

Minutes of a meeting of Essex County Council held at County Hall, Chelmsford on 11 February 2014

Present

Chairman: Councillor K Twitchen

Vice-Chairman: Councillor N Hume

Councillors:

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

The meeting was preceded by prayers led by the Chairman's daughter the Revd. Ruth Bushyager, Chaplain to the Bishop of Kensington and Chelsea.

1. Audio Recording of the Meeting

The Chairman advised Members that the meeting would be recorded by the BBC.

2. Apologies for Absence

Apologies for absence were received on behalf of Councillors A Erskine, K Gibbs, G Helm and M McGeorge.

3. 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. She 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.

4. Minutes of the meeting held on 10 December 2013

Resolved:

That the minutes of the meeting held on 10 December 2013 be approved as a correct record and signed by the Chairman.

5. New Year's Honours

The Chairman on behalf of Council congratulated the following former County Councillors, who had received New Year's Honours:

- Councillor Geoffrey Williams, Member of the Order of the British Empire for services to Local Government; and
- Mr Gerard McEwen, Medallist of the Order of the British Empire for services to the community in Essex.

6. Commonwealth Day

The Chairman invited Members to a brief ceremony to raise the Commonwealth flag on the front steps of County Hall on Commonwealth Day at 10 am on 10 March 2014.

7. Awards

The Chairman on behalf of the Council received from Councillor R Bass, Chairman of the Essex Pension Fund Board, an award from the Local Government Chronicle for 'Pension Fund of the Year'. Councillor Bass also made reference to a letter he had sent to Local Government Minister Brandon Lewis as a consequence of a number of concerns regarding the development of regulations that apply to the Local Government Pension Scheme which he felt would carry more weight coming from an award-winning Fund.

8. Explosion in Clacton

At the Chairman's invitation, Councillor A Wood informed Council of the excellent work of the emergency services following an explosion in Clacton and congratulated them, together with Tendring District Council, for their swift response and support to local residents.

9. Presentation of Badge of Office

The Chairman invited Councillors J Huntman and R Bass to address Council concerning the retrieval, from an online auction site, of a former Chairman's silver badge of office that, having been purchased collectively by Councillors Aldridge, Bass, Bayley, Ellis, Finch, Helm, Hume, Huntman, Le Gresley, Madden and Smith was presented to the Council. Councillor Bass thanked Councillor Smith for first identifying the opportunity and stated that he was proud to be associated with it. The Chairman received the badge on behalf of Council and thanked all those involved.

10. Presentation of Petitions

The Chairman received petitions relating to:

- the completion of realm improvements on Loughton High Road presented on behalf of local traders by Councillor C Pond; and
- the introduction of part-night lighting in his Division presented on behalf of local residents by Councillor K Bobbin.

The Chairman noted that Councillor J Whitehouse had intended to present a petition on behalf of residents in Coronation Hill and Lower Swaines Epping relating to traffic congestion in the vicinity of Epping Primary School but as the petition had not yet been received, she invited him to submit it directly or bring it to Council at a later date.

11. The Budget Report 2014/2015

Prior to the consideration of this item the Chairman advised the Council of the procedure to be adopted during the debate.

The Council received the report on the Budget 2014/2015.

The recommendations as set out in the report were moved by the Leader, Councillor D Finch, and seconded by Councillor K Bentley, Deputy Leader and Cabinet Member for Economic Growth and Infrastructure.

It was moved by Councillor M Mackrory and seconded by Councillor J Whitehouse

‘that subject to the following:

- £3.25 million being drawn down from the Consultation Reserve to maintain Youth Service funding at 2013 / 2014 level with £0.25m drawn down from the Emergency Contingency dedicated to help the voluntary sector improve its fundraising.
- £4.7 million being drawn down from the Emergency Contingency to Highways and Transportation to fund additional footway and highways repairs and white lining.
- £250,000 being drawn down from the Emergency Contingency to Highways and Transportation to fund additional exceptions to maintain all-night street lighting.
- £750,000 being drawn down from the Emergency Contingency to Families and Children to fund Post 16 school transport to enable young people from low income families to continue in education.
- £1million being drawn down from the Transformation Reserve to establish a network of Enterprise Hubs to help new small businesses become established and survive.’

It was moved by Councillor J Young and seconded by Councillor I Henderson

‘that the budget be increased for the following:

- 1) Additional £1.1m to the Family Innovations Fund (and therefore increasing the budget for Families and Children portfolio by £1.1m)
- 2) Additional £3m to continue the 2013/14 funding level for the Youth Service (and therefore increasing the budget for Education and Lifelong Learning portfolio by £3m)
- 3) Additional £200k to maintain the current provision of Apprenticeships (and therefore increasing the budget for Economic Growth and Infrastructure portfolio by £200k)
- 4) Additional £160k to become a living wage authority (the increase to be spread across the relevant portfolios affected according to the requirement to fund pay budgets up to the level of the living wage)
- 5) Additional £150k to create a hardship fund to be administered by Credit Unions in providing low-interest loans for essential items (and therefore increasing the budget in the Leader and Finance portfolio by £150k)

- 6) Additional £50k as a one off spend towards an independent review into provision of alternative street lighting solutions (and therefore increasing the budget in the Highways and Transportation portfolio by £50k)
- 7) Additional £1m to set up a Capital Delivery Reserve (and therefore increasing the budget in the Leader and Finance portfolio by £1m)
- and as a consequence of the above proposals to fund the increases by:

- 1) withdrawal of £1.5m from the Collection Fund Reserve in 2014/15
- 2) withdrawal of £3m from the Consultation Reserve in 2014/15
- 3) withdrawal of £1.160m from the General Balance in 2014/15

and the on-going impact of the above permanent items to be added to the Medium Term Resource Strategy for action to be identified to determine a permanent funding solution. These items are:

- £3m to continue the 2013/14 funding level for the Youth Service
- £200k to maintain the current provision of Apprenticeships
- £160k to become a living wage authority.'

It was moved by Councillor P Oxley and seconded by Councillor J Lodge

'that pending the final outcome of the re-designing of the Youth Service the budget for the service for 2014/15 be set at the projected outturn figure of £4.782m for 2013/14 to be funded by a withdrawal of £3m from the General Reserve.'

Upon being put to the meeting the proposed amendment not affecting the precept or the balances moved by Councillor Mackrory and seconded by Councillor Whitehouse was declared to be lost.

Upon being put to the meeting the proposed amendment affecting the level of balances moved by Councillor Young and seconded by Councillor Henderson was declared to be lost.

Prior to the amendment affecting the level of balances moved by Councillor Oxley and seconded by Councillor Lodge being put, ten Members demanded a division by name by standing in their places.

The Motion having been put it was declared to be lost by 29 votes for and 42 against.

Those voting for the Motion were Councillors:

J Abbott	M Ellis	R Lord
W Archibald	M D Fisher	M Mackrory
B Aspinell	D Harris	P Oxley
A Bayley	I Henderson	C C Pond
D Blackwell	T M A Higgins	S Robinson
K Bobbin	M Hoy	K Smith
K Clempner	J Huntman	A Turrell

M Danvers
J A Deakin
T Durcan

D J Kendall
N Le Gresley
J Lodge

J Whitehouse
J A Young

Those voting against the Motion were Councillors:

J F Aldridge
S Barker
R L Bass
K Bentley
R G Boyce
A Brown
M Buckley
G Butland
J Chandler
P Channer
T Cutmore
D Finch
R Gadsby
R J Gooding

I Grundy
C Guglielmi
A M Hedley
R Hirst
P Honeywood
R C Howard
N Hume
A J Jackson
E C Johnson
J G Jowers
J Knapman
S Lissimore
D Louis
R A Madden

M Maddocks
M McEwen
V Metcalfe
A Naylor
Lady Newton
M J Page
J W Pike
J M Reeves
C Seagers
J Spence
K Twitchen
S Walsh
R G Walters
A Wood

Prior to the Motion moved by Councillor Finch and seconded by Councillor Bentley being put, ten Members demanded a division by name by standing in their places.

The Motion having been put it was declared to be carried by 48 votes for, 21 against and 2 abstentions.

Those voting for the Motion were Councillors:

J F Aldridge
S Barker
R L Bass
A Bayley
K Bentley
R G Boyce
A Brown
M Buckley
G Butland
J Chandler
P Channer
T Cutmore
M Ellis
D Finch
R Gadsby
R J Gooding

I Grundy
C Guglielmi
A M Hedley
R Hirst
P Honeywood
R C Howard
N Hume
J Huntman
A J Jackson
E C Johnson
J G Jowers
J Knapman
N Le Gresley
S Lissimore
D Louis
R A Madden

M Maddocks
M McEwen
V Metcalfe
A Naylor
Lady Newton
M J Page
J W Pike
C C Pond
J M Reeves
C Seagers
K Smith
J Spence
K Twitchen
S Walsh
R G Walters
A Wood

Those voting against the Motion were Councillors:

J Abbott

T Durcan

J Lodge

W Archibald
B Aspinell
K Bobbin
K Clempner
M Danvers
J A Deakin

M D Fisher
D Harris
I Henderson
T M A Higgins
M Hoy
D J Kendall

R Lord
M Mackrory
S Robinson
A Turrell
J Whitehouse
J A Young

Those abstaining were Councillors D Blackwell and P Oxley.

Resolved:

- a) That the net revenue budget requirement be set at £892.9m for 2014/15.
- b) That the net cost of services be set at £931.8m for 2014/15.
- c) That the total council tax requirement be set at £528.5m for 2014/15.
- d) That council tax remain the same as the amounts for 2013/14, the council tax freeze grant be accepted for 2014/15 and therefore the charge for a band D property will remain at £1,086.75 (for the fourth year running), council tax for other bands to be as follows:

Council tax Band	2013/14 £	2014/15 £
Band A	724.50	724.50
Band B	845.25	845.25
Band C	966.00	966.00
Band D	1,086.75	1,086.75
Band E	1,328.25	1,328.25
Band F	1,569.75	1,569.75
Band G	1,811.25	1,811.25
Band H	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 2014/15, together with the final tax base, as set out in the table below:

	2014/15 Final Tax Base Band D Equivalent	2014/15 Gross precept £000's
Basildon	56,070	60,934
Braintree	48,971	53,219
Brentwood	30,893	33,573
Castle Point	28,734	31,227
Chelmsford	60,416	65,657
Colchester	57,338	62,312
Epping Forest	50,679	55,076
Harlow	24,769	26,918
Maldon	22,797	24,775
Rochford	29,313	31,856
Tendring	43,475	47,246
Uttlesford	32,826	35,673
Total for ECC	486,281	528,466

- f) That Council agree to the proposed total schools budget of £576.9m for 2014/15 as set out in Appendix C to the Budget Report, which will be funded by the Dedicated Schools Grant.
- g) That the General Balance be set at £57.2m as at 1 April 2014 and the Executive Director for Corporate Services' (section 151 officer) statement on the robustness of the estimates and reserves be noted.
- h) That the capital payments guideline be set at £211.4m for 2014/15.
- i) That Council approve the 2014/15 - 2016/17 Prudential Indicators and limits, together with updated limits for 2014/15 as set out in Appendix F to the Budget Report.
- j) That Council approve The Treasury Management Strategy for 2014/15 as set out in Appendix H to the Budget Report.
- 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 set out in Appendix F to the Budget Report.
- l) That Council approve The Pay Policy Statement for 2014/15 as set out in Appendix K to the Budget Report.

12. Adjournment

With the agreement of Council the Chairman adjourned the meeting for luncheon at 1:09pm.

The meeting reconvened at 2:12pm.

13. Apology

With the leave of the Chairman the Leader apologised for remarks made earlier in the meeting.

14. The Corporate Outcomes Framework 2014-18

The Leader, Councillor D Finch, presented a report seeking the Council's agreement to a new Corporate Outcomes Framework for the period 2014-2018.

Resolved:

That Council adopt the Corporate Outcomes Framework 2014-18, set out as the Annex to the report.

15. Appointments

The report of changes to committee memberships was received and adopted.

16. The Leader's Report of Cabinet Issues

The Leader, Councillor D Finch, presented a report concerning matters considered by Cabinet since the last Council meeting.

The report of Cabinet Issues was received and adopted.

17. Written questions to the Leader of the Council and Cabinet Members

The published answers to the 17 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 response:

- (1) Councillor M McEwen requested the Cabinet Member to consider what efforts could be made when undertaking a consultation to reach the end-user more consistently.

The Cabinet Member replied that such efforts should and would be made.

- (2) Councillor D Kendall requested of the Cabinet Member that the audit work undertaken to measure the success of the Jet Patcher system be made available to Members and shown by Division.

The Cabinet Member replied that he did not believe the information was readily available in this way. He suggested that the request could be made via the Scrutiny Committee.

- (3) Councillor D Kendall requested of the Cabinet Member that the expenditure on maintenance repairs be reported to Members and shown by Division.

The Cabinet Member replied that he was doing his best to be transparent, the figures were already broken down by District but he believed that it would not be constructive to break down the figures any further.

- (8) Councillor K Smith sought an assurance from the Cabinet Member that improvements to Woodlands School in Basildon would lead to it becoming one of the premier schools in South Essex.

The Cabinet Member affirmed that this was the intent.

- (9) Councillor M Mackrory asked the Leader of the Council when the report on the future of Shire Hall would be seen.
The Leader replied that this was a reasonable question, discussions were in hand with a number of third parties and he would discuss it with Councillor Mackrory outside of the meeting.

- (13) Councillor T Higgins asked the Leader of the Council if, when consultations were reviewed by Scrutiny Committees, that consideration be given to the use of Plain English.

The Leader agreed.

- (14) Councillor M Danvers asked the Cabinet Member if local Members could be informed of impending consultations in their Divisions and the process to be employed.

The Cabinet Member thanked Councillor Danvers for bringing the matter to his attention and agreed that all Members would be notified in future of relevant consultations.

- (15) Councillor J Whitehouse asked the Cabinet Member if he considered that two years was too long a wait to replace four street lights.

The Cabinet Member considered it was a reasonable point.

- (17) Councillor J Abbott thanked the Cabinet Member for the answer to the first part of his question but asked if he would address the question concerning the options for terminating the contract with Ringway Jacobs.

The Cabinet Member replied that there was no consideration being given to terminating the contract.

18. Oral questions of Leader of the Council, Cabinet Members and Committee Chairmen

1. Councillor C Pond asked the Cabinet Member for Highways and Transportation if he was aware that a local bus company had recently been prosecuted? He asked if officers were exercising the maximum supervision of service providers. He also asked if Members could receive a brief report of the survey of local bus routes as well as the likely timetables.

The Cabinet Member responded in the affirmative to each of the questions.

2. Councillor K Smith asked the Leader of the Council in the absence of the Cabinet Member for Public Health and Wellbeing if guidance would be issued clarifying the use of electronic cigarettes on public premises.

The Leader undertook to ask the Cabinet Member to respond to Councillor Smith.

3. Councillor G Butland asked the Leader of the Council in the absence of the Cabinet Member for Public Health and Wellbeing if the Council would draw to the attention of the residents in Essex the intention of the NHS to make available patients' records for a national database and the patients' rights to opt out of this arrangement.

The Leader undertook to discuss the matter with the Cabinet Member before issuing any necessary guidance.

4. Councillor R Howard asked the Cabinet Member for Highways and Transportation if he was aware that there remained a number of street lights on Canvey Island that were still not working despite a recent intervention by the Cabinet Member.

The Cabinet Member was concerned that the matter remained unresolved. He was informed that 1.88% of all street lights in Essex were not working and although this was a small percentage he was aware that when a number of broken street lights were adjacent this caused particular and disproportionate distress.

5. Councillor B Aspinell asked the Leader of the Council if he could provide details concerning the construction work on 'A-Block' of County Hall, particularly the cost, whether or not the work was covered by insurance and the estimated date for completion. He also commented unfavourably on the colour chosen for the cladding.

The Leader replied the work was largely complete. Only minor works and white-lining of the car-park remained. It had taken 18 months to complete and had cost in the region of £1 million. He would provide the details to Councillor Aspinell. He stated that he liked the colour of the cladding.

6. Councillor J Abbott asked the Cabinet Member for Waste and Recycling if the survey and formal consultation on the future of recycling centres would be subject to scrutiny before it was issued, if the impact on recycling levels would be a factor for consideration as well as the potential risk of an increase in fly-tipping?

The Cabinet Member replied in the affirmative to all the questions.

7. Councillor S Robinson, commenting on the excellence of the Community Energy Buying Scheme, asked the Cabinet Member for Waste and Recycling if there were plans for the exercise to be repeated at some time in the future.

The Cabinet Member thanked Councillor Robinson for his comments and hoped that there may be further opportunity for residents to take advantage of such a scheme.

8. Councillor S Barker asked the Cabinet Member for Education and Lifelong Learning if he could assure the residents of Uttlesford, particularly in the Great Dunmow and Thaxted areas, that should there be continued population growth there would be a reappraisal of the current level of schools provision?

The Cabinet Member stated that he was aware of the issues in the Uttlesford District and currently there were proposals being developed that he believed would address the situation.

9. Councillor K Smith thanked the Cabinet Member for Highways and Transportation for his recent visit to Basildon Hospital and asked if he had any particular observations to make?

The Cabinet Member stated that it had been a very productive and constructive visit. He had observed the roads in the locality of the hospital and was very unhappy with the state of some of them. He noted that there had been an expansion in the Borough and was very conscious of the need to provide adequate infrastructure to support it.

19. Oral questions of the representative of the Essex Police and Crime Panel

Councillor S Robinson asked Councillor J Jowers, the representative of the Essex Police and Crime Panel, if he recalled that at the last meeting he had enquired if all incidents reported to the Police were recorded? Councillor Jowers had stated at that time that he would pose the question at the Panel's meeting on 12 December 2013. He wondered if Councillor J Jowers had been able to clarify the situation at that meeting.

Councillor Jowers replied that he had been informed that all crime that can be is recorded.

20. The note the report of the Essex Fire Authority's meeting on 4 December 2013 and to ask questions of the Authority's representative

The report of the Fire Authority's meeting on 4 December 2013 was received.

There were no questions of the Authority's representative.

21. Concluding remarks by Members

It being the last scheduled meeting of the Council at which the Chairman would preside for the entire meeting, Members congratulated her on the quality of her Chairmanship throughout her term of Office.

The meeting closed at 15:25.

Chairman
13 May 2014