

# Minutes of a meeting of Essex County Council held at County Hall, Chelmsford on 10 February 2015

## Present

Chairman: Councillor N Hume

Vice-Chairman: Councillor J F Aldridge

### Councillors:

J Abbott	A Goggin	M Mackrory
B Aspinell	R J Gooding	R A Madden
S Barker	I Grundy	M Maddocks
R L Bass	C Guglielmi	M McEwen
A Bayley	D Harris	V Metcalfe
K Bentley	A M Hedley	A Naylor
D Blackwell	I Henderson	Lady Newton
K Bobbin	T M A Higgins	P Oxley
R G Boyce	R Hirst	M J Page
A Brown	P Honeywood	C Pond
M Buckley	R C Howard	J M Reeves
G Butland	M Hoy	S Robinson
J Chandler	J Huntman	C Seagers
K Clempner	A Jackson	K Smith
T Cutmore	E C Johnson	J Spence
M Danvers	J G Jowers	A Turrell
T Durcan	D J Kendall	K Twitchen
M Ellis	J Knapman	S Walsh
A Erskine	N Le Gresley	R G Walters
D Finch	S Lissimore	J Whitehouse
M D Fisher	J Lodge	A Wood
R Gadsby	D Louis	J A Young
K Gibbs		

## Prayers

The meeting was preceded by prayers led by The Reverend Canon Carol Smith, Vicar of Moulsham St John's & Moulsham St Luke's, Chelmsford; Chaplain to Chairman of the Council & Workplace Chaplain, Essex County Hall.

### 1. Apologies for Absence

Apologies for absence were received on behalf of Councillors W Archibald, P Channer, J Deakin, M McGeorge and J W Pike.

### 2. Declarations of Interest

The Chairman reminded Members of the advice they had been given by the Monitoring Officer concerning arrears of Council Tax outstanding for two months or more. He also drew attention to the note prepared by the Monitoring Officer and circulated in the Chamber concerning declarations of interest appropriate to the budget debate.

Councillor Young declared a personal interest in relation to agenda item 6 as a trustee of Greenstead Community Association.

Councillor Walters declared a personal interest in relation to agenda item 6 as a non-executive director of Essex Cares Ltd.

Councillor Louis declared a personal interest in relation to agenda item 6 as a director of a company operating in the same market as Essex Cares Ltd.

### 3. Minutes of the meeting held on 9 December 2014

#### Resolved:

That the minutes of the meeting held on 9 December 2014 be approved as a correct record and signed by the Chairman.

### 4. Chairman's Announcements

#### Recent Deaths

The Chairman informed Council of the death of Councillor Gordon Helm.

Councillor Helm had been elected to the Council in May 2013 to represent the Division of Bocking and served on the Corporate Scrutiny Committee, Essex Fire Authority, the Essex County Council and Essex Fire Authority Joint Standards Committee as well as the Corporate Parenting Panel and the Braintree Locality Board.

The Chairman informed Council that he had attended the funeral on 13 January.

At the invitation of the Chairman, Councillor Huntman, Leader of the UKIP Group, spoke in tribute to the late Councillor Helm.

The Chairman also informed Council that former County Councillor Baroness Beryl Platt had recently died.

She had been elected to Chelmsford Rural District Council in 1959 and to the County Council in 1965 to represent the Division of Broomfield and Writtle until 1985. She was the Chairman of the Education Committee from 1973 to 1980 and was created a life peer in 1981 whilst serving as Vice-Chairman of the Council.

As well as being a member of many council committees she was the first woman to serve as President of the Essex Association of Local Councils and was also appointed in 1983 as Chairman of the Equal Opportunities Commission.

The Chairman informed Council that he would attend her funeral on 11 February and that there would be a Memorial Service on 7 March.

Members stood in remembrance.

### **Member Development Charter Plus Award**

The Chairman reminded members that the Council had been awarded the prestigious Member Development Charter Plus for constant commitment and improvement to Councillors' learning and development needs.

The Chairman invited Councillor Tony Jackson, Chairman of the East of England LGA, to present the award and speak of the achievement.

The Chairman invited Councillor Aldridge, Vice-Chairman of the Council, to respond and he congratulated Joanna Boaler, Head of Democratic Services as well as all members of the Member Development Steering Group.

### **Best Enterprise Mobility Project Award**

The Chairman informed members that the Council had won the Best Enterprise Mobility Project Award for outstanding work on the IS modernisation programme, End-User Computing refresh programme and Next Generation Network (NGN) implementation.

The Chairman invited Councillor Louis, the Cabinet Member for Transformation and Corporate and Traded Services, to speak and present the Award to the Chairman.

### **Certificate of Recognition**

The Chairman informed members that the Council was in receipt of a Certificate of Recognition, signed by the Chief Coastguard, in appreciation of co-operative working between Her Majesty's Coastguard and Essex Highways Service.

The Chairman invited Councillor Howard to present the Certificate on behalf of Her Majesty's Coastguard and in response Councillor Bass, the Cabinet Member for Highways and Transportation, paid tribute to the staff of the Essex Highways Service.

### **SABRE Award**

The Chairman informed Council that he had been pleased to accept a Silver Award from SABRE (Supporting Britain's Reservists and Employers) in recognition of the support the Council provides to the armed forces. He passed the award to Councillor Louis, the Cabinet Member for Transformation and Corporate & Traded Services.

The Chairman also informed Council that whilst at the ceremony he had noted that Councillor Aspinell had received an award on behalf of Brentwood Borough Council.

### **Association of Directors of Children's Services**

The Chairman informed Council that Mr Dave Hill has been elected as Vice-President of The Association of Directors of Children's Services (ADCS). He will take up the post with effect from April 2015 and become President of the Association in April 2016.

### **ID/Smart Cards**

The Chairman informed Council that the new access control system was being installed across County Hall and he urged members to ensure that they carried both the current 'swipe' card and the newer 'proximity' card until further notice.

## **5. Presentation of Petitions**

The Chairman received petitions:

- to request that the street lights be turned on in Harlow, from Councillor Danvers and
- regarding congestion at North Station Junction and Turner Rise Retail Park, Colchester, from Councillor Turrell.

The Chairman passed both petitions to Councillor Bass, the Cabinet Member for Highways and Transportation.

## 6. The Budget Report 2015/2016

The Council received the report on the Budget 2015/16, the addendum to the report setting out replacement recommendations 2.1 and 2.2 and the substitution for Appendix A to the Pay Policy Statement.

The recommendations as set out in the report as amended by the 'Addendum Budget Book recommendations' and the substituted Appendix A to the Pay Policy Statement were moved by Councillor Finch, the Leader of the Council, and seconded by Councillor Spence, the Cabinet Member for Finance.

It was moved by Councillor Mackrory and seconded by Councillor Whitehouse that the motion be amended as follows:

'Supporting Essex's young people

- £1.9m being drawn down from the Transformation Reserve to return Youth Service funding to the 2013/2014 level for 2015/16 only.
- £750,000 being diverted from the emergency contingency in 2015/16 to Families and Children to fund Post 16 school transport to enable young people from low income families to continue in education, and to be added to the MTRS on an on-going basis.

Investing in our infrastructure and keeping Essex safe

- £2.0m being diverted from the emergency contingency in 2015/16 to Highways and Transportation to fund additional footway and highways repairs, prioritising urban local roads and to be added to the MTRS on an on-going basis.
- £330,000 diverted from the emergency contingency in 2015/16 to fund six additional Highways Engineers to progress the work of Local Highways Panels and to be added to the MTRS on an on-going basis.
- £360,000 diverted from the emergency contingency in 2015/16 to Highways and Transportation to reinstate all night street lighting in those areas that wish it, for example, Colchester, Brentwood and Harlow, who have passed resolutions to that effect and to be added to the MTRS on an on-going basis.
- £60,000 being drawn down from the Consultation Reserve to fund a consultation of Essex residents, for 2015/16 only, in other council areas which have not yet determined if they wish the street lights to be left on at night.

Supporting learning in Essex

- £75,000 being drawn down from the Transformation Reserve in 2015/16 only, to address shortcomings raised in the "requires improvement" Adult Community Learning Ofsted report and develop new curriculum areas to support future income generation.

## Capital

- Bring the 'starts approval' for the LED Street Lighting scheme (£2.5m) forward from 2016/17 and into 2015/16, and to finance the increase in the capital payments guideline for 2015/16 by a withdrawal from the Reserve for Future Capital Funding (on the basis that this Reserve will be replenished by reducing the planned withdrawal in 2016/17 by £2.5m).'

It was moved by Councillor Young and seconded by Councillor Henderson that the motion be amended as follows:

1. Additional £156,000 to pay Essex County Council employees a living wage subject to increasing the relevant portfolios affected on an on-going basis in the MTRS.

To be funded by reducing the Special Responsibility Allowances budget by £34,072 and Communications budget by £121,928, thus reducing the overall Leader portfolio budget by £156,000 on an on-going basis in the MTRS.

2. Additional £170,000 to pay Essex Cares employees a living wage subject to increasing the Adult Social Care budget on an on-going basis in the MTRS.

To be funded by reducing the Communications budget by £170,000 thus reducing the Leader portfolio budget by £170,000 on an on-going basis in the MTRS.

3. Additional £650,000 for footpaths maintenance subject to increasing the Highways and Transportation portfolio by £650,000 for 2015/16 only.

To be funded by reducing the budget for Collection Reserve by £650,000.

4. Additional £321,000 for local roads maintenance subject to increasing the Highways and Transportation portfolio by £321,000 on an on-going basis in the MTRS.

To be funded by reducing the Collection Reserve by £321,000 one off funding. Further items will need to be identified in the MTRS to maintain this level of investment.

5. Additional £1,400,000 to reverse the part-night lighting policy by keeping the street lights on at night subject to increasing the Highways and Transportation portfolio by £1,400,000 on an on-going basis in the MTRS.

To be funded by reducing Collection Reserve by £1,000,000 and by reducing the budget for Innovation Fund by £400,000 both of which are one off funds. Further items will need to be identified in the MTRS to maintain this level of investment.

6. Additional £500,000 for delayed discharge subject to increasing the Adult Social Care portfolio by £500,000 on an on-going basis in the MTRS.

To be funded by reducing the Consultation Reserve by £500,000 as a one off item in 2015/16. Further items will need to be identified in the MTRS to maintain this level of investment.

7. Additional £250,000 to tackle fuel poverty subject to increasing the Communities and Healthy Living portfolio by £250,000 on an on-going basis in the MTRS.

To be funded by reducing the Consultation Reserve by £250,000 as a one off item in 2015/16. Further items will need to be identified in the MTRS to maintain this level of investment.

8. Additional £66,000 to reverse the recent increase in cost to meals on wheels users by increasing the Adult Social Care portfolio by £66,000 on an on-going basis in the MTRS.

To be funded by reducing the budget for Members Catering by £35,900 and by reducing the budget for Communications by £30,100, thus reducing the overall Leader portfolio budget by £66,000 on an on-going basis in the MTRS.

9. Additional £500,000 for face-to-face careers and skills support subject to increasing the Economic Growth, Infrastructure, Waste and Recycling budget by £500,000 on an on-going basis in the MTRS.

To be funded by reducing the budget for Essex Initiatives by £500,000, thus reducing the Leader portfolio budget by £500,000 on an on-going basis in the MTRS.

10. Additional £538,000 to increase apprenticeship incentives offered to employers subject to increasing the Economic Growth, Infrastructure, Waste and Recycling budget by £538,000 for 2015/16 only.

To be funded by reducing the Innovation Fund by £100,000 and the Consultation Reserve by £438,000.

Upon being put to the meeting the amendment moved by Councillor Mackrory and seconded by Councillor Whitehouse was declared to be lost.

Upon being put to the meeting the amendment moved by Councillor Young and seconded by Councillor Henderson was declared to be lost.

In accordance with Standing Order 16.18 (Voting on budget decisions) the Motion was put to a division by name and carried by 52 votes for, 16 against and 1 abstention.

Those voting for the Motion were Councillors:

J F Aldridge	R J Gooding	R A Madden
S Barker	I Grundy	M Maddocks
R L Bass	C Guglielmi	M McEwen
A Bayley	A M Hedley	V Metcalfe
K Bentley	R Hirst	A Naylor
D Blackwell	P Honeywood	Lady Newton
R G Boyce	R C Howard	P Oxley
A Brown	N Hume	M J Page
M Buckley	J Huntman	C Pond
G Butland	A J Jackson	J M Reeves
J Chandler	E C Johnson	C Seagers
T Cutmore	J G Jowers	K Smith
M Ellis	J Knapman	J Spence
A Erskine	N Le Gresley	K Twitchen
D Finch	S Lissimore	S Walsh
R Gadsby	J Lodge	R G Walters
K Gibbs	D Louis	A Wood
A Goggin		

Those voting against the Motion were Councillors:

B Aspinell	D Harris	M Mackrory
K Bobbin	I Henderson	S Robinson
K Clempner	T M A Higgins	A Turrell
M Danvers	M Hoy	J Whitehouse
T Durcan	D J Kendall	J A Young
M D Fisher		

Councillor J Abbott abstained.

**Resolved:**

- a) That the net revenue budget requirement be set at £870.3m for 2015/16.
- b) That the net cost of services be set at £926.6m for 2015/16 and in consequence the Budget Book appended to the report be adopted as amended in paragraphs 3.4 - 3.7 of the 'Addendum Budget Book recommendations'.
- c) That the total council tax requirement be set at £539.1m for 2015/16.
- d) That the council tax freeze grant be accepted and therefore council tax rates will not change and the Essex County Council element of the council tax charge for a Band D property in 2015/16 will remain at £1,086.75. A full list of bands is as follows:

<b>Council Tax Band</b>	<b>2014/15</b>	<b>2015/16</b>
	£	£
<b>Band A</b>	724.50	724.50
<b>Band B</b>	845.25	845.25
<b>Band C</b>	966.00	966.00
<b>Band D</b>	<b>1,086.75</b>	<b>1,086.75</b>
<b>Band E</b>	1,328.25	1,328.25
<b>Band F</b>	1,569.75	1,569.75
<b>Band G</b>	1,811.25	1,811.25
<b>Band H</b>	2,173.50	2,173.50

- e) That Council approve the council tax for each category of dwelling and the precepts on each of the council tax billing authorities for 2015/16, together with the final tax base, as set out in the table below:

	<b>2015/16</b>	<b>2015/16</b>
	<b>Final Tax Base</b>	<b>Gross</b>
	<b>Band D Equivalent</b>	<b>Precept</b>
		<b>£000's</b>
Basildon	57,381	62,359
Braintree	49,742	54,057
Brentwood	31,156	33,858
Castle Point	29,314	31,857
Chelmsford	62,382	67,793
Colchester	59,547	64,713
Epping Forest	51,196	55,637
Harlow	24,286	26,392
Maldon	23,042	25,041
Rochford	30,226	32,848
Tendring	44,290	48,132
Uttlesford	33,540	36,449
<b>Total For ECC</b>	<b>496,101</b>	<b>539,138</b>

- f) That Council agree to the proposed total schools budget of £563.1m for 2015/16 as set out in Appendix C of the Budget Book which will be funded by the Dedicated Schools Grant.
- g) That the General Balance be set at £57.9m as at 1 April 2015 prior to the proposed drawdown of £3.5m and the Executive Director for Corporate and Customer Services' (Section 151 Officer) statement on the robustness of the estimates and reserves be noted.

- h) That the capital payments guideline be set at £272.0m for 2015/16 and the Executive Director for Corporate and Customer Services, in consultation with the Cabinet Member for Finance, be authorised to make adjustments to the phasing of payments between years (should that be necessary) as the capital programme is finalised, and to report any impact on the Prudential Indicators at the subsequent quarterly review to Cabinet in July 2015.
- i) That Council approve the 2015/16 - 2017/18 Prudential Indicators and limits, together with updated limits for 2015/16 (as shown in Appendices F and G of the Budget Book).
- j) That Council approve the Treasury Management Strategy for 2015/16 (as shown in Appendix H of the Budget Book).
- k) That Council approve the policy for making a prudent level of revenue provision for the repayment of debt (the Minimum Revenue Provision policy as shown in Appendix F of the Budget Book).
- l) That Council approve the Pay Policy Statement for 2015/16 as shown in Appendix J to the Budget Book and as amended by the substituted Appendix A.

## **7. Financial Regulations and Scheme of Delegation for Financial Management**

Councillor Spence, The Cabinet Member for Finance, presented a report concerning Financial Regulations and the Scheme of Delegation for Financial Management.

Upon being put to the meeting the recommendation was agreed and it was

### **Resolved:**

That the revised Financial Regulations and Scheme of Delegation for Financial Management, as set out in Annex A to the report be approved.

## **8. Adjournment**

With the agreement of Council the Chairman adjourned the meeting for luncheon at 13:00.

The meeting reconvened at 14:00.

**9. To consider a report to create a Local Pension Advisory Board for Essex**

Councillor Bass, the Chairman of the Essex Pension Fund Board, presented a report proposing the establishment of a Local Pension Advisory Board.

Upon being put to the meeting the recommendations were agreed and it was

**Resolved:**

1. That the Constitution be amended with effect from the date of the annual meeting of the Council in May 2015 as follows:
  - a. to replace the existing 'Essex Pension Fund Board' with 'Essex Pension Fund Strategy Board' wherever it appears;
  - b. to change the size of the Essex Pension Fund Strategy Board to 11 members and the size of the Investment Steering Committee to 7 members;
  - c. to insert the following text at the end of paragraph 8.1 of the Constitution:

"The Essex Pension Fund Advisory Board is included as a statutory body created by the full Council."
  - d. to include appendix 2 as paragraph 8.1.8 of the Constitution
  - e. to amend paragraph 8.1.6 of the Constitution (which defines the membership of the Essex Pension Fund Board) to say:

*Membership: 11 members consisting of seven Members of the Council, one member representing Borough, City and District Councils in Essex, one member representing Southend-on-Sea and Thurrock Unitary Councils, one member representing other Employing Bodies nominated by the Employer Forum and one member representing Scheme Members nominated by Unison.*
2. That the Essex Pension Fund Advisory Board (PAB) be created as the Council's Local Pension Advisory Board with the membership, terms of reference and procedural rules as set out at Appendix 2. Furthermore the PAB's interim Chairman will be the Head of the Norfolk Pension Fund in line with the reciprocal arrangement that requires the Director for Essex Pension Fund to be the Chairman of the Norfolk Local Pension Advisory Board.
3. That the existing Essex Pension Fund Board be authorised
  - a. to approve the manner of appointment of Employer and Member representatives members of the PAB
  - b. to agree the appointment of members of the PAB in accordance with the arrangements set out in Appendix 2 or as approved by the Board.
4. That the Monitoring Officer be authorised to make the necessary changes to the Constitution in consequence of these changes.

**10. To consider a report of matters reserved to the Council**

The report of Council Issues was received.

**11. Written questions to the Leader of the Council and Cabinet Members**

The published answers to the 15 written questions submitted in accordance with Standing Order 16.12.1 were noted.

The following supplementary questions were asked as a result of having received a written reply and responses given:

- (2) Councillor Kendall thanked Councillor Bass, the Cabinet Member for Highways and Transportation, for his reply regarding the financing of the Public Realm Works at Brentwood and Shenfield stations and asked when might the County Council commit to funding a proportion of the expenditure?

The Cabinet Member replied that it was very important that the Public Realm issues at Brentwood and Shenfield stations were addressed and the County Council was interested in working with all willing partners to put together a funding package. The timetable was dependent upon discussions with partners including, of course, the Borough Council. He noted that it was possible for smaller improvements to be funded through the Local Highways Panel, of which Councillor Kendall was Chairman.

- (3) Councillor Smith thanked Councillor Finch, the Leader of the Council, for his reply but suggested that in Basildon there was a lack of appropriate secondary schools and the proposed new developments included plans for only primary schools. He asked what provisions would be made for secondary education and also requested that the second part of his question regarding the planning application for the Dunton Garden Suburb traveller site be answered.

The Leader replied that the planning application for the Dunton Garden Suburb traveller site was a matter for the Borough Council to determine in consultation with the County Council on highways issues only. With regard to the need to provide secondary school places, should planning permission be granted, the approval or conditions laid upon the developers is a planning matter for the Borough Council to determine but any need for additional secondary provision would be determined in accordance with existing criteria applied across the County.

- (6) Councillor Mackrory thanked Councillor Bentley, the Cabinet Member for Economic Growth, Infrastructure, Waste and Recycling, for his reply and obtained from him an assurance that in future when such decisions are made the local member is informed directly rather than through the local media.

- (8) Councillor Higgins requested that Councillor Bass, the Cabinet Member for Highways and Transportation, visit the Deaf Essex Access Forum Planning Group so that the members might explain their particular concerns about part-night lighting.

The Cabinet Member replied that he was always prepared to listen to any group that had particular issues with part-night lighting. He noted that he had addressed such matters on each of the 12 occasions when his decision had been called in but he would consider any new information brought to his attention.

- (9) Councillor Young asked Councillor Madden, the Cabinet Member for Adults and Children, if he would consider re-establishing the collaborative care team that worked across both Health and Social Care.

The Cabinet Member replied that the Council was working very closely with various groups to seek an integrated approach.

- 10) Councillor Danvers asked Councillor Finch, the Leader of the Council, further to comments he had made when presenting the budget about Essex 'leading by example' what particular aspect of his written answer could be considered to be 'leading by example' when he refused to spend £160,000 to pay a living wage to the Council's directly employed staff?

The Leader replied that through five years of council tax freeze the Council had benefitted tax payers in Essex by the sum of £335 each which was a significant contribution to their disposable income. He added that he had no aspirations to move towards the payment of the living wage because of the impact that would have on the supply chain. He reiterated that the cost of such action would be £40.3 million. He added that he was happy to meet and discuss the matter with Councillor Danvers to demonstrate that the figure he quoted was correct.

- 11) Councillor Bobbin asked Councillor Gooding, the Cabinet Member for Education and Lifelong Learning, if, having failed in the bid to the Youth Engagement Fund, he would consider seeking funding from reserves for the Youth Service?

The Cabinet Member regretted that, as stated in the written answer, the Council had been unsuccessful in its bid to the Youth Engagement Fund but taking money from reserves was not the right course of action.

- (14) Councillor Whitehouse thanked Councillor Johnson, the Cabinet Member for Highways Maintenance and Small Scheme Delivery, for the answer to his question and asked him why only two of the Highways Panel Chairmen had been consulted and would County Councillors have the opportunity to have their views taken into account?

The Cabinet Member replied that at the previous meeting of Council he had stated that there would be a report to Cabinet in March and that remains the position.

- 15) Councillor Whitehouse asked Councillor Johnson, the Cabinet Member for Highways and Small Scheme Delivery, to note that some of the TROs to which he had referred in his written answer have been in the system for years and he enquired what might be done to speed up the process. The Cabinet Member replied that he would investigate and get back to Councillor Whitehouse.

## **12. Oral questions of the Leader of the Council, Cabinet Members and Committee Chairmen**

1. Councillor Pond reminded Councillor Bass, the Cabinet Member for Highways and Transportation, that, following the receipt of the petition last year from the shopkeepers on Loughton High Road, he had undertaken to ensure that the pavements would be repaired and the street lights replaced by the end of this financial year. Could he confirm that it was still his intention that these two projects would be complete by the end of this financial year?

The Cabinet Member replied that he could not be certain that he had promised that the work would be complete by the end of this financial year but he recalled that he did say that every effort would be made. He acknowledged that the work was part of some unfinished business and also acknowledged that Councillor Pond had been very persistent in his questioning.

2. Councillor Abbott asked Councillor Bass, the Cabinet Member for Highways and Transportation, about the ongoing flooding problem in Avenue Road in Witham. He had been informed that neither Anglian Water nor the County Council would accept responsibility and asked the Cabinet Member if he agreed that such 'silo-thinking' was inappropriate and what could he do to resolve the situation.

The Cabinet Member replied that he believed he had always been very assertive in urging all parties to work collaboratively and forcible in his views against silo-thinking. Indeed, as the lead local flood authority the Council had a duty to coordinate and avoid silo-thinking. He added that if, as Councillor Abbott had suggested, this particular problem had been going on for decades then it was unlikely that it could be solved instantly.

3. Councillor Abbott asked Councillor Bass, the Cabinet Member for Highways and Transportation, if he was aware, in the context of the proposals for the improvements on the A12 that, due to the failings of the Department of Transport in the 1960s, crossings either truncate or rely upon surface crossings and footpaths in 88 locations. The A12 public enquiry in 2008 concluded that these problems should be resolved. He asked if the Cabinet Member could inform Council of any progress that had been made.

The Cabinet Member stated that he was aware there were long-standing rights of way across the A12 for pedestrians but he suggested that Councillor Abbott should address his remarks to the Department of Transport who had responsibility for the A12 in terms of safety and the Council would work collaboratively with diversion-orders or closure-orders in the interests of public safety.

4. Councillor Reeves asked Councillor Bass, the Cabinet Member for Highways and Transportation, if he was aware that in January there had been work undertaken by National Grid Gas on the Rayleigh Road the A129, the main road to Rayleigh Weir and the junction of the A127 that had given rise to a considerable number of complaints. Councillor Reeves stated that she had been advised that National Grid Gas and their contractors had ignored instructions that would have mitigated the problems. She asked the Cabinet Member what action could the Council take when a contractor ignored instructions and could there be some financial penalty imposed?

The Cabinet Member replied that in the new financial year the Council would have far greater control as the issuer of licences to the utility companies. This would ensure that companies would need to approach the County for permission to undertake such works and he was certain that in consequence this unacceptable behaviour would become less frequent. He assured Councillor Reeves that the County would use its licencing power and the ability to impose fines to penalise those companies where appropriate.

5. Councillor Mackrory asked Councillor Finch, the Leader of the Council, for an update on the progress on recovering the mis-claimed expenses paid to the former Leader of the Council, Lord Hanningfield.

The Leader stated that all options for recovery had been examined. A report had been presented to Council in 2014 at which time it had been explained that there was not a route by which the money could be recovered.

6. Councillor Aspinell asked Councillor Hume, the Chairman of the Council, to note that 2015 was the 200<sup>th</sup> anniversary of the Battle of Waterloo and the 800<sup>th</sup> anniversary of the signing of Magna Carta. He asked if there was any way that in Essex the anniversary of the Battle of Waterloo could be marked.

The Chairman replied that there were plans to mark the anniversary of the signing of Magna Carta and he certainly recognised the importance of the other event.

7. Councillor Hoy questioned Councillor Gooding, the Cabinet Member for Education and Lifelong Learning, concerning the Youth Centre in his Division which did not operate in the holiday period and other organisations were prevented from using it as they did not meet the age requirements. He asked if the Cabinet Member agreed that the policy of not letting this and other similar buildings in Essex to other groups needed changing.

The Cabinet Member replied that there were on-going discussions around the particular youth centre. He was aware that the Youth Service believed it would be inappropriate to widen the age range because of the physical constraints within the building but he would reconsider the matter.

8. Councillor Hoy asked Councillor Gooding, the Cabinet Member for Education and Lifelong Learning, why, when the County was responding to planning applications for development they sought Primary School Provision but not Secondary School.

The Cabinet Member replied that with new housing development the initial requirement was for primary provision.

9. Councillor Young asked Councillor Finch, the Leader of the Council, about progress on devolution discussions for Essex and why opposition members had not been involved. She also asked if there was any connection between this matter and the Council withdrawing from the Thames Gateway Partnership.

The Leader replied that he had written to the Prime Minister and Eric Pickles MP on the subject and has also raised the matter through the LGA and he believed the matter had been discussed by Essex Chief Executives in their monthly meetings.

Plans were at a very early stage and he would consider 'broadening out' the matter.

10. Councillor Young asked Councillor Finch, the Leader of the Council, if the failed bid for £3m from the Youth Engagement Fund would lead to more staff cuts in the Youth Service.

The Leader replied that he was unaware of any need to reduce staffing but he would consider the implications and reply to Councillor Young at a later date.

11. Councillor Howard asked Councillor Bass, the Cabinet Member for Highways and Transportation, if he would seriously consider a scheme, when funds became available, for better access to Canvey Island and the completion of the last phase of Roscommon Way as the daily congestion was becoming unbearable.

The Cabinet Member agreed that there was a need to look at alternatives and measures to improve the access to Canvey Island and he would discuss with Local Authorities their plans and aspirations for alleviating the dependency on a single route.

12. Councillor Smith asked Councillor Bass, the Cabinet Member for Highways and Transportation, what efforts were being made to clear the litter on the A13, A127, and the A130.

The Cabinet Member replied that the removal of litter from the side of the road was a district council responsibility.

13. Councillor Smith asked Councillor Bass, the Cabinet Member for Highways and Transportation, to comment on the report that there had been a reduction by 6% in the number of residential burglaries in Basildon since the introduction of part-night lighting. However, burglaries of non-residential properties including sheds and garages had increased.

The Cabinet Member stated that he would not wish to draw any conclusions from these figures at this time. The police would confirm that the incidence of burglaries occurring between midnight and 5:00am was very low anyway and most crime took place in daylight hours. He suggested that to say otherwise would be to risk increasing the fear of crime. He also noted that 22% of all lights are kept on in Basildon anyway but it was the role of the police to offer advice to the owners of garages and sheds.

14. Councillor Barker asked Councillor Bass, the Cabinet Member for Highways and Transportation, for an update on his proposals for banning HGVs overtaking on the M11.

The Cabinet Member was pleased to note that Councillor Barker was in favour of the introduction of the overtaking ban on the M11 and he believed that the Highways Agency was close to agreeing that it should be introduced.

15. Councillor Barker wished to thank Councillor Bass, the Cabinet Member for Highways and Transportation, and other members of Cabinet, Councillors Hirst and Bentley, for their efforts in securing funding for the improvements to junctions 7 and 8 on the M11 and to request that those efforts continue for further improvements to junctions 8 and 7a.

The Cabinet Member thanked her for her remarks and stated that he attached significant importance to junction 7a which was vital to the future success and prosperity of Harlow. He also agreed that efforts towards making improvements to the junctions would continue.

16. Councillor Blackwell asked Councillor Bass, the Cabinet Member for Highways and Transportation, to note, further to Councillor Howard's earlier question, that 79% of the residents leave Canvey Island every morning and any improvements he could make to ease their journey would be welcome.

The Cabinet Member had nothing further to add to what he had said earlier.

### **13. Oral questions of the representative of the Essex Police and Crime Panel**

1. Councillor Bobbin asked Councillor Jowers, the Representative of the Essex Police and Crime Panel, if it were true that the Police Precept was being raised and yet the Police and Crime Commissioner was contemplating

closing police stations and reducing the numbers of police officers and PSOs.

Councillor Jowers replied that it was true the Commissioner was reviewing use of the Police Estate. However, the plan was to share facilities with other services, such as the Fire Service, to make savings and retain the efficiencies.

2. Councillor Aspinell asked Councillor Jowers if as he was also a representative on the Essex Fire Authority he could provide any insight or reassurance that it was not the intention of the Police and Crime Commissioner to seek to extend his remit to include that of the Fire Authority.

Councillor Jowers replied that he had not seen any evidence to that effect.

3. Councillor Smith asked Councillor Jowers if he would agree that the taxpayer was bearing the cost of policing demonstrations and should not those that demonstrate be required to pay?

Councillor Jowers replied that freedom of speech required that people be permitted to demonstrate peacefully and the policing of those demonstrations was the legitimate price of democracy.

**14. To note the report of the Essex Fire Authority's meeting on 3 December 2014 and to ask questions of the Authority's representative**

Councillor Young asked Councillor Hedley, the Representative of the Essex Fire Authority, if, in relation to item 3 in the Report to the Constituent Authorities of the meeting held on 3 December 2014, it was not overly onerous to require Parish Safety Volunteers to undergo Financial Background checks.

Councillor Hedley replied that checks were made to protect the public but he would look into the appropriateness of Financial Background checks.

The report of the Fire Authority's meeting held on 3 December 2014 was received.

The meeting closed at 14:56

Chairman  
12 May 2015