



Essex County Council

Summons

To all Members of
Essex County Council

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

10:00	Tuesday, 08 December 2015	Council Chamber, County Hall, Chelmsford, Essex
--------------	--------------------------------------	--

Dave Hill
Executive Director for People Commissioning

Officer Support to the Council: Andy Gribben, Council and Member Support Officer

Telephone: 03330134565

Email: GovernanceTeam@essex.gov.uk

This meeting is open to the public and the press.

The agenda is available on the Essex County Council website, www.essex.gov.uk. On the home page select 'Your Council' and then 'Meetings and Decisions'. Finally, select 'Full Council' on the date shown above from the meeting calendar.

The agenda and associated documents may be requested in alternative formats such as large print, Braille and on disk.

Please note that an audio recording may be made of the meeting – at the start of the meeting the Chairman will confirm if all or part of the meeting is being recorded.

Prayers The meeting will be preceded by Prayers led by The Very Reverend Nicholas Hensall, Dean of Chelmsford.

Public Questions A period of up to 30 minutes will be allowed for members of the public to ask questions on any business of the Council (Standing Order 16.12.10). No question shall be longer than three minutes and speakers must have registered with the clerk no later than 7 calendar days before the date of the meeting. On arrival, and before the start of the meeting, registered speakers must identify themselves to staff in order to be seated.

	Pages	
1	Apologies for Absence	
2	Declarations of Interest To note any declarations of interest to be made by Members in accordance with the Members' Code of Conduct	
3	Confirmation of the minutes of the meeting held on 13 October 2015	5 - 24
4	Chairman's Announcements	
5	Receipt of petitions and deputations (if any)	
6	Executive Statements What the spending review means for Essex	
7	Motions	25 - 28
8	Interim Head of Paid Service	29 - 30
9	To receive a report of matters reserved to the Council and to consider any recommendations	31 - 32
10	To receive the Leader's report of Cabinet Issues	33 - 34
11	Questions (Standing Order 16.12)	

Minutes of a meeting of Essex County Council held at County Hall, Chelmsford on 13 October 2015

Present

Chairman: Councillor N Hume

Vice-Chairman: Councillor J F Aldridge

Councillors:

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

Prior to the meeting:**Prayers**

The meeting was preceded by prayers led by The Right Reverend Hugh Allan, o.praem. Prior of Chelmsford and Parish Priest of Our Lady Immaculate.

Public Questions

The Chairman welcomed two members of the public who had registered to speak.

- a) Ms. Cathie Joyce, a resident of Coggeshall.

'The new proposals contained within ESS/34/15/BTE include a reduction in the amount of recycling and an increase of 65% in the use of an Incinerator at Rivenhall airfield compared with the plans approved in 2010 following a Public Inquiry. Given that the radical changes now set out clearly constitute a fundamentally different proposition to that originally considered and approved, and not just a variation of the original planning permission, why is Essex County Council not insisting that the Company involved, Gent Fairhead, submit a new planning application for full and proper scrutiny rather than allowing it to short-circuit the process and avoid detailed examination of the potential impact on the local community, environmental damage and risks to public health?'

Ms Joyce presented a petition that was then passed by the Chairman to the Cabinet Member for Customer Services, Planning and the Environment.

The Chairman called upon Councillor Boyce, Chairman of the Development and Regulation Committee to respond.

Councillor Boyce thanked Ms Joyce for her question. He stated that the Council's lawyers have been asked to consider the question she raised and have advised that an application for a variation is in order and should be considered in the normal way. Council officers were currently looking at the proposal and a report will be prepared in due course. The officers will take into account the petition submitted today and all other representations received in response to the consultation on the proposals.

- b) Ms Jill Warnes, a resident of Chelmsford.

'May I respectfully bring to your attention the issue of the cancellation, from the end of this month, of the 47 bus that travels from the city centre to Broomfield Hospital, Chelmsford. Local people asked First Essex Buses to attend a public meeting to explain what was happening but they refused. They also refused to meet three of us to accept a petition signed by 647 people directly affected by loss of the service. These people use the bus for travel to work, school, the hospital, the town centre, the railway station and supermarkets. People outside the area use the 47 bus to visit friends and relations. As there is a great deal of local concern, may I ask if there is any further news on the tenders from alternative providers and what plans the County Council has if the tendering process is unsuccessful?'

The Chairman called upon Councillor Bass, Cabinet Member for Highways and Transportation to respond.

The Cabinet Member thanked Ms Warnes for her question and stated that, firstly, the Council was attempting to get First Essex Buses Ltd to agree a protocol under which any statutory notice period, for the withdrawal of a service, is extended voluntarily so that the County Council can react in a more measured way to an abrupt withdrawal of service such as this.

Secondly, he would like to assure Ms Warnes that the impact of the withdrawal of Route 47 by First Essex Buses Ltd is fully recognised by the County Council which is actively engaged in trying to find a viable replacement service. If this proves possible the Council will endeavour to ensure there is no break in service.

The Council also recognises the concern of many people who rely upon this bus and he would ensure that there would be an announcement as soon as possible. If support from the County Council was required then he would strive to provide that support from within existing and stretched budgets.

The Chairman formally opened the meeting.

The Chairman advised members that in the interest of improving accessibility to the Council's public meetings, this meeting would be recorded and broadcast live over the internet.

1. Apologies for Absence

Apologies for absence were received on behalf of Councillors W Archibald, B Aspinell, A Bayley, A Erskine, J Lodge, M Maddocks, A Naylor, P Oxley and A Turrell.

2. Declarations of Interest

There were no declarations of interest made at this point.

3. Minutes of the meeting held on 14 July 2015

Resolved:

That the minutes of the meeting held on 14 July 2015 be approved as a correct record and signed by the Chairman.

4. Chairman's Announcements

Essex County Council Apprentices

The Chairman announced that a number of Apprentices working in the Council's Corporate and Customer Services Function were present in the Public Gallery and he welcomed them to the meeting.

The Employee Network for Equality and Inclusion Award

The Chairman invited the Cabinet Member for Adults and Children, Councillor Madden, to present an award from the Law Society made to the Inclusive Communication Essex Resource Service (ICE) for their support for people across Essex with learning difficulties.

The Chairman accepted the award on behalf of the Council and congratulated all those involved.

Letter from Buckingham Palace

The Chairman informed Council that on 24 September he had sent a letter on behalf of the County Council to Her Majesty, Queen Elizabeth II congratulating her on becoming the longest reigning British monarch. He had received a reply that he shared with Council.

Appointments

The Chairman congratulated Margaret Lee, Executive Director for Corporate and Customer Services, on her appointment as President of the Society of County Treasurers in September 2015.

5. Presentation of Petitions

The Chairman received a copy of a petition that had been submitted to First Essex Buses concerning the No 47 Bus in Chelmsford, presented by Councillor Mackrory.

The Chairman passed the petition to the Cabinet Member for Highways and Transportation.

6. Executive Statement

The Leader of the Council, Councillor Finch, delivered an Executive Statement on the subjects of Devolution, Business Rates and changes to portfolio responsibilities.

7. Motions

1. Funding Support for Refugees

It was moved by Councillor Finch and seconded by Councillor Cutmore that:

‘This Council notes the Prime Minister’s announcement that the UK will accept up to 20,000 refugees direct from Syrian refugee camps and welcomes the positive approach taken by Essex Councils during the current crisis.

This Council notes that whilst Government funding is to be provided to cover this support it is for the first year only and will not cover the full costs of service provision.

This Council therefore calls upon the Government to fully fund the support to refugees and for the full five-year period.’

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

2. Review of Pothole Criteria

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

‘This Council notes that a pothole is a hole that is deeper than 50mm and wider than 75mm in any horizontal direction. Many of our residents have serious concerns about this definition and would like to see the depth and width criteria reduced.

This Council therefore calls upon the Place Services and Economic Growth Scrutiny Committee to undertake an urgent review of the County Council’s criteria for pothole repairs. The review should be tasked with looking into what impact any changes to the current criteria would have in terms of repair times, costings and improved resident satisfaction compared to what is currently on offer.’

Prior to the Motion 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 17 votes for, 47 against and one abstention.

Those voting for the Motion were Councillors:

J Abbott	M D Fisher	M Mackrory
K Bobbin	D Harris	M McGeorge
K Clempner	I Henderson	S Robinson
M Danvers	Mrs T M A Higgins	J Whitehouse
J A Deakin	M Hoy	J A Young
T Durcan	D J Kendall	

Those voting against the Motion were Councillors:

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

Councillor Pond abstained.

3. Adult Social Care

It was moved by Councillor Clempner and seconded by Councillor Danvers that:

‘This Council notes recent news from the CQC highlighting the care homes in Essex providing inadequate care and acknowledges that while some private sector homes provide excellent care, others without adequate funding and resources do not.

This Council therefore calls on the Government to provide a separate funding arrangement for social care, as it does with funding for education, which must be based on need and funded in line with anticipated demographic pressures facing Essex.

This Council also calls on the administration to lobby Government to ensure that caring is professionalised with appropriate national standards of training and skill acquisition.

Further the authority should lead the private sector by example and reopen its own local care homes to act as an exemplar and where possible be ready to take back failed homes into local authority control.’

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

4. Parking around Schools

It was moved by Councillor Le Gresley and seconded by Councillor Ellis that:

‘Parking problems around schools throughout the County are getting worse, increasing the dangers to our children and exacerbating conflicts between some parents and local residents that increasingly results in violence. No single agency, council, police or school is individually responsible for dealing with this situation, although they all have specific duties and are no doubt doing their best with available resources. What is needed is a holistic approach and leadership to co-ordinate all these different organisations so as to find the best combined solution to the problem and the discourse it engenders.

Essex County Council, as the senior partner, accepts this responsibility and resolves to reinstate the ‘School Travel Planning Team’ (disbanded in 2012), or some other such group within the Economic Growth and Development Department, to take the lead.

This team, in conjunction with County Councillors, who themselves have a key role in this area as community representatives, will be responsible for co-ordinating action and responses from the different agencies, including schools, whose responsibilities do not end at the school gates, to promote and develop ‘School Traffic Management Plans’, for each school location, that incorporate ‘School Travel Plans’, prepared and maintained by each school.

Suitable action is long overdue and this approach would be a cost effective initiative that will benefit the entire school system in Essex and serve to bring greater harmony between parents and residents as well as providing a safer environment for Essex children.’

Councillor Le Gresley, acknowledging that a statement on the subject from the Cabinet Member for Education and Lifelong Learning had been distributed around the Chamber, with the agreement of the seconder, Councillor Ellis, sought Council’s approval to withdraw the Motion.

Upon being put to the meeting, Council agreed to the withdrawal of the Motion.

5. Report of the Independent Remuneration Panel – the Members’ Allowance Scheme

Councillor Finch, the Leader of the Council, presented the report of the Independent Remuneration Panel on the Members’ Allowance Scheme and his response to the recommendations which had been circulated to all Members.

It was moved by Councillor Finch and seconded by Councillor Bass:

- (1) That the Council welcome the broad thrust of the IRP proposals, and particularly its recognition of the relative scale and complexity of issues which the Council faces.

- (2) That the Council's Independent Review Panel namely, Dr Declan Hall (Chairman), Elaine Oddie OBE and Mary Williamson be thanked for the excellent work they have done in reviewing the Council's Members' Allowances Scheme.
- (3) That the Council takes note of the very detailed findings of the Panel and its consequent recommendations.
- (4) That on the whole the Council endorse the findings and recommendations of the Panel, subject to the changes set out below:
 - That in the interests of simplicity and ease of calculation the Basic Allowance be set at £12,000
 - That the Leader's SRA be set at £54,000
 - That the Deputy Leader's SRA be set at £42,000
 - That a Cabinet Member's SRA be set at £36,000
 - That a Deputy to a Cabinet Member's SRA be set at £12,000
 - That the Chairman of the Scrutiny Board's SRA be set at £16,200
 - That the Chairman of an Overview and Scrutiny Committee's SRA be set at £13,500
 - That the Chairman of the Development and Regulation Committee's SRA be set at £13,500
 - That proposals be brought to a future meeting of the Council for a combined Audit and Joint Standards Committee
 - That the Chairman of the Audit and Joint Standards Committee's SRA be set at £13,500
 - That the Chairman of the Essex Pension Fund Strategy Board's SRA be set at £13,500
 - That the Chairman of the Council's SRA be set at £21,600
 - That the Vice-Chairman of the Council's SRA be set at £10,800
 - That the Leader of the Main Opposition Group's SRA be set at £16,200
 - That the recommendation in relation to indexation be not agreed and therefore there be no indexation of the Allowances as set out in the Council's Scheme of Allowances
 - That a modernised and efficient method for the provision of lunches to Members in the Members Area be developed, all such lunches to be paid for by Councillors through an account management or payment card system to avoid large volumes of small cash transactions; lunches will continue to be made available on County Council meeting days to all Councillors at their own expense, but on a much simplified buffet style basis.
- (5) That the changes to the Council's Scheme of Allowances be implemented with effect from 1 January 2016.

It was moved by Councillor Mackrory and seconded by Councillor Young that the recommendations be amended to read as follows:

'That the Council notes the detailed findings and recommendations of the Independent Remuneration Panel appointed at the request of the Leader of the Council to review the Council's Member Allowance Scheme. That the Council welcomes the broad thrust of the IRP proposals, particularly its recognition of the relative scale and complexity of issues which the Council and its members face.

That the members of the IRP, namely Dr Declan Hall (Chairman), Elaine Oddie, OBE and Mary Williamson be thanked for the excellent work they have done in reviewing the Council's Members' Allowances Scheme.

That the Council notes that a modernised and efficient arrangement for the provision of lunches to Members in the Members Area will be developed and agrees that all such lunches will be paid for by Councillors through an account management or payment card system to avoid large volumes of small cash transactions. Lunches will continue to be made available on County Council meeting days to all Councillors at their own expense, but on a much simplified buffet style basis. This will deliver a saving of approximately £22,000 per annum.

That the Council notes that the Leader will require any councillor who is appointed to an external body by the Leader or the Cabinet to forego any additional allowance payable by that other body if they are already in receipt of an SRA under the Members' Allowances Scheme.

That the Council notes that the Leader and other members of the Cabinet are likely to waive voluntarily their right to receive any overall increase in their total remuneration package that would otherwise be payable to them under the new scheme once agreed. The total value of the voluntary waivers made by the Leader and other Cabinet Members amounts to £24,178.

That the Council agrees all other recommendations of the Panel subject to the following:

1. In the interests of simplicity and ease of calculation, the Basic Allowance be set at £12,000 per annum.
2. The Special Responsibility Allowances set out in the IRP Report be agreed.
3. The Chairman of the Audit Committee will also chair the Joint Standards Committee from January onwards, for which no separate SRA will be payable.
4. The IRP recommendation in relation to indexation of member allowances is not agreed and there will be no indexation of the Allowances set out in the Member Allowance Scheme (this would have increased the cost of the IRP proposals by £15,043, assuming an increase of 1% pa).

5. The agreed changes to the Members Allowance Scheme be implemented with effect from 1 January 2016

and that the Monitoring Officer be authorised to amend the Council's Members' Allowances Scheme accordingly with effect from 1 January 2016.'

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

The amendment to the Motion having been put it was declared to be lost by 20 votes for, 43 against and one abstention.

Those voting for the amendment to the Motion were Councillors:

J Abbott	M D Fisher	D J Kendall
K Bobbin	K Gibbs	N Le Gresley
K Clempner	D Harris	M Mackrory
M Danvers	I Henderson	M McGeorge
J A Deakin	Mrs T M A Higgins	J Whitehouse
T Durcan	M Hoy	J A Young
M Ellis	J Huntman	

Those voting against the amendment to the Motion were Councillors:

J F Aldridge	A Goggin	D Louis
Mrs S Barker	R J Gooding	R A Madden
R L Bass	I Grundy	M McEwen
K Bentley	C Guglielmi	Mrs V Metcalfe
R G Boyce	A M Hedley	Lady Newton
A Brown	R Hirst	M J Page
M Buckley	P Honeywood	J W Pike
G Butland	R C Howard	Mrs J M Reeves
S Canning	N Hume	C Seagers
J Chandler	A Jackson	K Smith
P Channer	E C Johnson	J Spence
T Cutmore	J G Jowers	K Twitchen
D Finch	J Knapman	S Walsh
R Gadsby	S Lissimore	R G Walters
		A Wood

Councillor Pond abstained.

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

6. **Appointment of Head of Paid Service**

Councillor Finch, the Leader of the Council, presented a report concerning the appointment of the Head of Paid Service and reported that the recommended candidate was Mr Gavin Jones who was currently the Chief Executive Officer of

Swindon Borough Council. It was proposed that he be appointed at a salary of £195,000 a year to commence in January 2016.

Councillor Finch thanked those officers of the Corporate Management Board, Margaret Lee, David Hill and Kier Lynch who had undertaken additional duties in the interim period.

Resolved:

That Mr. Gavin Jones be appointed as the County Council's new Chief Executive and Head of Paid Service and the arrangements for the appointment of the interim Head of Paid Service agreed by Council in May be terminated with effect from the date on which the new Chief Executive takes up post.

10. Adjournment

With the agreement of Council the Chairman adjourned the meeting for luncheon at 13:18pm.

The meeting reconvened at 14:15pm.

11. Approval for Extended Absence

On behalf of the Council, Councillor Finch, the Leader of the Council was pleased to note that Councillor Pike had been present at the meeting and withdrew the report.

12. Council Issues

Councillor Finch, the Leader of the Council, presented the report of matters reserved to Council noting the changes to the membership of committees.

The Report of Council issues was received and adopted.

13. Cabinet Issues

Councillor Finch, the Leader of the Council, presented a report concerning matters considered by Cabinet since the last Council meeting. Cabinet Members responded to questions as follows:

- (i) Councillor Danvers asked Councillor Gooding, the Cabinet Member for Education and Lifelong Learning, regarding the establishment of new primary schools and specifically New Hall Farm Primary School, Harlow, if he considered it appropriate that an area should be served by a Free School where the pupils are likely to be taught by unqualified staff.

The Cabinet Member replied that the Council would be using its powers and influence to ensure that teaching standards in Free Schools were as high as possible and although there was a public perception that teaching in such schools was undertaken by unqualified staff this was not the case.

- (ii) Councillor Henderson asked Councillor Brown, the Cabinet Member for Communities and Healthy Living, if she would give an assurance that the £10.9m transferred to the Council from Government to be spent on the services noted in the report would be ring-fenced and so not spent elsewhere.

The Cabinet Member replied that she was looking forward to the Health Visitor Service being part of the County Council as from 1 October 2015 as well as the Family Based Service looking after young mothers under the age of 20. The total sum to be transferred was £21 million and will be part of the children's programme which will provide a good service to the people of Essex.

- (iii) Councillor Abbott asked Councillor Bentley, the Cabinet Member for Economic Growth, Infrastructure, Waste and Recycling, if the Administration now regretted retaining ownership of the SRF product as it was estimated that it would cost the Council £15m a year for disposal, a sum that is only marginally less expensive than landfill.

The Cabinet Member replied that he did not regret the decision. The Council was responsible for all waste disposal and the value of the SRF still represented a saving to the taxpayer compared to the cost of landfill that escalates over time.

The report of Cabinet Issues was received and adopted.

14. Scrutiny Annual Report

Councillor Walsh, Chairman of the Scrutiny Board, presented the Scrutiny Annual report. He paid tribute to the Cabinet Members and officers who had contributed to the work of Scrutiny throughout the year.

The report was noted.

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

The published answers to the 20 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:

- (2) Councillor Danvers asked Councillor Finch, the Leader of the Council, if he would comment on a reported 1,000 redundancies in Witham because of the Government's withdrawal of the subsidy for solar power whilst twice the value of that subsidy will now be provided for Bradwell Nuclear Power Station.

The Leader replied that he regretted any losses of jobs but this was a matter for Central Government. However, he was certain that the benefits and dis-benefits of both nuclear and solar power had been taken into account by the Government.

- (3) Councillor Danvers asked Councillor Madden, the Cabinet Member for Adults and Children, whether, if there are findings that correct payments have not been made to care workers would he consider backdating the recompense due.

The Cabinet Member replied that he would be guided by the recommendations of the review to which reference was made in the answer to the written question.

- (4) Councillor Harris asked Councillor Johnson, the Cabinet Member for Highways Maintenance and Small Schemes Delivery, how would the prior notice be given.

The Cabinet Member replied that signs would be erected to inform residents and there would be notices in the local press.

- (5) Councillor Harris asked Councillor Hirst, the Cabinet Member for Customer Services, Planning and the Environment, if he would pass on this Council's sympathy to those police officers who might lose their jobs in the forthcoming cuts and express that view to the Essex Police and Crime Commissioner.

The Cabinet Member, whilst noting that the recommendations for redundancies were directed at PCSOs as well as police officers, replied that he believed the matter of redundancy was still out to consultation but he would certainly pass on those sentiments to the Police and Crime Commissioner.

- (8) Councillor Young reiterated to Councillor Gooding, the Cabinet Member for Education and Lifelong Learning, the written question, i.e. if schools do refer to him, seeking to fine parents for lateness and it was found to be as a result of the new policy, would he take the new difficult journeys into account?

The Cabinet Member replied that he understood that some children were making difficult journeys. Attendance at school and lateness of arrival is the responsibility of parents and he wouldn't expect any school to take a different view. However, he would expect schools to take all factors into

account and not to refer a matter unnecessarily and use their judgement when considering these cases.

- (9) Councillor Henderson asked Councillor Madden, the Cabinet Member for Adults and Children, if he did not agree that the alternative provision for meals on wheels was a backward step (because of the amount of frozen meals that are to be used and the risk of fire in users' own kitchens) and by whom are the alternative hot meals provided?

The Cabinet Member replied that this measure was put in place whilst the whole provision across the County was examined. There were 141 service users very satisfied with the service provided. However, he requested that Members bring to his attention anyone in need but not receiving the assistance they required. He did not have information to hand concerning the details of the alternative providers but he would inform Councillor Henderson after the meeting.

- (10) Councillor Young asked Councillor Gooding, the Cabinet Member for Education and Lifelong Learning, if any analysis was being undertaken regarding the effect of free school meals being provided for early-years schoolchildren. With the rise of obesity amongst the young it seems important to attempt to retain the provision of a hot balanced meal particularly for those families receiving benefits.

The Cabinet Member replied that it was an interesting point that she had raised and with the significant number of families taking advantage of the provision of meals it may be possible to determine what might be the impact upon the obesity figures. He suggested that he meet with Councillor Young and the relevant Council officers at some later date in order to discuss the matter.

- (11) Councillor Le Gresley asked Councillor Bass, the Cabinet Member for Highways and Transportation, if he would support him in making a request, on behalf of a constituent, for a larger light shield outside of his property.

The Cabinet Member replied that he would do so.

- (14) Councillor Deakin asked, Councillor Johnson the Cabinet Member for Highways Maintenance and Small Schemes Delivery, if, pending a request for a dropped kerb, there could be an acknowledgement letter or email so that residents would know that their cheque had been received.

The Cabinet Member replied that he would look into this matter to ensure that such an acknowledgment was sent in future.

- (15) Councillor Mackrory asked Councillor Bass, the Cabinet Member for Highways and Transportation, as he had observed that last week on one day there were 200 to 220 available spaces in the Chelmer Valley Park and Ride site and on another occasion there were 187 available spaces,

and as there may be high demand for the Broomfield Hospital Shuttle-Bus Service, did he not think there may be a looming problem with capacity?

The Cabinet Member replied that the purpose of introducing the service as a pilot was to test its viability and the impact on capacity.

- (19) Councillor Abbott asked Councillor Bentley, the Cabinet Member for Economic Growth, Infrastructure, Waste and Recycling
- if he could confirm that in tonnage terms of the material that goes into the Basildon plant only 10% to 15% will be recycled?
 - as the Council has entered into long-term contracts with private operators to dispose of about 200,000 tonnes of SRF at a very high cost to taxpayers, is this not a disincentive to moving towards higher recycling levels?
 - why has he made no response on the key issue that burning such a large amount of material will immediately release carbon dioxide into the atmosphere and how is that compatible with the Council's environmental policies?

The Cabinet Member replied that

- the 'Tovi Eco-Park Facility' (to which Councillor Abbott had referred) is not a re-cycling plant. It takes the residual waste that remains after residents have taken the recyclable material out and then collected by the excellent kerbside collections by the Districts. So the plant is removing further recyclable materials from what would otherwise be residual waste.
- the tonnage of SRF to which Councillor Abbott had referred, and the cost of disposal, was in fact a saving to the taxpayer because if the Council carried on landfilling the waste the cost would be exponentially high rising year upon year. It is over £20m at the moment and this would continue to rise.
- he disagreed with the pollution emission figures as described by Councillor Abbott and he offered to look at the figures with him outside of the Chamber.

- (20) Councillor Abbott asked Councillor Bass, the Cabinet Member for Highways and Transportation, if his written response took into account full consideration of Braintree and Colchester's Local Plans? The timing of any consultations on routes would need to be synchronised with them and could the Cabinet Member give an assurance that any route options would not be affected by his personal views as stated in the press.

The Cabinet Member replied that this was dependent upon when the relevant local plans were finalised. The Council was working to a timetable that would be set out in the next few weeks and trying to achieve 'preferred route status' for the route of the A120 by 2017. The Council would wish to be very cognisant of the emerging status of those local plans in the consideration of any options.

Concerning the route options he was unable to express a personal preference as they have not yet been determined and he didn't know what they were. Once the route options became known there would be a consultation period during which, even if he had preferences, he would not express them.

14. Questions of the Leader of the Council, Cabinet Members and Committee Chairmen

1. Councillor Pond referring Councillor Bass, the Cabinet Member for Highways and Transportation, to page 11 of the minutes of the last meeting where reference was made to the repair of footways, asked what steps were being taken to plan this in detail. He speculated that if all 75 County Members were to identify footways in their Divisions requiring improvements there would be a considerable list.

The Cabinet Member replied that there was still an exercise being undertaken to classify and evaluate the County's footpaths. He would not wish to pre-judge what might be considered to be the priorities although those nearer to town centres or sensitive areas, where they are likely to be used by elderly people, are likely to feature.

2. Councillor Henderson asked Councillor Bass, the Cabinet Member for Highways and Transportation, for an assurance that in the winter months the street lights will continue to remain lit until 1:00am and to use his powers to keep them lit throughout the night on both Christmas and New Year's Eves.

The Cabinet Member replied that, Councillor Johnson, the Cabinet Member for Highways Maintenance and Small Schemes Delivery, would have the responsibility for this matter but he thought it was extremely unlikely that the late-night switch-off would revert to Midnight but the other issues would be a matter for Councillor Johnson to decide.

3. Councillor Howard asked Councillor Bass, the Cabinet Member for Highways and Transportation, if he was aware of the inter-agency group that was to meet on Tuesday to receive the report of the IBC reflecting upon the storm on Canvey Island on 20 July 2014 when some 4 inches of rain fell in an hour. He reported that since that time all the agencies had been working well together but was he aware that the report suggests that the actions of the utility companies, whilst undertaking repairs, damaged the water drainage system and caused flooding to thousands of people's properties.

The Cabinet Member replied that he would not wish to speculate in advance of seeing the report but he paid tribute to Councillor Howard for supporting the multi-agency approach led by the Leader and himself and for the work he did to ensure that the report was written.

4. Councillor Kendall asked Councillor Bass, the Cabinet Member for Highways and Transportation, what could be done to reassure or safeguard residents

as, under the latest bus consultation, there are talks of a move from 'gross contracts' to 'net cost contracts' the consequences of which are likely to be fare rises.

The Cabinet Member replied the majority of buses in Essex are run on a commercial basis and fares are determined independent of the Council. However, there are a small minority of services, often the most marginal and sensitive routes, that are supported by the Council. It was necessary to wait and see what the impacts are likely to be and what resultant need there may be for support from those supported services.

5. Councillor Butland asked Councillor Bass, the Cabinet Member for Highways and Transportation, if he would agree that, given at the last General Election the Green Party in the Witham and Braintree constituencies polled 3.7% of the vote and in the last Braintree District Council elections the Green Party came bottom in 12 of the 19 wards they contested, and in those same elections their representation on the District Council was cut in half, that it will be important to consult with the majority of people in Braintree about the route of the A120 and the majority of people support the Conservative Party and the Conservative-controlled Braintree District Council.

The Cabinet Member replied that he was aware that Councillor Butland and Braintree District Council are engaged very actively in consultation regarding preferred route status for the A120 and what they and Colchester Borough Council have to say would be taken very seriously. The A120 is a serious matter for this County and the views of all will be taken into account without regard to political party and on a wholly objective basis.

6. Councillor Whitehouse asked Councillor Johnson, the Cabinet Member for Highways Maintenance and Small Schemes Delivery, arising from the question asked of the Cabinet Member for Education and Lifelong Learning concerning parking issues around schools, if there was anything he could do to help closer working between Essex Highways and the North Essex Parking Partnership, the lack of which was delaying a resolution to this problem.

The Cabinet Member replied that he was happy to note the question as he was currently undertaking a review of both Parking Partnerships and one of the questions being asked is how there can be better communication between the 12 Highways Panels and the Parking Partnerships.

7. Councillor Young asked Councillor Bass, the Cabinet Member for Highways and Transportation, concerning road safety figures of children injured and killed on Essex roads, if he would look into this increase in accidents, as reported by Essex Police, and what the Council can do to make our communities safer.

The Cabinet Member replied that the Essex Casualty Reduction Board examined road casualty figures and examined individual cases to determine if the road or anything else was a contributory factor and as Chairman of the

Board, he assured Councillor Young that it was already taking action in the way that she had suggested.

8. Councillor Hoy asked Councillor Bass, the Cabinet Member for Highways and Transportation, if penalties were imposed upon the highways contractor Ringway-Jacobs if they failed to complete certain tasks and meet their targets and if the figures relating to these matters would be published.

The Cabinet Member replied that he would need further information from Councillor Hoy to determine exactly the issue but he believed that the Council published everything.

9. Councillor Henderson asked Councillor Johnson, the Cabinet Member for Highways Maintenance and Small Schemes Delivery, further to the question he had asked earlier of the Cabinet Member for Highways and Transportation, if he would use his powers to keep the street lights on throughout the night on both Christmas and New Year's Eves.

The Cabinet Member replied that he would consult with officers, take advice from Councillor Bass and then decide.

10. Councillor Kendall asked Councillor Gooding, the Cabinet Member for Education and Lifelong Learning, if there was any update on the bid for Prince's Trust Funding and if the Council were to be unsuccessful what contingency was in place to ensure the programmes go ahead.

The Cabinet Member replied that this was still work in progress and although confident of success there were contingency plans that he would be happy to explain to Councillor Kendall after the meeting.

11. Councillor Barker asked Councillor Finch, the Leader of the Council, concerning the previous debate about the Members' restaurant if he would consider bringing in a system whereby members could pay for teas and coffees as well as meals if they so chose.

The Leader replied that he would consider that suggestion.

12. Councillor Abbott asked Councillor Hirst, the Cabinet Member for Customer Services, Planning and the Environment

- if the Council would consider publishing responses from statutory consultees, representations and comments on planning applications and
- as there is an established principle that planning and regulatory matters are kept separate from procurement would he care to give his view of what would happen in principle if the planning department of this Council issued a briefing note that suggested that the Council could offer a contract to the site of that applicant.

The Cabinet Member replied that

- there is already a published summary of responses but he would consider the suggestion that the Council should publish all responses; and
- this is not a hypothetical question but arises from a practical example and it was not a planning officer who said that the Council would enter into a contract but it was a planning officer saying how this would be done if anything was taken forward.

15. Questions of the representative of the Essex Police and Crime Panel

1. Councillor Kendall asked Councillor Jowers, the representative of the Essex Police and Crime Panel, concerning the reduction of PCSOs from 250 to 60 across Essex, if he had been given any detailed information about the impact on specific areas and what representations had he made on behalf of the Council about the changes.

Councillor Jowers responded that because of funding the Essex Police Authority was going to have to make £68 million of savings. Essex has the lowest funded per-capita police force in the country. The Panel is not happy with the reductions in the numbers of PSCOs and serving police officers, it has made representations but understands the problem faced by the Police and Crime Commissioner. He believed the Police Commissioner had done an excellent job in the circumstances.

2. Councillor Knapman asked Councillor Jowers to acknowledge that it would have been better if there had been some form of consultation before closing police stations.

Councillor Jowers explained that he would wish it otherwise but the Police and Crime Commissioner derives his powers from the Home Office and they are such that he can take those decisions.

3. Councillor Harris asked Councillor Jowers to inform the Police and Crime Commissioner that there was a desire by the people of Shrub End, Colchester to retain the police station, if identified for closure, as an asset of community value.

Councillor Jowers said he would take the request to the Police and Crime Commissioner and support the suggestion.

4. Councillor Abbott asked Councillor Jowers to comment on the closure of Witham and Feering police stations, the Braintree police station where the hours have been cut and the news that it will be necessary to share resources with Uttlesford. He asked if it were not time that this Council and the Government admit that their previous claims that they were going to protect the police services was completely false.

Councillor Jowers responded that any support from any quarter to encourage Central Government to review the support grant would be welcomed. He had been reassured by what he had been told by the Police Constable and the Police and Crime Commissioner that the intention is to do a lot more for a lot less.

5. Councillor Fisher asked Councillor Jowers if it were not true that the Essex County Fire and Rescue Service had offered to share their accommodation in Kelvedon with Essex Police but that offer had been refused by the Police and Crime Commissioner.

Councillor Jowers replied that there was no secret that consideration was being given to the relocation of the Police HQ in Chelmsford and he believed that such an offer had been made but that the premises in Kelvedon, because of difficulties with access and egress were considered to be unsuitable.

16. To note the report of the Essex Fire Authority's meeting of 2 September 2015 and to ask questions of the Authority's representative

There were no questions and the report of the meeting of 2 September 2015 was received.

The meeting closed at 15:25.

Chairman
8 December 2015

Motions under Standing Order

16.11.2

1. Proposed Changes to Policing in Essex

Moved by Councillor Mike Mackrory and seconded by Councillor David Kendall

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;
- withdraw from dealing with matters such as long-term neighbourhood disputes, low level anti-social behaviour and parking issues;
- 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).

2. Impact of Service Cuts

Moved by Councillor Ivan Henderson and seconded by Councillor Julie Young

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 is improved.

3. Community Covenant

Moved by Councillor David Finch and seconded by Councillor Derrick Louis:

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.

4. Fair Funding for Community Policing

Moved by Councillor James Abbott and seconded by Councillor Michael Hoy

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.

Appointment of Interim Head of Paid Service

1. Appointment of Interim Head of Paid Service

Section 4 of the Local Government and Housing Act 1989 provides that it is the duty of every authority to designate one of its officers as the head of its paid service and to provide that officer with such staff, accommodation and other resources, sufficient to allow him to perform his duties. Under Article 4.4 of the Constitution, Council designates the Chief Executive as Head of the Paid Service under Section 4 of the Act.

In May, Council was advised of the arrangements in place for the recruitment of a Chief Executive following the resignation of Joanna Killian and agreed that the statutory role of Head of the Paid Service be discharged by the Council's current Executive Directors on a rotating basis pending the new Chief Executive taking up the appointment.

In October Council agreed to appoint Mr Gavin Jones, currently Chief Executive of Swindon Borough Council, as the new Chief Executive and Head of Paid Service and to terminate the interim Head of Paid Service arrangements with effect from the date on which he takes up post. It has been confirmed that he will take up the post with effect from 20 January 2016.

The interim Head of Paid Service role was due to transfer from Mr Dave Hill, Executive Director for People Commissioning, to Mr Kier Lynch, Executive Director for Strategy, Transformation and Commissioning Support, with effect from 1 December 2015. Given that Mr Lynch is moving to a new post outside of the Council it is considered most expedient for Mr Hill to continue in the post of Interim Head of Paid Service until Mr Jones takes up post. It is, therefore,

Recommended:

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

Council Issues

1. Appointment of Chairman of the Standards Committee

At the last meeting, as part of its response to the Report of the Independent Review Panel on Members Allowances, Council agreed to the deletion of the Special Responsibility Allowance for the Chairman of the Standards Committee from the Members Allowances Scheme on the basis that this role would be combined in an enhanced role for the Chairman of the Audit Committee. The new arrangements come into effect on 1 January 2016. It is therefore

Recommended:

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.

2. Dates of Future Meetings

Dates for future Council meetings have been agreed for Tuesdays 9 February (Budget) and 10 May (Annual) 2016. It is proposed that dates now be agreed for meetings up until May 2017.

Recommended:

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 am.

The Leader's Report of Cabinet Issues

1. Establishment of new Schools

Smith's Farm, Great Dunmow

Cabinet was informed of the growing demand for additional primary school places in Great Dunmow and gave its approval to publish a specification inviting proposals to establish a new 210-place (1 form of entry) primary free school and a 26-place Early Years provision on the Smith's Farm development in Great Dunmow from September 2018 for the purpose of primary school education and Early Years provision in order to accommodate population growth in the area.

Beaulieu Park, Chelmsford

Cabinet was also informed of the growing demand for additional primary school places in Chelmsford and gave its approval to publish a specification inviting proposals to establish a new 420-place (2 form of entry) primary free school and a 56-place Early Years centre on Beaulieu Park from September 2018 for the purpose of primary school education and Early Years provision in order to accommodate population growth in the area.

2. Changes to funding for Housing Related Support-funded Older Peoples' Services

The Council has a number of Housing Related Support contracts in place with a range of providers (including district councils, housing associations and charitable trusts) to contribute to the costs of older peoples' services – sheltered schemes and community alarms. Cabinet agreed funding changes from April 2016 which will reduce the revenue spend by £1.445m per annum.

Linked to this, discussions will take place with providers about the future range of services and funding from April 2017.

3. Highways Asset Management Policy and Strategy

Cabinet adopted new Highway Asset Management Policy and Strategy documents.

Cabinet was informed of the importance placed on Asset Management by the Department of Transport and its imminent plans to reduce highway maintenance funding for those Authorities who cannot demonstrate they are following Asset Management principles.

Cabinet was made aware of the benefits of following good asset management principles when treating or repairing highway assets and gaining maximum benefit from the limited Central Government funding received.

4. Getting Around in Essex: Procurement of New Local Bus Network

Most contracts for the provision of the County Council-supported public bus network expire on 26 March 2016. The remaining contracts expire in March 2017.

In June 2015 the Cabinet authorised the Passenger Transport team to undertake an exercise to review the supported bus network in line with the ambition to deliver a bus network that maximises the contribution buses make to the Council's seven outcomes, while offering good value to the taxpayer.

This review has been completed and a new network has been designed. This has been the subject of public consultation.

Cabinet agreed to the revised bus network that will be supported and commissioned by the County Council and to tender for this in two phases. The Cabinet Member will make the decision on the award of contracts.

Cabinet also approved the revised Local Bus Service Priority Policy 2015 to 2020, that sets out how the County Council will support local bus services in future and what priority will be given to supporting different types of service.

Councillor David Finch
Leader of the Council



Essex Fire Authority

Report to the Constituent Authorities of the meeting on 7 October 2015

1. Independent Cultural Review of Essex County Fire and Rescue Service

The Authority has considered its formal response to the findings and the recommendations made within the report of the Independent Cultural Review of Essex County Fire and Rescue Service conducted by Irene Lucas, which had been received by the Authority at its last meeting on 2 September 2015.

One of the principal recommendations made in the report concerned the appointment of an external Expert Advisory Panel to provide strategic advice to the organisation for the next 24 months. Ms Lucas had made subsequent recommendations in relation to the structure and make-up of the Panel, and the Authority also considered its formal response to these.

The Authority agreed to accept in full the 35 recommendations contained within the Independent Cultural Review report. The Acting Chief Fire Officer was instructed to produce an Implementation Plan for future consideration by the Authority, and to report progress to every meeting of the Authority for a minimum of 24 months.

The recommendations made by Irene Lucas for the core membership of the Expert Advisory Panel were accepted, and appropriate authority was delegated to certain groups of members and individual officers to facilitate the following:

- The appointment (upon the advice of the Expert Advisory Panel Chairman) of further appropriate experts in their field, together with appropriate logistical support for the Panel;
- The negotiation of contractual terms with the core members of the Expert Advisory Panel, and any expert advisors and logistical support, as deemed appropriate;
- The provision of governance, oversight and scrutiny to the delivery of the work programme required to improve the culture within ECFRS; and
- The discharge of executive powers with respect to two of the Review report's recommendations, relating to a review of the organisation's hierarchical structure and the taking of disciplinary action.

Finally, the Authority set aside a budget of up to £400,000 over the next 24 months to fund the processes required to support the implementation of the report's recommendations.

In agreeing these actions, the Authority emphasised the need for all Members to take responsibility for implementing the Review's recommendations.

2. Results of First Stage Integrated Risk Management Plan Consultation

The Authority has considered the response to the first of a two-stage consultation exercise seeking views from staff, the public and partner organisations on the future role and priorities of Essex County Fire and Rescue Service. The views expressed will influence the development of an Integrated Risk Management Plan (IRMP), Service Strategy and Change Programme for the Authority for the period 2016 – 2021, and support a service redesign to enable the Authority to meet the challenges it faces in the years ahead.

In the light of the views expressed during the consultation, it was agreed that the following specific proposals to deliver activities should be included in the IRMP:

- a. Delivery of safety messages to every school child in Essex;
- b. Ensure there is a working smoke alarm in 100% of households;
- c. Working with partner agencies in meeting the social needs of the vulnerable members of our communities;
- d. Supporting the installation of systems such as sprinklers for the protection of buildings and occupants; and
- e. Working with drivers and riders to reduce the number of people killed or injured on the roads.

The following actions were also agreed:

- a. To include specific proposals within the IRMP for investment in new technology to support the response to fire and other emergencies;
- b. To adopt in the IRMP the proposed response standards for all incidents and potentially life-threatening incidents and use these to develop proposals for the next stage of the consultation;
- c. To bring forward proposals for changes which result in a reduction in operational resources; and
- d. To use the options criteria proposed within the consultation to decide on proposals for the future.

The second stage of the consultation will take place later in 2015, with the outcome to be considered at an extraordinary meeting of the Authority in January 2016.

3. Enabling Closer Working Between the Emergency Services

The Authority has agreed its response to the consultation by the Government on proposals to enable closer working between emergency services, and to allow for Police and Crime Commissioners to take over responsibility for the fire and rescue service in certain circumstances.

The Authority is firmly committed to the principle of collaboration, and our response to the consultation began by detailing the range of joint activities which is already being undertaken with Essex Police and the East of England Ambulance Service, and identifying a number of potential areas of future joint working between Police and Fire. We then provided a specific, detailed response to each of the 16 consultation questions, commenting on how certain proposals may work if implemented, and expressing our reservations where appropriate. Our response to the penultimate consultation question, seeking views and comments that were not covered by the other questions, is set out below:

“The Fire Authority does not support the one sided approach to changing responsibility set out in the consultation document. The arrangements presented may well be appropriate where there is local agreement that the delivery of the fire and rescue service would improve if responsibility transferred to the Police and Crime Commissioner. The Essex Fire Authority does not believe that this is the case in all areas and that where such a doubt exists the process should be equitable to all parties, and that fire and rescue authorities should have the opportunity to defend the present structure and propose alternative ways of delivering the expected benefits outlined.

In addition, the Authority believes that there should be a review process to ensure that the benefits claimed in the business case put forward by Police and Crime Commissioners are delivered in accordance with clear and reasonable timescales.”

In authorising the Finance Director and Treasurer to submit the consultation response on its behalf, the Authority also requested that the views of stakeholders on the possibility of a merged service be sought as part of the next stage of consultation on the Integrated Risk Management Plan (item 2 above refers).

Councillor Anthony Hedley
Chairman

