

# Minutes of a meeting of Essex County Council held at County Hall, Chelmsford on 8 December 2015

## Present

Chairman: Councillor N Hume

Vice-Chairman: Councillor J F Aldridge

### Councillors:

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

**Prior to the meeting:****Prayers**

The meeting was preceded by prayers led by The Very Reverend Nicholas Hensall, Dean of Chelmsford.

**The Chairman formally opened the meeting.**

The Chairman reminded members that the meeting would be recorded and broadcast live over the internet.

The Chairman acknowledged that a Social Work Team who had received a recent award and their Team Leader, Ioana Furcovici, were seated in the public gallery and welcomed them to the meeting.

**1. Apologies for Absence**

Apologies for absence were received on behalf of Councillors W Archibald, M Ellis, M McGeorge, P Oxley and S Walsh.

**2. Declarations of Interest**

There were no declarations of interest made at this point.

**3. Minutes of the meeting held on 13 October 2015****Resolved:**

That the minutes of the meeting held on 13 October 2015 be approved as a correct record and signed by the Chairman.

**4. Chairman's Announcements****Recent Deaths**

The Chairman informed Members that former Councillor Brian Mead died on 12 October. He had been elected to the Council in June 2001 and served until 2005 representing the Division of Maldon. He had also been previously elected to serve on both the Town Council and District Council in Maldon.

The Chairman informed Members that former Councillor David Rex died on 5 November. He had been elected to the Council in May 1981 and until 2001 represented the Division of Frinton and Walton. He also served on the Education, Police, Highways, and Corporate Strategy Committees amongst many others. In

1998 he was elected Chairman of the Council. He was also Chairman of Frinton and Walton Town Council and served on a wide range of other public bodies.

Members stood in remembrance.

### **Highways Excellence Awards**

The Chairman invited the Cabinet Member for Highways Delivery, Councillor Eddie Johnson, to present an award won by the County Council and Ringway Jacobs for Highways Maintenance Efficiency.

The Chairman congratulated all those responsible and received the award on behalf of the Council.

### **The Social Worker of the Year Awards 2015**

The Chairman invited the Cabinet Member for Adults and Children, Councillor Dick Madden to address Council as Essex County Council had been nominated at the recent awards' ceremony in several categories and the Council's Social Work Team had won 'Team of the Year'.

Councillor Madden paid tribute the team who were represented in the Chamber and Members applauded.

## **5. Executive Statement**

The Leader of the Council, Councillor Finch, delivered an Executive Statement on 'What the spending review means for Essex'.

## **6. Motions**

The Chairman ruled that the three Motions 'Proposed Changes to Policing in Essex', 'Impact of Service Cuts' and 'Fair Funding for Community Policing' should be taken as one debate.

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

'Council notes with dismay the proposals of Essex's Police and Crime Commissioner and the Chief Constable:

- to cut the number of Police and Community Support Officer (PCSO) posts in Essex from 250 to 60;
- to withdraw from dealing with matters such as long-term neighbourhood disputes, low level anti-social behaviour and parking issues;
- to close and sell off 15 Police Stations across Essex without putting in place sufficient alternative local facilities.

Council regrets the absence of discussion and consultation in advance of the changes being announced and condemns the inadequate nature of the feedback questionnaire, which does not address the main concerns arising from the proposed changes.

Council therefore resolves:

- to communicate these concerns to the Chief Constable, the Police and Crime Commissioner, and the Police and Crime Panel;
- to assess what impact the withdrawal of the Police from matters such as long-term neighbourhood disputes, low level anti-social behaviour and parking issues will have on the Council, including the two Essex Parking Partnerships and the Community Safety Partnerships;
- to work constructively with the Police and other local organisations including town, parish, district, borough and the city councils to identify possible alternatives to the closure of local Police Stations (e.g. co-location).'

It was moved by Councillor Ivan Henderson and seconded by Councillor Julie Young that:

'We believe that Essex residents have the right to feel safe in their communities. Any programme of cuts that puts spending reductions before public and personal safety should be firmly rejected.

Public services can no longer rely on achieving balanced budgets by cutting back office functions and we are now seeing cuts to frontline and specialist staff across the County leaving residents feeling vulnerable. Hundreds of Police officers and PCSOs are being relieved from duty against the wishes of Essex residents. What the people of Essex want is a visible and reassuring presence provided by neighbourhood Policing Teams.

Port towns, such as Harwich for example, are also feeling the strain. Border force officers are struggling to maintain vital security measures with an increasingly diminishing budget. At a time of uncertainty, where threats across Europe continue to make waves here in the UK, we feel that this Authority should be working to insulate vital services from further reductions.

We therefore call upon the leadership of this Council to follow the example of the Leader of Oxfordshire County Council to explain to the Prime Minister and Government that cuts to local government, and the Home Office are putting the safety of Essex residents at risk.

We also call upon the Police and Crime Commissioner to set a budget that delivers increased Police numbers, to ensure that the safety and security of Essex residents are improved.'

It was moved by Councillor James Abbott and seconded by Councillor Michael Hoy that:

‘Council acknowledges the important role of community policing in tackling and deterring crime and the reassurance that the visible presence of police and support officers gives to local communities.

Council notes the reduction in the number of police officers in Essex in recent years and the proposals detailed by the Police and Crime Commissioner in October to reduce the number of PCSOs in Essex from 250 to 60 and to reduce the number of police stations open to the public from 25 to 10.

Council further notes the statement on police funding to the year 2020 by the Chancellor on 25 November in the Spending Review which the Police and Crime Commissioner has stated could allow a review of the extent of the previously announced cuts.

Council calls upon the Police and Crime Commissioner and the Chief Constable to use this opportunity to establish a fair funding plan for community policing in Essex to the year 2020 that maintains as much of the current service as possible.’

The Motion moved by Councillor Mackrory having been put to the meeting it was declared to be lost.

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

The Motion having been put to the meeting it was declared to be lost by 25 votes for, 43 against and one abstention.

Those voting for the Motion were Councillors:

J Abbott	T Durcan	D J Kendall
B Aspinell	A Erskine	N Le Gresley
A Bayley	M D Fisher	J Lodge
D Blackwell	D Harris	M Mackrory
K Bobbin	I Henderson	S Robinson
K Clempner	T M A Higgins	K Smith
M Danvers	M Hoy	A Turrell
J Deakin	J Huntman	J Whitehouse
		J A Young

Those voting against the Motion were Councillors:

J F Aldridge	A Goggin	D Louis
S Barker	R J Gooding	R A Madden

R L Bass	I Grundy	M Maddocks
R G Boyce	C Guglielmi	M McEwen
A Brown	A M Hedley	V Metcalfe
M Buckley	R Hirst	A Naylor
G Butland	P Honeywood	Lady Newton
S Canning	R C Howard	M J Page
J Chandler	N Hume	J W Pike
P Channer	A Jackson	J M Reeves
T Cutmore	E C Johnson	C Seagers
D Finch	J G Jowers	J Spence
R Gadsby	J Knapman	K Twitchen
K Gibbs	S Lissimore	R G Walters
		A Wood

Councillor Pond abstained.

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

The Motion having been put to the meeting it was declared to be lost by 25 votes for, 43 against and one abstention.

Those voting for the Motion were Councillors:

J Abbott	T Durcan	D J Kendall
B Aspinell	A Erskine	N Le Gresley
A Bayley	M D Fisher	J Lodge
D Blackwell	D Harris	M Mackrory
K Bobbin	I Henderson	S Robinson
K Clempner	T M A Higgins	K Smith
M Danvers	M Hoy	A Turrell
J Deakin	J Huntman	J Whitehouse
		J A Young

Those voting against the Motion were Councillors:

J F Aldridge	A Goggin	D Louis
S Barker	R J Gooding	R A Madden
R L Bass	I Grundy	M Maddocks

R G Boyce	C Guglielmi	M McEwen
A Brown	A M Hedley	V Metcalfe
M Buckley	R Hirst	A Naylor
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D Finch	J G Jowers	J Spence
R Gadsby	J Knapman	K Twitchen
K Gibbs	S Lissimore	R G Walters
		A Wood

Councillor Pond abstained.

#### **4. Community Covenant**

It was moved by Councillor David Finch and seconded by Councillor Derrick Louis that:

‘In November 2012 Essex County Council signed the Essex Community Covenant, in which a commitment was made to support the Armed Forces Community in Essex.

In these challenging times when the security of the nation is once again under threat, this Council reaffirms its commitment to the Community Covenant and will continually strive to ensure that those commitments are translated into action to improve the lives of all those in the Armed Forces Community in Essex.’

Upon being put to the meeting the Motion was declared to be carried.

#### **7. Interim Head of Paid Service**

Councillor Finch, the Leader of the Council, presented a report concerning arrangements for the Interim Head of Paid Service to remain unchanged until the date on which the newly appointed Head of Paid Service, Mr Gavin Jones, commences his employment with the Council.

##### **Resolved:**

That Mr Dave Hill, Executive Director for People Commissioning, continue to act as Head of Paid Service until 19 January 2016.

With the approval of the Chairman, Councillor Finch also announced that Mr Kier Lynch, Executive Director for Strategy, Transformation, Commissioning and Traded Services, would be leaving the Council on 7 January to take up the post of Chief Executive with Essex Cares Ltd. Councillor Finch congratulated Mr Lynch on his appointment and on behalf of the Council expressed his appreciation for his work, especially in connection with the Transformation Programme. Councillor Finch wished Mr Lynch every success for the future.

## **8. Council Issues**

Councillor Finch, the Leader of the Council, presented the report of matters reserved to Council.

The report of Council Issues was received.

### **Item 1: Appointment of Chairman of the Standards Committee**

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

#### **Resolved:**

That the Chairman of the Audit Committee be also appointed as the Chairman of the Essex County Council and Essex Fire Authority Joint Standards Committee with effect from 1 January 2016.

### **Item 2: Dates of Future Meetings**

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

#### **Resolved:**

That the following dates be agreed for future meetings of the Council:

Tuesdays, 12 July, 11 October and 6 December 2016 and 14 February (Budget) and 16 May (Annual following the County Council Elections) 2017, commencing at 10:00am.

## **9. Cabinet Issues**

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

In relation to the procurement of the new local bus network, Councillor Pond asked Councillor Hirst, the Cabinet Member for Transport, Planning and the Environment, for confirmation that he has issued a statement of intent regarding



what would happen if the cessation of the £600,000 a year payment to Transport for London were to result in service cuts.

The Cabinet Member confirmed that he had issued that statement to Councillor Pond. He stated that it was not his understanding that Transport for London had any intention of cancelling or changing the service but if they were to do so the Council would initially seek to replace it with a commercial service and if that were not possible then the Council would contract a service.

The report of Cabinet Issues was received and adopted.

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

The published answers to the 19 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:

- (1) Councillor Whitehouse asked Councillor Hirst, the Cabinet Member for Transport, Planning and the Environment, if he would not agree that his written answer, stating that there had not been any requests for the service, was erroneous as he was aware of at least two members of the public who had contacted officers of the Council on this matter. He asked when the policy was to be written.

The Cabinet Member replied that he had not been made aware of any requests that had been made. However, he would be grateful to be informed.

- (3) Councillor Goggin asked Councillor Spence, the Cabinet Member for Finance, how the figures he had provided compared to other equivalent Local Authorities.

The Cabinet Member replied that the County was in the top quartile of Local Authorities across the country. The Council was expecting a percentage increase as Government funding diminishes. The Council will need to think of new ways of raising revenue in order to maintain the best services for the people of Essex.

- (4) Councillor Kendall asked Councillor Hirst, the Cabinet Member for Transport, Planning and the Environment, why questions relating to the Buscard had not been included in the consultation and should it not have been so. He also asked why, as many young people lived in villages, this was not a priority.

The Cabinet Member replied that the issue had not been a part of the public consultation nor was it raised by any consultee.

- (5) Councillor Kendall asked Councillor Johnson, the Cabinet Member for Highways Delivery, if he still believed that the installation of new speed cameras had a role to play in reducing speed on Essex roads and would he consider reviewing the speed-camera criteria.

The Cabinet Member replied that he did think that speed cameras were of potential value in several sites and some potential placements were being checked against existing criteria. These sites will be reported to the Safer Essex Roads Partnership Board in February 2016 and it will be for the local Highways Panels to decide if implementation should go ahead.

- (6) Councillor Robinson asked Councillor Johnson, the Cabinet Member for Highways Delivery, if the developer named in his reply, or developers generally, were penalised for falling behind in their obligations and what steps would he take in the future to improve the Council's performance and monitoring of 106 agreements.

The Cabinet Member apologised to anyone who may have been affected by the late delivery of this complex scheme but it was because of the desire to use money raised through the 106 agreements properly.

- (7) Councillor Turrell asked Councillor Johnson, the Cabinet Member for Highways Delivery, if he could send out inspectors to locations she could identify in her Division where the utility companies were constantly digging up the roads and pavements and they were not being reinstated to an acceptable standard.

The Cabinet Member replied that he was always happy to arrange inspection of sites at the invitation of the local member. To put the matter in context he stated that of the 8,900 sites that utilities had repaired in pavements and roads this year, 1,224 were found to be inadequately restored.

- (8) Councillor Gadsby asked Councillor Brown, the Cabinet Member for Communities and Healthy Living, if the Community Agents scheme would continue.

The Cabinet Member replied that it would as there had been a good start to the scheme. The Council was supplementing the scheme with the use of further volunteers with a view to eventually handing it to the voluntary sector in its entirety.

- (9) Councillor Le Gresley asked Councillor Finch, the Leader of the Council, if the new policy to which he had alluded in his written answer would apply to smaller developments as well as larger ones?

The Leader replied that it would be applied appropriately irrespective of size.

- (11) Councillor Henderson asked Councillor Bass, the Cabinet Member for Infrastructure, why 'in the New Year' - referred to in his written answer - was so vague. Did this mean 'early in the New Year'?

The Cabinet Member replied that it did and he would keep the partnership contract under frequent review and there was no doubt that there were too many Key Performance Indicators (KPIs) in the first instance and he would hope that they could be rationalised even further. The remaining KPIs may also need to be finessed so that they accurately reflect the objectives and the work undertaken.

- (12) Councillor Young asked Councillor Gooding, the Cabinet Member for Education and Lifelong Learning, if he would commit to making local members aware of where there were insufficient Free Early Education Entitlement (FEEE) places.

The Cabinet Member replied that the provision of this service throughout the large and diverse county of Essex was challenging and he would be happy to extend invitations to local workshops, as mentioned in his written response, to local members and/or to get the information required.

- (13) Councillor Harris asked Councillor Brown, the Cabinet Member for Communities and Healthy Living, if the take-up figures to which she had referred in her written answer were available for each hospital.

The Cabinet Member replied that the hospitals are run by the NHS and the Clinical Care Groups (CCGs) and so the Council does not have individual figures. She suggested that Councillor Harris may be able to obtain the figures from the CCGs.

- (14) Councillor Danvers asked Councillor Louis, the Cabinet Member for Corporate Services, if, before relocating the Register Office he would consider a wider consultation with users as the proposal to share premises with Harlow Central Library would adversely impact upon the users of premises that were already full to capacity.

The Cabinet Member clarified that there was no intention to close Harlow Register Office but to relocate it to Harlow Central Library. The consultations that had been undertaken were with local members and focus-groups and he would consider all the responses before making a decision. But the proposal was to co-locate the Register Office within the Library premises. He noted that the library was well run and very busy but also 2,400 square metres in area and he believed that the 30 square metres required for the Register Office could be accommodated without any difficulty.

- (15) Councillor Danvers asked Councillor Finch, the Leader of the Council, if he did not agree that the matter of the location of a nuclear power station in Essex was one that should be the subject of a consultation with the

people of East Essex, Maldon District Council, Colchester Borough Council and the Essex Fire Authority.

The Leader replied that the technology is based on well-tried US technology and in China there are thirty similar nuclear power stations. The UK Nuclear Safety Regulator has a robust inspection regime both before and after installation but it was for the relevant Local Authorities and the Fire Authority to seek consultation.

- (18) Councillor Smith asked Councillor Spence, the Cabinet Member for Finance, if there would be a possibility that money that had been sent to Europe, some £55million a day, could be retrieved to benefit the British people.

The Cabinet Member replied that Councillor Smith seemed to be ignoring the money that had already been received back by the British people either directly or indirectly but once the Prime Minister has concluded the current renegotiation the situation may change.

## **11. Questions of the Leader of the Council, Cabinet Members and Committee Chairmen**

1. Councillor Abbott asked Councillor Johnson, the Cabinet Member for Highways Delivery, if he could help accelerate remedial work to drainage problems associated with a bridge built in 2014 across the main railway line to Witham. He had been advised that remedial work would take up to a year to resolve.

The Cabinet Member replied that he would speak to Councillor Abbott outside of the meeting.

2. Councillor Abbott asked Councillor Johnson, the Cabinet Member for Highways Delivery, if he was aware that local residents at Rivenhall End have been waiting for a partial weight restriction to be approved. This scheme has now been approved by the Highways Panel, funded, and had the support of Highways England. He asked the Cabinet Member for a progress report.

The Cabinet Member replied that this scheme had now been designed and in January 2016 the consultation with local residents would commence.

3. Councillor Pond asked Councillor Finch, the Leader of the Council, regarding the commitment given in November to 'subsidiarity' or 'double-devolution' which would enable Parish and Town Councils to take on functions from principal authorities or pay for extra services, if he would permit Parish or Town Councils to make small adjustments to County arrangements – perhaps affecting such things as library opening hours or adjustments to the part-night lighting system?

The Leader replied that although plans have not yet been finalised he will give serious consideration to the points raised by Councillor Pond and would be happy to meet with him to discuss possibilities.

4. Councillor Twitchen asked Councillor Gooding, the Cabinet Member for Education and Lifelong Learning if the School Improvement Initiative was improving the standards of education in Basildon?

The Cabinet Member replied that there was significant improvement and no school in Basildon was now rated as 'inadequate' a situation that is unique in the County. He paid tribute to Sir Mike Tomlinson, Chairman of the Basildon Excellence Panel, and accepted that more work needed to be undertaken to address issues in secondary schools.

5. Councillor Aspinell asked Councillor Johnson, the Cabinet Member for Highways Delivery, if he could compliment him on the Ringway Jacobs Partnership as he had observed that in Maldon there were no potholes and the street furniture and footpaths were in good repair. He asked if his constituents could look forward to such an environment should Councillor Bass move to Brentwood?

The Cabinet Member replied that Brentwood received its fair share of resources as the Council had spent a lot of money on the provision of specialist slabs and cobbles as Brentwood Centre is a heritage site and so takes priority over other town centres.

6. Councillor Deakin asked Councillor Finch, the Leader of the Council, if the Trading Standards Service had given advice to residents of the dangers of purchasing puppies from puppy farms or unlicensed breeders and to report any concerns they may have about the welfare of puppies for sale during the Christmas period.

The Leader replied that he was unaware if the Trading Standards Service had identified this matter as an issue but if not he would ensure that such advice would be given.

7. Councillor Knapman asked Councillor Madden, the Cabinet Member for Adults and Children, for an update on the recent Adult Services Local Government Association (LGA) 'Peer Review'.

The Cabinet Member replied that there had been a strong commitment from all officers and Members and there were early indications of positive and constructive results arising from the review. The LGA shared their experience and recommended areas for improvements. He would send the final self-assessment to Members and also share the resultant peer review report and thereafter the action plan.

8. Councillor Guglielmi asked Councillor Hirst, the Cabinet Member for Transport, Planning and the Environment, how many changes were made as a result of the consultation on the local transport network?

The Cabinet Member replied that there had been consultations as advertised in the press and elsewhere and wide local engagement with users and stakeholders. The Council had received 2,800 responses to the consultation and this had resulted in 26 changes to the proposals.

9. Councillor Wood asked Councillor Bass, the Cabinet Member for Infrastructure, concerning the 'Road Condition Scanner Survey' and asked if the results were in line with his expectations and policy objectives?

The Cabinet Member replied that the scanner survey results were soon to be available and it was his intention that they would be published later that week. The scanner shows the true state of the roads, measured in the summer months and operates to national standards. He was pleased to announce that the main roads (PR1 and PR2) were 97%-98% 'good for purpose' and not in need of repair. However, local roads show considerable divergences between Districts but urban roads are much better than rural roads.

With reference to an earlier question from Councillor Aspinell the Cabinet Member added that rural roads in Brentwood have improved from an 8% deficiency to a 7% deficiency which is one of the best in the County and those in Maldon have deteriorated from 15% to 16% and are amongst the worst in the County.

10. Councillor Young asked Councillor Finch, the Leader of the Council, as many voluntary agencies in Colchester were preparing for the arrival of Syrian refugees, if he knew when the families may arrive.

The Leader replied that he was not in possession of the detail but he would convey the information as soon as appropriate to the Local Councils affected.

11. Councillor Young asked Councillor Finch, the Leader of the Council, for an update on the talks that are taking place between himself and the Leaders of Colchester and Tendring Councils concerning part-night lighting.

The Leader replied that he had not had such conversations recently but he had a meeting booked very shortly with Councillor Smith of Colchester Borough Council.

12. Councillor Buckley asked Councillor Hirst, the Cabinet Member for Transport, Planning and the Environment, concerning the recent unlawful incursions of Gypsies and Travellers in Harlow, what lessons had been learnt and what could be done to encourage Districts to develop transit sites?

The Cabinet Member replied that the Council was working closely with Harlow District Council because of the recent unlawful activities of Gypsies and Travellers. There has already been a temporary court injunction in the summer against specific individuals and further legal proceedings were due

to be taken on 16 December and he had every expectation that the court will see the merits of the Council's case.

However, there remained legitimate issues around the provision of facilities for Gypsies and Travellers. There has been a grant approved for the refurbishment and extension of the Fern Hill Travellers' Site. With proper facilities there is less reason for there to be infringements which are upsetting to local residents.

With regards to transit sites, the Council is aware that the police powers to take action against unlawful activity would be made easier if two transit sites were available in the County.

13. Councillor Whitehouse asked Councillor Johnson, the Cabinet Member for Highways Delivery, if, as last year there had been produced a list of the worst roads in Essex which had led to repairs, such a list was being prepared for this year?

The Cabinet Member replied that there was such a list.

**12. Questions of the representative of the Essex Police and Crime Panel**

There were no questions.

**13. To note the report of the Essex Fire Authority's meeting of 7 October 2015 and to ask questions of the Authority's representative**

There were no questions and the report of the meeting of 7 October 2015 was received.

The meeting closed at 13:28.

Chairman  
9 February 2016