
ESSEX COUNTY COUNCIL MEETING

13 October 2015

Answers to Written Questions (standing order 16.12.1)

Agenda Item 14 (a)

1. **By Councillor I Henderson of the Cabinet Member for Communities and Healthy Living**

‘During discussion of a performance report titled ‘Children and Young Persons’ Strategy’ at the Cabinet meeting of Tendring District Council held on Friday 4th September it was reported that Essex County Council funding was no longer available to support the Public Health Specialist post operating in the Tendring District. As the remit of this post is to deliver in the areas of child poverty and fuel poverty as outlined in the Health Inequalities Strategy will the portfolio holder please explain why the funding for this vital role has been withdrawn?’

Reply

‘ECC fully recognises the importance of working closely with Districts, Borough and City to improve public health. As a result we are committed to fund public health posts employed by the districts and boroughs as well as providing a dedicated recurrent budget to the districts and boroughs to tackle local public health issues. We remain committed to this development with two post holders already in place in Braintree and in Castle Point and with plans for the other post holders to be in place by Q4 of this financial year. Where already filled, these innovative posts have attracted excellent practitioners who are making a key positive contribution to public health in these areas as many members will be aware.

We did however have to find just under £3.7 million of in year savings from the public health grant due to a treasury ask. We had to do this in a way that had minimal impact on the services we commission and in a way that was possible within year where almost all resources were tied into contracts with prohibitive break clauses. Our plans have been reviewed in detail by HOSC who were fully supportive of the proposals.

One area we looked at was the postponement in year of appointment

to the District/Borough Council posts where this had not already happened, this being seen as preferable to an in year cut to an existing service. It was always our intention to fully fund these posts in the next financial year.

I am pleased to say that on reviewing finances we feel we can progress now with appointment to these posts with a target to get all in post by January. This will as discussed enable District/Borough Councils to better address their local issues. It will be entirely up to Tendring District Council colleagues the local issues that they wish their local post holder to focus on. I am clear these posts represent a step change forward in joint working with District, Borough and City Councils enabling us to best work together to tackle local challenges to the health of the public we all serve.'

2. By Councillor M Danvers of the Leader of the Council

'Will the Leader make a statement on the possibility of a new nuclear power station at Bradwell and the effect it will have on the Essex community?'

Reply

'It is my understanding that Bradwell B is a potential site for a new nuclear facility. No detailed proposal is in place nor has an application been made as far as the Council is aware. As detailed proposals and an application haven't come forward, an assessment of what these potential impacts could be is not possible at this stage.

We will of course engage with the potential developers and operators, as well as Maldon District Council, at the planning stage to ensure the maximum benefit is gained for local communities and the Essex economy, if such a facility were to be developed.'

3. By Councillor M Danvers of the Cabinet Member for Adults and Children

'To ensure that care workers have time to do their job without being rushed or compromising the dignity or well-being of the person who uses social service care:

Will the Portfolio Holder for Social Service accept the recent findings by National Institute for Care Excellence (NICE) for vulnerable people who rely on their care workers? Will he incorporate it into contracts

that Essex has with social care providers?

Also will the contracts reflect the recent judgement made by the European Court that care workers will be properly paid for travelling time between clients?’

Reply

‘The Council accepts the NICE recommendations published on September 23rd. These principles have been a part of the council’s practice guidance for social workers for a number of years now, and have been updated to reflect the increased emphasis on personalised care within the Care Act 2014. The type and length of visit would be defined as part of someone’s care plan, in conjunction with the service user. Contract service specifications include expectations around continuity of care and we regularly monitor that these are being complied with.

We are currently carrying out an exercise to determine the cost of care in Essex, working with care providers to understand a range of factors that influence the cost of care, as required by the Care Act. This includes how travel time should be reflected in fee levels following the recent European judgement and how the Council can best assure itself that all relevant legislation and guidance in this area is being complied with. This work is scheduled to be completed before Christmas when options will be presented to Members for consideration.’

4. By Councillor D Harris of the Cabinet Member for Highways Maintenance and Small Schemes Delivery

‘I study every week the plans that are issued for up and coming works.

On the list since June has been the proposed works to remedy defect kerbs and paths in Queen Mary Avenue, a project I had proposed and followed through the correct process, the plan said anytime between June 2015 and Sept 2015.

Now that September is over, can I be assured that the budget will be left tagged to this work, and an early date be allocated for this non-delivery of plan?’

Reply

‘Queen Mary Avenue has been identified as part of the urban cluster repair programme and I can confirm that budget is still allocated against this site. There have been some minor delays over the summer which has meant we have not started Queen Mary Avenue as early as we anticipated, however we are mobilising for a start date around the end of October. We will give prior notice in advance of the works.’

5. By Councillor D Harris of the Cabinet Member for Customer Services, Planning and the Environment

‘Would the portfolio holder in charge of representing ECC on police matters agree with myself and members of my community who are expressing concern over the fact that hundreds and hundreds of police officers have been cut from the front line meaning that our poor dedicated police officers are struggling to attend community problems.’

Reply

‘We all share concerns for community safety and recognise the pressures that our police force are under. Like all public services, Essex Police need to find ways of adapting as the public sector gets to grips with the historic debt burden. Overall the number of recorded crimes in Essex was 8% lower in 2014 compared to 2011, while anti-social behaviour figures were 25% lower in 2014. With the budget squeeze the police have had to face, this is a great achievement.

The police have recognised the need to make savings and as they become more agile and responsive to the requirements of the community. Like all publically funded organisations they need to change the way they do things to deliver an even better, streamlined service with less money. Evidence suggests that the police are successfully delivering this, so far and will need vision and innovative thinking to address the challenges they face in the future.’

6. By Councillor A Bayley of the Cabinet Member for Highways and Transportation

‘Due to the South Essex Parking Partnership now having to be self-funding, what assurances can we be given that the issuing and

collecting of fines will not become the partnership's priority, to work only in high dividend areas, whilst not concentrating so on less profitable areas.'

Reply

'The issuing of Penalty Charge Notices by the parking partnerships is to make sure that persons do not park illegally and so make our highways safer for considerate road users, which has nothing to do with cost.'

7. By Councillor A Bayley of the Cabinet Member for Highways and Transportation

'Can the Cabinet Member for Highways please explain the procedure for residents, living in unmade, un-adopted roads for fixing their street lights, as ECC no longer take responsibility for them, and who is liable should an accident happen, while they try to fix them themselves.'

Reply

'ECC has no responsibility nor any liability for fixing streetlights on un-adopted roads nor if the streetlights themselves are not owned by ECC.'

8. By Councillor J Young of the Cabinet Member for Education and Lifelong Learning

'Will the Cabinet Member offer a public apology to the children and parents over the impact the home to school policy changes are having and will he reassure parents that no fines will be levied against parents for lateness as a result of these changes?'

Reply

'Firstly, it is the responsibility of schools to record and where they feel appropriate, to refer instances of late attendance to this authority for action. ECC does not and would not take unilateral action against parents without a referral from the school.'

Secondly, the Council's responsibility is to provide school transport to those children with a statutory and policy based entitlement and it continues to do that. The changes to the Home to School Transport policy have in no way impacted upon the fulfilment of the Council's statutory duties.'

The basis of this question gives the impression that Councillor Young, despite her multiple representations on the matter, has failed, or seeks to ignore, that the basis of the new policy was to ensure a fair and equitable provision for all children and families across this county.

In summary therefore, it must be suggested that it is Councillor Young who should offer an apology to the taxpayers of Essex for her attempts to seek a privileged position for some areas (particularly her own division) above others.'

9. By Councillor I Henderson of the Cabinet Member for Adults and Children

'Can the Cabinet Member provide me with the latest figures on meals on wheels recipients in the areas affected by the closure of the Colchester depot. Can he also provide an update on the alternative provision put in place since Sodexo pulled out of this area of Essex?'

Reply

'In total 141 service users were impacted as a result of the closure of the Colchester depot and the table below outlines the locations of these individuals:

Braintree	22
Colchester	19
Epping Forest	3
Maldon	13
Tendring	68
Uttlesford	18
Total	141

A further 4 service users were initially thought to have been impacted by this closure living within the Chelmsford City Council administrative area: however Sodexo will now continue to deliver meals to these individuals under the new contract in place.

An alternative provision is now in place for all impacted service users with a number of different alternatives put in place.'

Domiciliary care packages	7
Alternative hot meal provider	82
Frozen meals or alternative provider	26
Support from family	7
Outcome waiting to be confirmed by family	1
Preparing their own meals	8
Support from existing carers	7
Package of care to be reviewed upon discharge from Hospital or Residential Reablement	3

10. By Councillor J Young of the Cabinet Member for Education and Lifelong Learning

‘Can the Cabinet Member please indicate whether he supports the continuation of the current free hot meal provision for young school children in Essex and if so what contingency plans are being put in place if Government decide to cease funding this provision?’

Reply

‘The free infant school meals initiative has had a positive impact in Essex. Uptake is trending at 81.3% some 39,800 meals per day; an additional 11,000 meals per day which shows a growth of 28.3% year on year.

Although the DFE has indicated that the Universal infant free school meals (UIFSM) programme is one of five areas under review in the November spending review, on Monday 28 September David Cameron confirmed that the Government was proud of what had been achieved with school meals and this was an excellent reform carried out by the last Government. He also confirmed that it was in the Conservative manifesto to keep it.

The income awarded by Government to Essex in 2015/16 was £13.2m: should the Government decide to discontinue the scheme then this would be the amount required to supplement the shortfall (not allowing for future growth in uptake). Essex County Council does not have this funding and clearly if this were the situation and it were decided that Essex County Council should continue providing this facility on a discretionary basis, this would have a detrimental effect on other revenue budgets.’

11. By Councillor N Le Gresley of the Cabinet Member for Highways and Transportation

'A constituent is having a problem with light pollution from a streetlamp by his house, directly outside his young children's bedroom, keeping them awake during the late evenings when they have school the following day. Essex Highways have attended the address and say that they have done all that they can do to alleviate the problem, including fitting a light shield. The shield fitted is relatively small and only provides limited relief but is the only type that it is their policy to fit.

Given that there are a number of different types of shields on the market, many of which are of larger dimensions and could provide better relief would the Cabinet Member for Highways look into this policy so that a range of different shields can be made available for use by Essex Highways? In this way one can be chosen that is best calculated to relieve the specific problem as reported?'

Reply

'The policy is indeed correct and does not require alteration. We can look at the possibility of fitting a larger shield. In the meantime his constituent will, I imagine, be thankful for Part Night Lighting which gives respite from the light pollution between 1.00am and 5.00am (and between 12.00 midnight and 5.00am Monday mornings).'

12. By Councillor K Smith of the Cabinet Member for Highways and Transportation

'As a Member who represents a division which includes a hospital and the southern end of Basildon's town centre, car parking spaces are an issue of concern to my constituents. With more and more young adults still living with their parents because of long-standing issues in the housing market, this has made the issue of the lack of parking spaces in Westley Heights far worse than in other divisions. I have a constituent who can't have a dropped kerb because the house they live in is located on a corner plot. As a result, members of this household have to park on the bend in a narrow road. I also have another constituent who can't have a dropped kerb because they are nine inches short of five metres. This resident lives several doors away from a local school.

It is right, that vehicles don't overhang the pavement blocking the path

of pedestrians.

Will the Cabinet Member for Highways look into both cases at his next Highway's Surgery and consider the approval of both these cases providing parked vehicles never overhang the pavement?'

Reply

'The provision of Off Street Parking facilities is a matter for the Borough Council. There are National guidelines regulating the provision of dropped kerbs for owners of properties abutting the Highway. As he well knows, it is open to Councillor Smith to raise issues on behalf of his constituents at Highways Surgeries and it does not need a Question at Council to elucidate that.'

13. By Councillor K Smith of the Cabinet Member for Customer Services, Planning and the Environment

'New Labour's legacy, the Carbon Reduction Commitment was signed into law back in 2007. This tax is slowly becoming a burden to the taxpayers of Essex. It is the hallmark of this present administration to use common sense to spend every penny of taxes wisely.

With this being the case, should the developers of all new housing estates in Essex, install LED lampposts as standard?'

Reply

'The National Planning Policy Framework (NPPF) has 12 core planning principles which should underpin both plan-making and decision-taking around new developments. One of these principles is that planning should support the transition to a low carbon future in a changing climate and encourage the use of renewable resources. Central Government expects local planning decisions to demonstrate a commitment to reducing carbon emissions and to contribute to national renewable energy targets.

In relation to LED lights, ECC has been continually monitoring the development of this technology. This technology has become more reliable and cost effective in recent years, which makes the use of this technology a more viable option going forward. However, results from our recent pilot scheme regarding LED technology show that LED is not proving to be universally popular in all locations. The use of dimming the lighting will be essential and we need to further evaluate the acceptance of LED lights from this pilot scheme.'

14. By Councillor J Deakin of the Cabinet Member for Highways Maintenance and Small Schemes Delivery

‘What is the average time taken to respond to a request for a dropped kerb and carry out an inspection?’

Reply

‘An inspection will be carried out, on average, within ten days of the initial enquiry.

The average time taken to confirm to the resident that they can have a dropped kerb is between six and eight weeks whilst statutory undertakings information is being gathered.’

15. By Councillor M Mackrory of the Cabinet Member for Highways and Transportation

‘Regarding Broomfield Hospital Chelmer Valley Bus Shuttle Service:

(a) How many spaces is it anticipated will be taken up by this service at the Chelmer Valley Park and Ride?

(b) What is the proposed route?’

Reply

‘(a) We don't know - which is why it is a pilot.

(b) North along the A130, then turn on to the B1008, turn into Hospital Approach - and vice versa for the return journey.’

16. By Councillor M Mackrory of the Cabinet Member for Highways and Transportation

‘Regarding the A130 PFI:

(a) What was the total cost to this Council of the A130 PFI scheme, first stage?

(b) What will be the total cost to this Council of the A130 PFI scheme, second stage?’

Reply

‘Actual changes in the tariff (because the maintenance obligations of County Route are across 3 rather than 2 lanes in each direction)

could add a total of £2.4M to the aggregate payments between 2016 and 2030.'

17. By Councillor D Kendall of the Cabinet Member for Highways and Transportation

'School Crossing Patrol Policy:

Under the review of existing sites, paragraph 2 (b), it states:

"Where a current School Crossing Patrol exists on a zebra crossing, it is not proposed to replace this provision if the incumbent resigns or is relocated".

Isn't this proposal seeking to bring in, via the back door, the removal of patrols from all sites where there is a zebra crossing over the next few years through natural wastage, and wouldn't that be contrary to the wishes of 94% of the respondents to last year's consultation process?'

Reply

'The School Crossing Patrol (SCP) Paper went to Scrutiny in August and there were no comments. Currently, ECC's position is that where there is a SCP on a zebra crossing we are retaining but it was mooted in the paper that the position could be reviewed if the incumbent leaves. That does not signal a change in policy but a P2V test might be appropriate or a review if the circumstances at the school had changed. We do not seek and never have sought the removal of any SCP - simply how we can best manage budgets and priorities.'

18. By Councillor D Kendall of the Cabinet Member for Highways and Transportation

'I understand that Essex has in excess of 7,500 bus stops and that ECC has installed timetable information at all the transport hubs and those stops that are heavily used, but there are still many stops without any timetable information.

Out of the 7,500 bus stops across the County how many have no timetable information? If the County Council is serious about trying to encourage more residents to use buses then surely easy access to a timetable would help to increase those numbers, particularly for residents who don't have internet access or a smart phone.

What level of investment is planned by the County Council and the bus companies for this financial year and beyond to ensure that more

of our bus stops feature a timetable?’

Reply

‘Member Enquiries recently answered a very similar enquiry. About 5,400 of the 7,700 bus stops in the County have no timetable frame. Timetable information needs to be made available in a variety of forms and will increasingly involve electronic devices as well as published pamphlets. The frames themselves are just one form of communication but we cannot easily collate the information on spending in this year or next. They are often financed by the bus companies, Section 106 agreements, LHPs etc at fairly short notice.’

19. By Councillor J Abbott of the Cabinet Member for Economic Growth, Infrastructure, Waste and Recycling

‘Following the information released at the September 22nd Cabinet that it will cost Essex taxpayers circa £15 million per annum to have private operators incinerate the Solid Recovered Fuel (SRF) output from the Basildon MBT plant, what consideration has the administration given to reviewing the Waste Strategy, in which it was assumed that SRF could be a "valuable" material to be traded and such that ECC ensured that the Basildon MBT contract returned the SRF output to ECC ownership?’

What financial consideration has been given to the option of setting, and investing in, a higher recycling policy, such as aiming for at least 70% recycling and composting by 2020? What environmental consideration has been given to such a higher recycling policy, particularly in regard to the carbon savings from recycling more waste instead of burning circa 200,000 tonnes of SRF per annum, a process which immediately releases CO₂ into the atmosphere?’

Reply

‘ECC has an aspiration, as set out in the Joint Municipal Waste Management Strategy (JMWMS), to achieve 60% recycling by 2020 and we hope to realise this target ahead of schedule. The introduction of the MBT facility will, once fully operational, offer us a fantastic opportunity to maximise the capture of those recyclable materials missed by householders. Neither the MBT or the emerging SRF contract requirement would prevent us from moving towards a higher recycling rate (even a 70% recycling rate), and to be clear the cost of disposing of SRF through energy facilities compared to sending it to landfill will deliver a saving to the taxpayer.’

The Strategy document as you have identified uses the term 'valuable' on no less than eight occasions, it is however never suggested that SRF is a product with a positive tradable value. Nor has any formal pronouncement since the adoption of the JMWMS ever suggested that to be the case. Indeed, the Final Business Case for the MBT, approved by this Council, and also by DEFRA in securing highly valuable PFI credits, was predicated on landfilling the SRF until 2020. We are actually saving taxpayers money today by having had an SRF off-take contract in place since the very start of MBT operations.

Improved participation in kerbside recycling has the potential to deliver a saving to taxpayers, by way of a reduced tonnage of output from the MBT facility. Whilst the public has given us a clear mandate to deliver 60% recycling by 2020, a review of the Strategy is already underway to clarify the recycling strategy from 2020 until 2032 and it is my personal wish that a fair and objective balance is struck between maximising the recycling achieved by householders and local councils against the whole system, waste management cost to the taxpayer.'

20. By Councillor J Abbott of the Cabinet Member for Highways and Transportation

'Given that ECC is taking a lead role, with significant spend of local taxpayers money, into route option studies for the A120 between Braintree and Colchester, why has the administration not involved or consulted with County Members who represent Divisions along the A120 route corridor ? Why have local Members, and the communities they represent, been side-lined to date in this process, or is there an intention to undertake meaningful consultation before ECC takes any position on route recommendations?'

Reply

'The Member needs to be patient a little longer. We have absolutely no intention of side-lining anybody in this vitally important consultation and - yes - there is every intention of meaningful consultation before ECC takes any position on route recommendations. We will be setting out a timetable and a structure to take this consultation forward within the next few weeks and we are delighted to have been entrusted with the lead role on this by the Government.'