectively). The statement (and action plan to address any significant governance issues identified) is produced following a comprehensive review of the Council's governance arrangements, including an annual self-assessment by each Executive Director.

External Audit

The Committee is responsible for receiving external audit plans, reports about the effectiveness of the Council's financial and operational arrangements and for considering the Annual Audit and Inspection Letter. They are further responsible for reviewing, commenting on and monitoring these and providing advice to the Cabinet and Council where the Committee believes appropriate.

The Committee's Activity in 2019/20:

- Considering the audit plan presented by the external auditors.
- Reviewing and scrutinising the Audit Completion Report and Annual Letter that provided an unmodified opinion on the Group and the Council's Financial Statements and on the Essex Pension Fund's.
- Considered the unqualified use of resources conclusion (a positive opinion on the Council's arrangements for securing economy, efficiency and effectiveness).
- Providing effective challenge to the external auditors as appropriate and gained assurance from the reports and updates provided during the year.

Internal Audit and Counter Fraud

The Committee is responsible for receiving reports from the Council's Internal Auditors on the outcome of audit reviews and investigations and the implementation of recommendations, including the annual report and Opinion of the Chief Audit Executive.

The Committee's Activity in 2019/20:

- Reviewing and commenting on the Internal Audit and Counter Fraud Plan for 2019/20 prior to endorsing the Plan for delivery.
- Monitoring the delivery of the Internal Audit and Counter Fraud Plan via quarterly update including outcomes of individual audits
- Monitoring implementation of major and critical internal audit recommendations;
- Considering the annual report from the Head of Assurance, in her role as Chief Audit Executive giving a 'Satisfactory Assurance' annual audit opinion for 2018/19 (reported at the meeting in June 2019).

- Monitoring counter fraud activity and the progress / outcomes of investigations.
- Agreeing the updated Internal Audit Charter.

Governance and Risk Management

The Committee is responsible for considering the Council's arrangements for corporate governance and risk management and advise on any action necessary to ensure compliance with best practice.

The Committee's Activity 2019/20

- Approving the revised Risk Management Strategy in order to promote effective risk management as a key component of good corporate governance. Committee were pleased to note that the new strategy is simpler and more focussed and reflects a risk maturity assessment undertaken by PwC. The Committee ensured that the strategy was fit for purpose and in line with current best practice.
- Reviewing activity under the Regulation of Investigatory Powers Act 2000 to ensure that members have oversight of how the Council is exercising its statutory powers to carry out some surveillance activity for law enforcement purposes. At present the Council does not use these powers, but the Code of Practice requires members to have oversight of this area.
- Reviewing the register of gifts and hospitality.

Effectiveness Review

The Chartered Institute of Public Finance and Accountancy (CIPFA) states that it is best practice for the Committee to regularly review its performance and effectiveness. At the January 2020 committee meeting it was resolved that an effectiveness review be carried out supported by CIPFA.

Accordingly, a CIPFA facilitator sent a questionnaire to all committee members and interviewed the Chair, a member of the committee and a number of ECC officers, including the Executive Director for Corporate and Customer Services, the Section 151 Officer, the Monitoring Officer and the Head of Assurance. He also listened to audio recordings of the committee's meetings.

On 9 March 2020 a workshop took place facilitated by CIPFA and eight members attended. An Action Plan was produced of agreed actions for adoption at the next committee meeting. Given the number of actions in the Plan and that the implementation of some of them will need detailed consideration by the Committee, it was proposed to phase in the actions over the next year or so.

Key items in the Action Plan include:

- A pre-meeting before every Committee meeting so that Members can plan lines of enquiry
- Briefings before each meeting on subjects of importance and interest to the Committee

- Each covering report on the Committee's agenda to include a summary of key points
- An annual skills audit to be undertaken by the Committee
- The addition of a co-opted independent member of the Committee
- An effectiveness review to be undertaken annually
- Short term working groups to look at particular topics in detail
- Production of an annual report on the Committee's activities to Full Council
- Services which receive a 'No Assurance' Internal Audit opinion to be automatically invited to attend Committee and services which receive a 'Limited Assurance' audit will be considered for invitation by the Chairman.

Members' Professional Development

Continued professional development is key to the effective operation of the Committee. Being effective means having well informed Members able to confirm to the Council that the right processes are in place to give confidence that the authority's financial stewardship and overall governance arrangements can be relied upon. Briefings enable members of the Committee to be kept up to date on the latest developments in the areas of governance, risk and internal control as well as other activities of the Council. During 2019/20 members were kept up to date via CIPFA newsletters and adhoc updates from officers on matters of interest. As part of the Effectiveness Review a formal briefings will take place before meetings of the committee .

Audit, Governance Standards Committee - Terms of Reference

As per Article 8 of The Council's Constitution:

Membership: Ten Members

No member of the Cabinet may be appointed to the Committee or any of its Sub-Committees

Purpose

1. To review the Council's Annual Statement of Accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.
2. To receive and approve the Council's Annual Governance Statement ensuring that it reflects the Council's governance arrangements.
3. To receive and approve the Final Accounts, Memorandum and the Report to those charged with Governance from the External Auditors.
4. To consider the Annual Audit and Inspection Letter from the External Auditors and to provide such advice and comments on the Letter to the Cabinet and Council as the Committee believes appropriate.
5. To receive the internal and external audit plans and comment on these plans, including the extent to which they provide value for money.
6. To ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies, and that the value of the audit is actively promoted.
7. To receive reports from the Council's Internal Auditor on the outcome of audit reviews and investigations and the implementation of recommendations, including the annual report of the Head of Internal Audit.
8. To receive any reports from the External Auditor about the effectiveness of the Council's financial and operational arrangements and monitor Management's response to the issues raised by External Audit.
9. To monitor the effectiveness of the Council's Financial Regulations, and Procurement Procedure Rules and recommend changes to Council.
10. To approve and monitor the effectiveness of strategies for anti-fraud and corruption, whistle blowing and any legislation relating to the regulation of investigatory powers.

11. To consider the Council's arrangements for corporate governance and risk management, and advise on any action necessary to ensure compliance with best practice.
12. To advise the Council on the local Code of Conduct for members and to promote, develop and maintain high standards of conduct by members and co-opted members of the Council.
13. To keep the Code of Member Conduct under review and recommend changes to the Code or the Constitution to support high standards of Conduct.
14. To grant dispensations under Section 33 of the Localism Act 2011 and under the Code of Member Conduct to councillors and co-opted members.
15. To approve processes for considering complaints that any Councillor or Co-opted Member has failed to comply with the Code of Conduct.
16. To create one or more sub-committees as required to receive and consider allegations of misconduct of elected members, to take further oral and written evidence, adjudicate and make recommendations to the Leader of the Council and others.
17. To make arrangements for the appointment of Independent Persons under the provisions of the Localism Act 2011.
18. To make arrangements for training of Members relating to standards issues.

Standards Sub-Committee – Terms of Reference

Membership: Between 3 and 5 members of the Council appointed by the Monitoring Officer in consultation with the Chairman of the Audit, Governance and Standards Committee and the Leaders of relevant political groups in accordance with the political balance rules.

1. To exercise any of the Committee's powers with respect to decisions about individual complaints about breaches of the Code of Member Conduct.

Financial Statements and Accounts

- Council's Statement of Accounts for 2018/19
- External auditor's Audit Completion Reports for 2018/19 for both ECC and Essex Pension Fund
- A report on two recent consultations relating to the external audit framework
- External Audit Plans for ECC and Essex Pension Fund for 2019/20

Governance

- Reviewed the Council's Annual Governance Statement for 2018/19
- Members' gifts and hospitality for April 2018 to March 2019
- Approved Revised Risk Management Strategy
- Regulation of Investigatory Powers Act 2000: Review of Activity

Standards

- Approved the revised Procedure for the Investigation and Hearing of Complaints against Members
- Considered an issue of potential non-compliance with the ECC Code of Conduct for Members (sub-committee meeting)

Internal Audit

- Annual Internal Audit Plan for 2020/21
- Adopted the updated Internal Audit Charter
- Reviewed the Chief Audit Executive's Annual Report and Opinion for 2018/19
- Quarterly Progress Reports on IA activity
- Quarterly progress reports on Recommendation Tracking
- Received specific updates from Heads of Service on Internal Audit reviews receiving Limited or No Assurance

Counter Fraud

- Annual Counter Fraud Plan for 2020/21
- Quarterly progress reports on counter fraud activity
- Adopted the updated Counter Fraud and Anti Bribery Strategy
- Adopted the Anti Bribery Policy
- Adopted the Anti-Money Laundering Policy
- Received a presentation on cyber fraud
- Adopted the Prosecution and Sanctions Policy

Flexible Use of Capital Receipts Strategy for 2020/21

Report by the Executive Director, Finance and Technology

Enquiries to Nicole Wood, Executive Director, Finance and Technology
Nicole.wood@essex.gov.uk or 07946 705816 and Adrian Osborne, Head of
Strategic Finance and Insight Adrian.osborne@essex.gov.uk or 033301 30555

1. Purpose of the Report

- 1.1 To present the report on the Flexible Use of Capital Receipts Strategy for 2020/21 that was considered at Cabinet on 24 November 2020 where it was agreed it should be referred to Council.
- 1.2 In short, the Government has announced a short term discretion for local authorities to use cash capital to fund certain revenue costs. The revenue must be spent on projects to save money or reduce costs. The Council has not previously used this flexibility.
- 1.3 However, the Council is only permitted to do so if it has a strategy which lists the projects revenue costs which it will use for this purpose.
- 1.4 The law states that any plan or strategy relating to capital must be approved at a meeting of the full Council on the recommendation of the Cabinet.
- 1.5 The draft strategy is appended to this report. It proposes that for 2019/20 we use capital receipts to fund expenditure on the Transforming Corporate Systems project, which will see the replacement of the Council's core financial and human resources IT systems.

2. Recommendations

- 2.1 That the Council to approve the Flexible Use of Capital Receipts Strategy as set appended to this report.

Essex County Council

Flexible Use of Capital Receipts Strategy for 2020/21

Introduction

A Capital receipt as defined in regulations is any sum received in relation to disposal of an asset for which, if the authority had been acquiring the asset, expenditure on its acquisition would have been classified as 'capital'. It also includes repayments of loans, grants or other financial assistance given towards capital expenditure incurred by others.

Limitations on use require that Capital Receipts can only be spent on; Capital financing of new expenditure, repayment of debt (reduction of the CFR), or Funding costs of disposal

As part of the finance settlement for 2016/17, the government announced new flexibilities giving local authorities greater freedoms with how capital receipts received in 2016/17, 2017/18 and 2018/19 could be utilised.

This flexibility was extended in the 2018/19 finance settlement as part of the Local Government Finance Settlement for a further three years until 2021/22.

The Secretary of State has extended this flexibility on the basis that authorities are best placed to decide which projects will be most effective for their areas, with the stipulation that capital receipts are only applied to fund projects that will generate ongoing savings.

A requirement of this flexibility is that the County Council approve a Flexible Use of Capital Receipts Strategy and the business cases for their use.

There is no prescribed format for the Strategy, but the underlying principle is to support the delivery of more efficient and sustainable services by extending the use of capital receipts to finance costs of efficiency initiatives that deliver significant savings. A list of each project should be incorporated in the strategy along with the expected savings each project is expected to realise.

Rules of Qualification

Statutory Guidance on the Flexible Use of Capital Receipts is clear that capital receipts may only be used for revenue expenditure if it is qualifying expenditure

Qualifying expenditure is expenditure on any project that is;

- Designed to **generate ongoing revenue savings** in the delivery of public services
- And/or transform service delivery to **reduce costs**
- And/or transform service delivery in a way that **reduces costs or demand** for services in future years for any of the public sector delivery partners.

Set up and implementation costs of any new processes or arrangements can be classified as qualifying expenditure.

The ongoing revenue costs of the new processes or arrangements cannot be classified as qualifying expenditure. In addition, one off costs, such as banking savings against temporary increases in costs/pay cannot be classified as qualifying expenditure.

Government direction also contains the following additional caveats:

- Local authorities can only use capital receipts from the disposal of property, plant and equipment assets received in the years in which this flexibility is used.
- The direction makes it clear that local authorities cannot borrow to finance qualifying expenditure, and local authorities may not use their existing stock of capital receipts to finance the revenue costs of reform.

It is a question of fact whether or not a project qualifies for the flexibility. The Local authority is not required to meet all qualifying expenditure from capital receipts, but it cannot use the flexibility other than in accordance with a strategy approved by full Council on the recommendation of the Cabinet.

Strategy for use of Flexibility – 2020/21

Essex County Council will only use the flexibility on projects which:

- Are for qualifying expenditure
- Are supported by a robust business case demonstrating future savings or demand reduction
- Do not adversely impact on prudential indicators unless specifically justified in this strategy
- Are approved in this strategy as such a project.

Planned use of flexibility – 2020/21

A short description of each project and the expected benefits is set out in the following section, with an initial estimate of the qualifying costs and the potential future saving in the table below.

There is one project for 2020/21:

Corporate Systems Programme (CSP)

This project will move the Council from current corporate IT solution to Oracle Fusion Cloud to provide a simpler system with improved functionality, improved user experience across all user groups (professional and end users), enhanced reporting capabilities, as well as facilitating new ways of working in the current environment.

Revenue cost avoidance is presented by not having to upgrade the existing product, and further ongoing savings are expected as a result of implementing the new solution due to additional productivity and efficiency benefits potential as well as facilitating new ways of working in the current environment.

Whilst the full ongoing benefit / savings projections are expected to be fully detailed by mid-March 2021, a commitment to savings of £600,000 has already been agreed in order to satisfy further cost avoidance of additional running costs identified when the new solution goes live .

Investment initiative	Total scheme spend (£m)	2020/21 scheme spend (£m)	Associated Revenue savings (£m)		
			2020/21	2021/22	2022/23
Corporate Systems Programme - Tranche 1	13.6	4.9			0.6

Strategy on the use of the Flexibility for 2020/21

For 2020/21 the Council will use the flexibility to fund £4.9m qualifying transformation expenditure from the project summarised above.

Any change to this will require the approval of full council.

Impact on prudential indicators

The £4.9m will be financed using Capital Receipts currently ringfenced in the Usable Capital Receipts Reserve, which are not used to finance the capital programme in this year. Therefore, this strategy will not result in any additional requirement for external borrowing and the use of the flexibility in the manner authorised by this strategy does not impact on the prudential borrowing indicators.

Review of Previous Years' use of the Flexibility

It is a requirement that all strategies include details on projects approved in previous years, including a commentary on whether the planned savings or service transformation have been/are being realised.

ECC has not used the flexibility in previous years so there are no previous projects upon which this strategy can update.

Revision of ACCESS Joint Committee Agreement for Pension Fund Investment Pooling

Report by Councillor David Finch, Leader of the Council

Enquiries to Paul Turner, Director, Legal and Assurance, paul.turner@essex.gov.uk telephone 03330 134591 or Jody Evans, Interim Director for Essex Pension Fund jody.evans@essex.gov.uk telephone 03330 138489.

1. Purpose of Report

- 1.1 In July 2017 the Council resolved to participate in the ACCESS pension fund pool which has been established to comply with a central government expectation that the LGPS pension schemes would join together to pool many of their investment management operations. The ACCESS Pool covers eleven pension funds stretching from Norfolk to the Isle of Wight and is governed by a joint committee made up of one Elected Member from each of the eleven member local authorities.
- 1.2 The pool has successfully been set up. The agreement establishing the pool provided for the review of operation after one year. The Joint Committee commissioned a review of operations in 2019. As a result of the review the Council is being asked to agree changes to the terms of reference and constitution of the Joint Committee. Most of the changes are minor and cosmetic but a couple of changes are more substantial and any change to the constitution of the joint committee is required to be approved by the Council.

2. Main changes

- 2.1 **More than one operator:** Originally the agreement and joint committee were set up on the basis that the joint committee would procure a single commercial operator to run the pool. However, it is now clear that the pool may want to have different operators for different types of investments (eg those actively managed and those passively managed such as 'tracker' funds). It is therefore recommended that the terms of reference of the committee are amended to permit there being more than one operator.
- 2.2 **Enhanced role for section 151 officers:** Section 151 officers from each authority have always been involved in the development of ACCESS and have advised to the Joint Committee, however this was not referenced within the original agreement. It is now proposed to capture this role formally by the inclusion of terms of reference for a constituted group comprising the section 151 officers of the member authorities who would be required to provide advice on every decision to be taken by the joint committee.
- 2.3 A copy of the whole revised agreement is available by email from those named at the top of this report.

3. Recommendation

- 3.1 Agree to amend the terms of reference and constitution of the ACCESS Joint Committee as set out in appendices 1 and 2 to this report and authorise the council to enter into an agreement to enact those changes.
- 3.2 Agree to amend appendix 4 of the ECC constitution to replace the current constitution with the version appended to this report.

Appendix 1

Terms of Reference of the ACCESS Joint Committee

Part 1 Operating the Pool and taking Advice

1. The Joint Committee shall consult with and consider the advice of the Section 151 Officers Group (and, where requested, the Monitoring Officers and from appropriate professional advisers) in discharging its functions, recording, if appropriate, where such advice is not followed and the rationale for not doing so. It may decide to procure such professional advisers on such terms as it thinks fit. Accordingly, any procurement of advisers must comply with the constitution of the Council designated to undertake the procurement and that Council will enter into a contract with the appointed adviser on behalf of the Councils.
2. The Joint Committee shall decide which functions shall be performed by the ASU.
3. The Joint Committee shall at all times have regard to the principles set out in Schedule 1.

Part 2 Functions in relation to the Operator(s)

1. **Specifying Operator services:** Deciding, in consultation with the Councils, the specification of Services and functions that each Operator will be required to deliver including the sub-funds and classes of investments required to enable each Council to execute its investment strategy.
2. **Procuring an Operator:** agreeing the method and process for the procurement and selection of one or more Operators.
3. **Appointing an Operator:** Making a recommendation to the Councils as to the identity of each Operator and the terms upon which each Operator is to be appointed.
4. **Reviewing the Performance of an Operator:** Keeping the performance of each Operator under review and making arrangements to ensure that the Joint Committee is provided with regular and sufficient reports from the ASU to enable it to do so including but not limited to:
 - 4.1 the performance of an Operator against its contractual requirements and any other performance measures such as any Service Level Agreement ("**SLA**") and key performance indicators ("**KPIs**") and officer recommendations on any remedial action;
 - 4.2 sub-fund investment performance;
 - 4.3 investment and operational costs including the annual review of investment manager costs;
 - 4.4 performance against the strategic business plan agreed by the Councils.
5. **Managing the Operator(s):**

The Joint Committee shall:

- 5.1 Make recommendations to the Councils about the termination or extension of the Operator Agreement(s);
- 5.2 Make decisions about any other action to be taken to manage an Operator Agreement including the giving of any instruction or the making of any recommendation to the relevant Operator including but not restricted to recommendations on investment managers (within any regulatory constraints that may apply); and
- 5.3 Make recommendations to the Councils about appropriate arrangements to replace an Operator Agreement on its termination.

Part 3 Functions in relation to management of Pool Assets

6. The Joint Committee shall make recommendations to the Councils on the strategic plan for transition of assets that are to become Pool Assets.

Part 4 Functions Concerning Pool Aligned Assets

7. The Joint Committee shall make recommendations to the Councils about Pool Aligned Assets in accordance with this Agreement or any other delegation to the Joint Committee by the Councils.
8. **Specifying services of Pool Aligned Assets Provider(s):** Deciding, in consultation with the Councils, the specification of Services which any Pool Aligned Assets Provider will be required to deliver including the sub-funds and classes of investments required to enable each Council to execute its investment strategy.
9. **Procuring a Pool Aligned Assets Provider:** agreeing the method and process for the procurement and selection of one or more Pool Aligned Assets Providers.
10. **Appointing Pool Aligned Assets Providers:** Making a recommendation to the Councils as to the identity of each Pool Aligned Assets Provider and the terms upon which each Pool Aligned Assets Provider is to be appointed.
11. **Reviewing the Performance of a Pool Aligned Assets Provider:** Keeping the performance of each Pool Aligned Assets Provider under review and making arrangements to ensure that the Joint Committee is provided with regular and sufficient reports from the ASU to enable it to do so including but not limited to:
 - 11.1 the performance of a Pool Aligned Assets Provider against its contractual requirements and any other performance measures such as any Service Level Agreement ("**SLA**") and key performance indicators ("**KPIs**") and officer recommendations on any remedial action;
 - 11.2 investment performance of the Pool Aligned Assets Vehicle(s) or sub-funds, as appropriate;
 - 11.3 investment and operational costs including the annual review of investment manager costs;
 - 11.4 performance against the strategic business plan agreed by the Councils.

Part 5 Functions concerning Business Planning and Budget

12. Having taken account of any advice from the Section 151 Officers Group (or, where relevant, recording the rationale for not following such advice), the Joint Committee shall:
 - 12.1 Make recommendations to the Councils about the annual strategic business plan for the Pool;
 - 12.2 Determine the budget necessary to implement that plan and meet the expenses of undertaking the Specified Functions (insofar as they will not be met by individual transaction costs paid by Councils to the Operator) in accordance with Schedule 5;
 - 12.3 Keep the structures created by this Agreement under review from time to time and make recommendations to the Councils about:
 - 12.3.1 the future of the Pool;
 - 12.3.2 any changes to this Agreement; and
 - 12.3.3 the respective merits of continuing to procure operator services by means of a third party or by creation of an operator owned by the Councils.

Part 6 Functions concerning communications

13. The Joint Committee may agree a protocol for communications in respect of the Pool with third parties, including the LGPS Scheme Advisory Board, other LGPS administering authorities, press, and relevant Government departments.

Part 7 Review of this Agreement

14. The Joint Committee is required to undertake a review of this Agreement:
 - 14.1 to be completed 18 months before the expiry of each and every Operator Agreement, including as a result of the exercise of any option to terminate an Operator Agreement;
 - 14.2 whenever a Council gives notice of withdrawal *under clause 12 of this Agreement*; or
 - 14.3 at such times as a Council may request under clause 11 (*Variation of this Agreement*).

Constitution of the Joint Committee

Part 1 Membership

- 1 The Joint Committee shall consist of one elected councillor appointed by each Council. The member so appointed must, at the time of the appointment, be an elected councillor serving as a member of the Committee of a Council which discharges the functions of that Council as pension administering authority.
- 2 Each Council may appoint a substitute. Any substitute must meet the eligibility requirements in paragraph 1. The substitute may attend any meeting of the Joint Committee or any of its sub-Committees in place of that Council's principal member if notice that the substitute will attend is given to the Secretary of the Joint Committee by the Council concerned.
- 3 Where a substitution notice is in effect with respect to a particular member at a particular meeting, the substitute shall be a full member of the Joint Committee for the duration of the meeting in place of the principal member.
- 4 Each Council may remove its appointed member and appoint a different member by giving written notice to the Secretary to the Joint Committee.
- 5 Each appointed member shall be entitled to remain on the Joint Committee for so long as the appointing Council so wishes. Any member who ceases to meet the eligibility criteria in paragraph 1 shall automatically cease to be a member of the Joint Committee.
- 6 Any casual vacancies will be filled as soon as reasonably practicable by the Council from which such vacancy arises by giving written notice to the Secretary to the Joint Committee or his or her nominee.
- 7 The Joint Committee may co-opt any other person whom it thinks fit to be a nonvoting member of the Joint Committee. The Joint Committee may from time to time make rules as to:
 - (a) Registration and declaration of interests by co-opted members.
 - (b) Standards of behaviour required to be observed by co-opted members when acting as such.
- 8 The Chairman of the Joint Committee will be appointed from time to time by the members of the Joint Committee. Subject to paragraph 5, the Chairman of the Joint Committee shall hold that office until another member is appointed. The appointment of the Chairman shall take place every two years, beginning with the Commencement Date with subsequent appointments falling not later than the first meeting of the Joint Committee following the annual meetings of the Councils in the relevant years.
- 9 The Vice-Chairman of the Joint Committee will be appointed from time to time by the members of the Joint Committee. Subject to paragraph 5, the Vice-Chairman of the Joint Committee shall hold that office until another member is appointed. The appointment of the Vice-Chairman shall take place every two years, beginning with the Commencement Date with subsequent

appointments falling not later than the first meeting of the Joint Committee following the annual general meetings of the Councils in the relevant years.

- 10 The Joint Committee may appoint such sub-committees from among its membership as it thinks will help it to enable it to fulfil its remit. The Joint Committee may delegate its responsibilities to such sub-committees. Sub-Committees may co-opt non-voting members.
- 11 The Joint Committee may set up working groups to advise it on matters within its remit. Such working groups may be formed of members or officers of the constituent Councils or any other third party as the Joint Committee sees fit. Such working groups are advisory only and the Joint Committee may not delegate its responsibilities to such working groups.
- 12 Each member of the Joint Committee and any Sub-committee shall comply with any relevant code of conduct of their Council when acting as a member of the Joint Committee.
- 13 The Chairman may direct the Secretary to the Joint Committee to call a meeting and may require any item of business to be included in the summons.
- 14 Any 5 members of the Joint Committee may by notice in writing require the Chairman to call a meeting to consider a particular item of business and if the Chairman fails to do so within 20 working days of receipt of the notice then those 5 members may direct the Secretary to the Joint Committee to call a meeting to consider that business.
- 15 The Committee may, if the law permits, arrange for attendance at meetings via video conferencing. Any such attendance shall be in accordance with the law and any other requirements imposed by the Joint Committee from time to time.

Part 2 Proceedings

16 TIME AND PLACE OF MEETINGS

- 16.1 The Joint Committee will meet at least four times each year. All meetings of the Joint Committee will take place at a suitable venue and at a time to be agreed by the Councils.
- 16.2 Any Section 151 Officer or Monitoring Officer is entitled to attend all parts of all meetings of the Joint Committee or of any sub-committee appointed by the Joint Committee.

17 NOTICE OF AND SUMMONS TO MEETINGS

The Secretary to the Joint Committee will give notice to the public of the time and place of any meeting in accordance with Part VA of the Local Government Act 1972. At least five clear days before a meeting, the Secretary to the Joint Committee will send a summons by email and, if a member of the Joint Committee so requests, by post to every member at their last known address. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

18 CHAIRING OF JOINT COMMITTEE

The Vice Chairman shall preside in the absence of the Chairman. If there is a quorum of members present but neither the Chairman nor the Vice-Chairman is present at a meeting of the Joint Committee, the other members of the Joint Committee shall choose one of the members of the Joint Committee to preside at the meeting.

19 QUORUM

19.1 The quorum of a meeting will be at least 8 members who are entitled to attend and vote.

19.2 If there is no quorum present at the start of the meeting the meeting may not commence. If after 1 hour from the time specified for the start of the meeting no quorum is present, then the meeting shall stand adjourned to another time and date determined by the Secretary to the Joint Committee.

20 VOTING

20.1 Majority

Each elected member shall have one vote. Co-opted members will not have a vote. Any matter will be decided by a simple majority of those members of the Councils represented in the room at the time the question is put. In the event of equality of votes the person presiding at the meeting will be entitled to a casting vote under paragraphs 39(1) and 44 of Schedule 12 of the Local Government Act 1972.

20.2 By Substitutes

The member appointed as a substitute shall have the same voting rights as the member for whom he or she is substituting. Where notice of substitution has been given for a particular meeting the principal member may not vote unless the notice of substitution is withdrawn before the start of the meeting.

20.3 Show of hands

The Chairman will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

20.4 Recording of individual votes

The minutes of the meeting shall record how a member of the Committee voted on a particular question if, at the time that the vote is taken or immediately thereafter, that member asks the Secretary to the Joint Committee or his or her representative at the meeting to record his vote.

21 MINUTES

21.1 The Secretary to the Joint Committee shall arrange for written minutes to be taken at each meeting of the Joint Committee and shall present them to the Joint Committee at its next meeting for approval as a correct record. At the next meeting of the Joint Committee, the Chairman shall move that the minutes of the previous meeting be signed as a correct record. If this is agreed, the Chairman of the Joint Committee shall sign the minutes.

21.2 Draft minutes or a summary of the decisions taken at the meeting and a note of the actions arising shall be circulated to the Committee and to each Council by email no later than 7 days after the date of the meeting.

- 21.3 Minutes of the meeting shall be published by the Host Authority to the extent required by Part VA of the Local Government Act 1972.

22 ACCESS FOR ELECTED MEMBERS OF THE COUNCILS

Any elected member of the Councils who is not a member of the Joint Committee may speak at a meeting of the Joint Committee if the Chairman of the Joint Committee invites him or her to do so but an elected member of the Councils who is not a member of the Joint Committee shall not be entitled to vote at a meeting of the Joint Committee.

23 PUBLIC ACCESS

- 23.1 Meetings of the Joint Committee shall be open for members of the public to attend unless the Joint Committee determines that it is necessary to exclude members of the public in accordance with Part VA of the Local Government Act 1972 or the Joint Committee determines that it is necessary to close the meeting to the public because of a disturbance.
- 23.2 Copies of the agenda for meetings of the Joint Committee and any reports for its meetings shall be open to inspection by members of the public at the offices of the Councils with the exception of any report which the Secretary to the Joint Committee determines relates to items which in his or her opinion are likely to be considered at a time when the meeting is not to be open to the public.
- 23.3 If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If that person continues to interrupt, the Chairman will arrange for that person to be removed from the meeting room and will suspend the meeting until the member of the public has left or been removed.
- 23.4 If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

24 OVERVIEW AND SCRUTINY

- 24.1 Each Council has overview and scrutiny committees which have the right to scrutinise the operation of the Joint Committee and the Joint Committee and the Host Authority will co-operate with reasonable requests for information from any of the Councils' overview and scrutiny committees.
- 24.2 The decisions of the Joint Committee are not subject to call-in.

25 REGULATION OF BUSINESS

- 25.1 Any ruling given by the Chairman as to the interpretation of this constitution with respect to the regulation of proceedings at a meeting shall be final.
- 25.2 Subject to the law, the provisions of this Constitution and the terms of any contract, the Joint Committee may decide how it discharges its business.

The Leader's Report of Cabinet Issues

This report is

- a) to note those 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 (Constitution para 20.15) as attached as Appendix 1 to the report; and
- b) to receive the minutes of the Cabinet meetings held on 20 October 2020 and 24 November 2020

Recommendations

To receive the list of urgent decisions taken and the minutes of the Cabinet meetings held on 20 October and 24 November 2020.

Urgent Decisions

Part 1: Key decisions taken with no prior notice

The following decisions were taken in circumstances where no prior notice was given. This is only possible if the Chairman of the Corporate Policy and Scrutiny Committee agrees to such action being taken. Decisions taken in this way are required by law to be reported to the Council.

DATE PUBLISHED	CABINET MEMBER	TITLE OF DECISION	REFERENCE NUMBER
11 November 2020	Leader	Allocation of Contain Outbreak Management Fund (support for vulnerable people)	FP/872/11/20
20 November 2020	Leader	Allocation of Contain Outbreak Management Fund (support for businesses)	FP/887/11/20

Part 2: Decisions Exempt from Call-in

In addition to the key decisions taken which were taken with the agreement of the Chairman of the Corporate Policy and Scrutiny Committee, other decisions were taken which were either not key decisions or where prior notice was given, but the Chairman of the Corporate Police 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
22 October 2020	Leader	Funding for Adult Social Care: COVID 19 Response	FP/846/10/20
5 November 2020	Leader	Second Period of COVID 19 Restrictions – Temporary Service Closures	FP/863/11/20
17 November 2020	Leader	Funding for Adult Social Care: COVID 19 Response	FP/882/11/20

Minutes of a meeting of the Cabinet meeting that was held remotely on Tuesday 20 October 2020

Present:

Councillor	Cabinet Member Responsibility
Councillor D Finch	Leader of the Council (Chairman)
Councillor T Ball	Economic Development
Councillor S Barker	Customer, Communities, Culture and Corporate
Councillor K Bentley	Deputy Leader and Infrastructure
Councillor R Gooding	Education and Skills
Councillor D Madden	Performance, Business Planning and Partnerships
Councillor L McKinley	Children and Families
Councillor J Spence	Health and Adult Social Care
Councillor S Walsh	Environment and Climate Change Action
Councillor C Whitbread	Finance

Councillors Mackrory, Henderson, Turrell, Mitchell and Steptoe were also present.

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

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

1. There were no changes to membership since the last meeting of Cabinet.
2. Apologies for absence were received from Cllr C Pond.
3. There were no declarations of interest.

2. **Minutes: 15 September 2020**

The minutes of the meeting held on 15 September 2020 were agreed as a correct record and would be signed by the Chairman.

3. **Questions from the public**

There were no questions from members of the public.

4. **2020/21 Financial Overview as at the Half Year Stage (FP/694/05/20)**

The Cabinet received a report setting out the forecast financial position of Essex County Council's (ECC) revenue and capital budgets as at the half year stage of the 2020/21 financial year.

Councillor Whitbread responded to questions from Councillors Henderson, Turrell and Mackrory in relation to the possible criteria when spending monies

that may be received by ECC following the move to Tier 2 Coronavirus restrictions, the level of shortfall expected against Council Tax receipts and related mitigation measures, the possible uses of the 'emergency' category within the reserves, the return of funding to the Clinical Commissioning Group (on which additional detail would also be provided to Councillor Henderson in writing), the removal of the Essex Employment Space project, and the possibility of staff reductions.

Written responses would be provided to Councillor Henderson by Councillor Whitbread in relation to shortfalls in the funding provided by central Government to compensate for the Council's emergency spending due to Covid-19, and the costs and impacts related to residential and domiciliary care. Councillor Spence suggested that an all member briefing could be provided at a later date on this latter subject.

A written response would also be provided to Councillor Mackrory by Councillor Walsh in relation to flood prevention measures on Canvey Island.

Resolved:

1. To approve the draw down of funds from reserves as follows:

- i. **£4.2m** from the General Balance to the Health and Adult Social Care portfolio to mitigate loss of income due to impact of COVID-19 (section 5.9.vi)
- ii. **£2.1m** from the Adults Digital Programme Reserve to the Health and Adult Social Care portfolio to fund projects in 2020/21 (section 5.9.vi).
- iii. **£600,000** from the Service Improvement Reserve to the Leader RSSS portfolio to support the Just About Managing (JAM) programme of work (section 5.15.ii)
- iv. **£342,000** from the Reserve for Future Capital Funding to the Customer, Communities, Culture and Corporate RSSS portfolio relating to the transfer of RFID (Self Service in Libraries) budget from capital to revenue (section 5.13.iii)
- v. **£254,000** from the Service Improvement Reserve to the Health and Adult Social Care portfolio relating to Mental Health funding (section 5.9.vi)
- vi. **£160,000** from the Transformation Reserve to the Customer, Communities, Culture and Corporate RSSS portfolio relating to the Future Resourcing Services to Deliver ECC's Workforce Strategy project. This was previously approved (FP/160/05/18) but has time lapsed. (section 5.13.iii)
- vii. **£96,000** from the Recovery Reserve to Customer, Communities, Culture and Corporate RSSS portfolio (**£72,000**) and to the Leader

RSSS portfolio (**£23,000**) in relation to COVID-19 additional costs for staffing and communications campaigns (sections 5.13.iii & 5.15ii)

viii. **£4,000** from the Transformation Reserve to Customer, Communities, Culture and Corporate RSSS portfolio relating to the pilot for technological solutions for Children and Families front line teams (section 5.13.iii)

ix. **£109,000** from the General Balance to Other Operating Costs to reduce the planned appropriation from trading activities due to impact of the change to the terms and conditions of the Music Hub Grant (sections 5.11.ii & 6.3)

2. To approve the appropriation of funds to reserves as follows:

i. **£7.5m** to the General Balance from Health and Adult Social Care portfolio due to lower demand levels than originally anticipated for COVID-19 funding approved in relation to hospital discharge beds and funding recovered from Health (section 5.9.vi)

ii. **£1.3m** to the General Balance from the Deputy Leader and Infrastructure portfolio relating to COVID-19 losses, predominantly from enforcement income being lower than originally anticipated (section 5.3.iii)

iii. **£761,000** to the Private Finance Initiatives (PFI) Equalisation Reserves from the Deputy Leader and Infrastructure portfolio in relation to the A130 PFI and due to lower in year predicted traffic volumes (section 5.3.iii)

iv. **£400,000** to the Carry Forward Reserve from the Customer, Communities, Culture and Corporate RSSS portfolio (**£260,000**) and the Finance RSSS portfolio (**£140,000**) to support future years savings targets. (sections 5.13.iii & 5.14.ii)

v. **£282,000** to the Carbon Reduction Reserve from the Deputy Leader and Infrastructure portfolio due to lower than budgeted energy prices within Street Lighting (section 5.3.iii)

vi. **£76,000** to the Carbon Reduction Reserve from the Environment and Climate Change Action portfolio for tree planting in 2021/22. (section 5.7.ii)

vii. **£58,000** to the Private Finance Initiatives (PFI) Equalisation Reserves from Education and Skills portfolio in relation to Clacton Secondary schools and Building schools for the future. (section 5.6.ii)

3. To approve the following adjustments:

i. Vire **£175,000** from the Customer, Communities, Culture and Corporate portfolio to the Environment and Climate Change Action portfolio as a

result of the staffing restructure (sections 5.2.iv & 5.7.ii)

ii. Vire **£75,000** from the Deputy Leader and Infrastructure portfolio to the Economic Development portfolio following the Place and Public Health management restructure (sections 5.4.ii & 5.3.iii)

iii. To amend the capital budget as shown in Appendices C (i) and C (ii) which allows for capital slippage of **£8.8m**, capital budget additions of **£5.9m**, capital budget reductions of **£8m** and advanced works of **£5.2m** (see section 7.2).

iv. To amend the capital budget in outer years to allow for additions of **£5m** within M11 Junction 8 scheme, owing to a shortfall in the original budget identified via mid-range tender returns. Note that this change does not impact 2020/21 capital budget and is predominantly an addition to 2022/23 spend.

v. Transfer **£4.5m** of the third tranche of COVID emergency funding from the Grant Equalisation reserve to the Recovery reserve in order to support the Council's ongoing response to and recovery from the COVID-19 impact.

5. Decisions taken by or in consultation with Cabinet Members (FP/802/09/20)

The report of decisions taken by or in consultation with Cabinet Members since the last meeting of the Cabinet was noted.

6. Dates of next meeting

It was noted that the next meeting of the Cabinet would take place on Tuesday 24 November 2020 at 10.00am. The meeting was expected to be held online.

7. Urgent Business

There was no urgent business.

8. Urgent Exempt Business

There was no urgent exempt business.

There being no further business, the meeting closed at 10.28am.

Minutes of a meeting of the Cabinet that was held remotely on Tuesday 24 November 2020

Present:

Councillor	Cabinet Member Responsibility
Councillor D Finch	Leader of the Council (Chairman)
Councillor T Ball	Economic Development
Councillor S Barker	Customer, Communities, Culture and Corporate
Councillor K Bentley	Deputy Leader and Infrastructure
Councillor R Gooding	Education and Skills
Councillor L McKinlay	Children and Families
Councillor D Madden	Performance, Business Planning and Partnerships
Councillor J Spence	Health and Adult Social Care
Councillor S Walsh	Environment and Climate Change Action
Councillor C Whitbread	Finance

Councillors Canning, Durham, Goggin, Grundy, Hedley, Henderson, Mackrory, Mitchell, Pond and Turrell were also present.

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 to membership since the last meeting of Cabinet.
2. Declarations were made during the meeting as follows:
 - Councillor A Goggin declared a Code interest in agenda item 6 (Expansion of Colne Community School and College, Brightlingsea) in that the pedestrian crossing to be installed in conjunction with the project was located close to his home (minute 6 below refers).
 - Councillor I Henderson declared a Code interest in agenda item 8 (Acknowledgement of the Interim Report of the Essex Climate Action Commission) in that he is a member of the Commission (minute 8 below refers).

2. Minutes: 20 October 2020

The minutes of the meeting held on 20 October 2020 were agreed as a correct record and would be signed by the Chairman.

3. Questions from the public

None received.

4. Flexible Use of Capital Receipts Strategy (FP/849/10/20)

The Cabinet considered a report which recommended a strategy for the flexible use of capital receipts in the 2020/21 financial year. The strategy identified the revenue investments made that met the criteria to qualify for this funding treatment.

Resolved:

1. That the Council is recommended to approve the Flexible Use of Capital Receipts Strategy as set out in the Appendix to report FP/849/10/20.
2. That any use of the Strategy is subject to a decision in accordance with Financial Regulations and the Scheme of Delegation.

5. Proposed Harlow Investment Fund (FP/825/10/20)

The Cabinet was asked to agree to invest £5m in the proposed Harlow Investment Fund, a proposed £50m fund seeking to invest in property in Harlow.

In introducing the report, the Cabinet Member for Economic Development recorded his thanks to County Councillors from Harlow electoral divisions for their assistance in progressing the Fund.

The following information was provided in response to questions from Councillors Mackrory and Pond:

- As yet, no information was available regarding potential candidates for the Council's nominee as a director of the Investment Fund.
- The Cabinet Member for Finance undertook to provide a written response clarifying the £1.1m cost of borrowing as referred to in paragraph 5.1.2 of the report.
- Creation of the Fund may facilitate work with partners to mitigate challenges associated with the permitted development of office buildings into residential accommodation.

Resolved:

1. That the investment of £5m in the Harlow Investment Fund was agreed in principle.
2. That the Executive Director, Place and Public Health is authorised to enter into an agreement to subscribe for or purchase shares in the Harlow Investment Fund Limited Partnership and such other entities as may be required in order to participate in the Fund, subject to his being satisfied,

after consulting the Leader, the Cabinet Member for Economic Growth, the Cabinet Member for Finance, the Monitoring Officer and the Section 151 Officer that the agreements and structure provide sufficient protection for the Council's investment.

3. That the Fund Investment Principles and the reserved matters with respect to the Fund are as set out in Appendices 3 and 4 respectively to report FP/825/10/20.
4. That the Council's nominee for appointment as a director of the Investment Fund is to be determined by the Leader of the Council.

6. **Expansion of Colne Community School and College, Brightlingsea (FP/806/09/20)**

(Information contained within a confidential appendix was taken into account in reaching a decision on this issue – minute 14 below refers.)

Councillor A Goggin declared a Code interest in this item – minute 1 above refers.

The Cabinet was asked to endorse the expansion of Colne Community School and College by increasing capacity from 8 Forms of Entry (FE) to 10 FE provision (1240 places to 1500 places) in order to meet the need for secondary school places in the locality and to enter into a contract to expand the school.

Speaking as the local Member, Councillor Goggin welcomed the project, which would facilitate installation of a much-needed pedestrian crossing near to the school.

The following responses were provided in response to questions by Councillor Mackrory:

- The aims for the building design were to provide a new-build extension and significant improvements to the fabric of the existing accommodation, as well as to improve energy efficiency.
- The Cabinet Member for Education and Skills undertook to provide a written response with detailed information on the sources of funding for the project.

Resolved:

1. That a contract is directly awarded to Pick Everard under the terms of Essex Professional Services Framework for professional design, planning and survey services and all the pre-construction work necessary to establish a final de-risked design and cost to build twelve new classrooms with facilities and internal remodelling work at Colne Community School and College, Brightlingsea.

2. That authority is delegated to the Cabinet Member for Education and Skills to:
 - a. Agree the proposed design and the launch of the competitive procurement for the construction through the Essex Construction Framework (2);
 - b. Agree the winning bidder;
 - c. Award the construction contract to the successful bidder once he is satisfied that:
 - i. An agreement is in place with the academy trust which allows the work to go ahead;
 - ii. The school has all necessary permissions in place to expand; and
 - iii. Funding is in place to fund the likely cost of the expansion.
3. That authority is delegated to the Head of Infrastructure Delivery to:
 - Issue instructions to commence the works once satisfactory planning permission has been granted for the works; and
 - Ensure that collateral warranties between Essex County Council, the contractor and sub-contractors and the school are in place
4. That the capital budget for construction and associated fees is approved, as per the profile stated in the confidential appendix to report FP/806/09/20 (minute 14 below refers) which requires the reallocation of £1.308m of unutilised budget within the existing education capital programme to this project in 2022/23 and the £822,000 of the existing budget allocated for this project in 2021/22 is slipped into 2022/23 in order to fund the revised expenditure profile.

7. Wickford Pupil Referral Unit (PRU) (FP/823/10/20)

The Cabinet's agreement was sought for the Council to self-deliver the construction of a 100-place pupil referral unit (PRU) on the site of the former Curriculum Development Centre in Alderney Gardens, Wickford. The full cost of the construction (£6.9m) would be provided by the Council using the Essex Construction Framework and the PRU would be operated by the South Essex Children's Support Service – a maintained PRU.

Approval was also sought for the appointment of the contractor for the work.

Speaking as the local Member, Councillor Ball expressed his support for the project.

Responding to a question by Councillor Mackrory, the Cabinet Member for Education and Skills acknowledged that there had been a substantial increase in the level of permanent exclusions over the last three years and that the level of referrals for pupils requiring PRU support was growing. This was a national trend with a range of complex causes and it was not possible to identify any single influencing factor. The situation in Essex was subject to ongoing monitoring.

Resolved:

1. That approval is given to the procurement of contracts for demolition of the existing site and construction of a new pupil referral unit (PRU) in Wickford through a design and build mini competition using the Essex Construction Framework.
2. That authority is delegated to the Head of Infrastructure Delivery to enter into a contract with Keir Construction Eastern for design and new build, when he is content that the following conditions have been met:
 - Satisfactory planning permission has been granted
 - The construction costs are within the agreed budget and represent value for money.
3. That the new PRU will be operated by the Council.

8. **Acknowledgement of the Interim Report of the Essex Climate Action Commission (FP/829/10/20)**

Councillor I Henderson declared a Code interest in this item – minute 1 above refers.

The Cabinet was asked to accept and welcome the interim report of the Essex Climate Action Commission. The report brought together the Commission's recommendations from its meetings held to date on the following themes:

- Adapting to an already changing climate;
- Transport; and
- The Built Environment.

The Leader of the Council welcomed the report and acknowledged the opportunity it offered for the Council to rise to the challenge of Climate Change. On behalf of the Cabinet, he recorded thanks to Commission members and those providing support for their contribution.

Councillors Pond, Turrell and Henderson welcomed the report and expressed their support. The following responses were provided to points raised:

- It was agreed that the following comments on the report would be fed back to Commission through the Cabinet Member for Environment and Climate Change Action:
 - That consideration be given in including a section on air quality.
 - That some of the transport recommendations, in particular those related to creation of Low Traffic Neighbourhoods and School Streets, could be more ambitious.
 - That the format of the report be revised to make it more suitable for reading on screen.

- Air quality was not strictly a climate change issue, although initiatives such as the creation of school streets would address local air quality issues.
- An inclusive, consultative approach would be taken to reaching decisions on the Council's actions in response to the report, and there were a number of ways for Opposition Group members to raise any issues of concern.
- It was confirmed that early action would be taken in response to any 'quick wins' identified in the Commission's report, for example those relating to Public Rights of Way,

Resolved:

1. That thanks are recorded to the Essex Climate Change Commissioners for their hard work and efforts in helping advise the Council on the actions it can take to address Climate Change.
 2. That the interim report of the Essex Climate Action Commission, as set out in Appendix 1 to report FP/829/10/20, is accepted and welcomed.
 3. That consideration of the Commission's recommendations is prioritised
 4. That a more detailed and considered response to the Commission's interim report is brought to a meeting of the Cabinet early in 2021, which would include those recommendations that can be agreed as priorities to action, which require a more significant action plan to be developed, discussions with partners or detailed cost analysis and which might require some further questions to be asked of the Commission by the Council.
9. **To agree the procurement of a new Contract for Electricity Generation from landfill Gas at Bellhouse Closed Landfill Site (FP/822/10/20)**
(Information contained within a confidential appendix was taken into account in reaching a decision on this issue – minute 15 below refers.)

The Cabinet considered a report which outlined the options for safe management of landfill and gas and sought its agreement to procure a new long-term contract for landfill gas management at Bellhouse Closed Landfill Site.

Resolved:

1. That a competitive procurement process is undertaken to appoint a provider to manage and generate energy from Landfill Gas at the Bellhouse closed landfill site for an initial period of 20 years, with the option to extend for a further five-year period, using the evaluation criteria set out in paragraph 3.16 of the contract.

2. That authority to award the contract is delegated to the Cabinet Member for Environment and Climate Action.

10. **Integrated Waste Handling Contract Service Delivery (FP/803/09/20)**
(Information contained within a confidential appendix was taken into account in reaching a decision on this issue – minute 16 below refers.)

The Cabinet considered information about the Council's arrangements, as the Waste Disposal Authority (WDA), to ensure suitable arrangements for the disposal of certain wastes and the provision of recycling centres. Its approval was sought for the approach to the replacement of the current Integrated Waste Handling Contract.

The following information was provided in response to questions by Councillors Henderson and Pond:

- The Council's aim was to provide a top of the range suite of recycling centres. However, at present there were no plans to make any changes to the existing service.
- Engagement with Trades Unions and staff representatives in relation to transfer of employment had already begun and all arrangements, including those relating to staff terms and conditions, would be managed in accordance with TUPE (the Transfer of Undertakings (Protection of Employment) Regulations).
- The need to maximise recycling would continue to be a significant factor.

Resolved:

1. That after the expiry of the current contract on 31 March 2022, the Council will assume responsibility for operating Recycling Centres for Household Waste (RCHW) and Waste Transfer Stations (WTS) directly.
2. That the Director, Environment and Climate Change Action will undertake a detailed appraisal of options for the delivery of the RCHWs and WTSs, bringing a recommended approach back to Cabinet for further decision in early 2021.
3. That the Council goes out to the market to procure contractors to provide:
 - a. Waste Haulage Services;
 - b. Plant and Equipment, including vehicles, operational plant and waste containers for efficient operation of the services;
 - c. Material Marketing Services to sell or pay for the treatment of waste collected.
4. That authority to approve the procurement approach, evaluation criteria, contract length and terms of the award of the contracts is delegated to the Cabinet Member for Environment and Climate Change Action in consultation with the Cabinet Member for Finance.

11. Decisions taken by or in consultation with Cabinet Members (FP/831/10/20)

The report of decisions taken by or in consultation with Cabinet Members since the last meeting of the Cabinet was noted. The report included details of decisions exempted from being on the Forward Plan and those exempt from call in in response to the Covid-19 pandemic.

12. Date of Next Meeting

It was noted that the next meeting of the Cabinet will take place on Tuesday 15 December 2020 at 10.00am. The meeting was expected to take place online.

13. Urgent Business

There was no urgent business.

Exclusion of the Press and Public

Resolved:

That the press and public be excluded from the meeting during consideration of the remaining item of business on the grounds that it involves the likely disclosure of exempt information as specified in paragraph 3 of Schedule 12A of the Local Government Act 1972 – information relating to the financial or business affairs of any particular person).

14. Confidential Appendix: Expansion of Colne Community School and College, Brightlingsea (FP/806/09/20)
(Press and public excluded)

The Cabinet considered the Confidential Appendix to report FP/806/09/20 which contained information exempt from publication referred to in that report and in decisions taken earlier in the meeting (minute 6 above refers).

15. Confidential Appendix: To agree the procurement of a new Contract for Electricity Generation from Landfill Gas at Bellhouse Closed Landfill Site (FP/822/10/20)
(Press and public excluded)

The Cabinet considered the Confidential Appendix to report FP/822/10/20 which contained information exempt from publication referred to in that report and in decisions taken earlier in the meeting (minute 9 above refers).

16. **Confidential Appendix: Integrated Waste Handling Contract (FP/803/09/20)**
(Press and public excluded)

The Cabinet considered the Confidential Appendix to report FP/803/09/20 which contained information exempt from publication referred to in that report and in decisions taken earlier in the meeting (minute 10 above refers).

17. **Urgent Exempt Business**

There was no urgent exempt business.

There being no further business, the meeting closed at 10.49am.

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Chairman

15 December 2020