

ESSEX COUNTY COUNCIL MEETING

8 December 2015

Answers to Written Questions (standing order 16.12.1)

Agenda Item 11 (a)

1. By Councillor Whitehouse of the Cabinet Member for Transport, Planning and the Environment

‘What is the County Council doing to expand provision of publicly accessible electric car charge points in Essex? In particular what is the County Council doing to assist residents who are unable to charge electric cars at home (because they do not have off-street parking) and would like to benefit from the grant fund for residential on-street charging for plug-in vehicles administered by the Government's Office for Low Emission Vehicles (OLEV)?’

Reply

‘There are currently 104 electric charge points across 42 sites in Essex with 89 of those charge points free of charge (dependent on ownership of an access card – e.g. Source East, Source London, Tesla, Ecotricity etc.) and 15 points where charges may apply. Of those 104 charging points, 17 are rapid (able to provide an 80% charge in around 30 mins), 69 are fast (can fully recharge some models in 3-4 hours) and 18 slow (can recharge in 6-8 hours during the day or overnight).

As part of the "Charge Ahead" project, managed by the Environment Team at Essex County Council, rapid chargers have been installed in:

Lord Butler Leisure Centre	Saffron Walden, CB11 3EG
George Yard Shopping Centre	Braintree, CM7 1RB
Colchester United's Weston Homes Community Stadium	Colchester, CO4 5UP

These chargers can re-charge cars in around 20 to 30 minutes. There are currently no plans for further installations.

The Government's Office for Low Emission Vehicles is offering local authorities the opportunity to sign up to a scheme for funding for residential on-street plug in vehicle charge points. Residents who do not have off-street parking where they can install an electric car charge point can contact local councils taking part in this scheme and request a location for a charger installation to be considered.

The County Council has chosen to not yet sign up to this scheme as we have not been specifically asked to provide one and we are not convinced that, as yet, there is a large demand for on street electric charging. It is felt that we could not commit valuable public resources into infrastructure that would not be used. If we were convinced that the chargers would get regular use and would bring income back in to the County Council, we would consider making the investment. That investment would need to consider the issue of vulnerability to vandalism and accidents and the identification of areas of highest potential usage. We would need to give careful consideration to the placement of on road chargers so that they serviced as many users with no off-road access to chargers as possible.'

2. By Councillor Maddocks of the Cabinet Member for Economic Growth, Waste and Recycling

'With regards to his trip to China, would he confirm how much council taxpayers money was spent on that recent trip?'

Reply

'Many thanks for your question.

The total expenditure of my recent trip to Jiangsu Province in China was £1,827 and I'm pleased to report that as a result of the trip I was able to secure verbal commitments for contracts worth approximately £150,000 for 2016/17, of which around £63,000 directly goes to the County Council, as well as garnering interest in Essex International Programmes with the potential to bring in an additional circa £300,000 to Essex, of which up to £90,000 could go directly to the County Council. I was also able to use the trip to help towards securing an investment in a UK-Jiangsu business hub here in Chelmsford which could contribute up to £1.2m to the Essex economy every year if realised.

Jiangsu's economy created over 10% of all of China's GDP last year, making it the equivalent size to Saudi Arabia. Our links with Jiangsu are often cited by Ministers and Ambassadors in the UK and China as an important business, cultural and education link. An independent assessment recently found that over the last five years that the Essex International team, that manage this important relationship, brought in an additional £12.48m of expenditure into the Essex economy, created 142 jobs and added £13.64m in value to the economy – which is £11.31 for every £1 we put in. This, without even considering the other benefits such as Essex-Jiangsu school and cultural projects.

I'm proud that Essex is once again leading the way with this important relationship and I'm very pleased to report that we continue to deliver excellent value for the taxpayers of Essex. This is one more example of how Essex means business.'

3. By Councillor Goggin of the Cabinet Member for Finance

'Based around next year's budget can the portfolio holder advise the intended overall expenditure for the County Council?

Can this be shown between revenue and capital?

Can the portfolio holder advise what amount in sterling and as a percentage of the spend is provided from the domestic ratepayers of Essex?'

Reply

'The 2016/17 budget is still in draft as we are currently analysing the full implications of the CSR and the exact impact on the County Council won't be confirmed until we get the settlement in December, after which we can finalise our expenditure plans. Therefore we can't quote the intended overall expenditure for the County Council at this stage; however I have set out the 2015/16 position below.

2015/16 County Council Budget

Our 2015/16 original revenue net budget is £926.6m (gross budget is £1,778.8m).

Our 2015/16 original capital budget is £272m.

2015/16 Council Tax Income

In 2015/16 we budgeted for £539.1m of council tax income which equates to 58% of our net revenue budget, or 30% of our gross revenue budget.'

4. By Councillor Kendall of the Cabinet Member for Transport, Planning and the Environment

‘The Buscard Scheme that the County Council operates for young people aged 16-24 is only accepted on a small number of bus services across the County, but it is helping to greatly reduce the travel costs for a number of young people attending colleges and working on apprenticeship schemes. Would the Cabinet Member please highlight what plans he has in the pipeline to extend the Buscard to even more bus routes across the County so that many more of our young people can benefit from the scheme?’

Reply

‘Affordable bus travel is essential in order to support people’s lives and a thriving economy. The BusCard was introduced as a limited offer for Essex County Council Village-Link services. As 85% of the bus network is entirely commercial, I would look to the bus operators in the first instance and I will raise this with them at the next meeting of the Bus Strategy Board in January. As you are aware, we have only a finite amount of resource for supporting our bus network. So supporting discounts for certain groups, although a very positive move would need to be funded by reducing supported bus routes elsewhere. This is not currently an option I would wish to pursue, certainly having only recently consulted on our overall bus strategy earlier this year. However, I will continue to keep this under review.’

5. By Councillor Kendall of the Cabinet Member for Highways Delivery

‘Over the last five years, how many new speed cameras have been installed on Essex roads and where are they located?’

Have all the installations fully met the requirements of the Speed Camera criteria?’

Reply

‘There have been no permanent speed camera installations erected on roads for which Essex County Council is the Highway Authority in the last five years.’

6. By Councillor Robinson of the Cabinet Member for Highways Delivery

'Persimmon Homes were given planning permission for 135 dwellings east of Patching Hall Lane, Chelmsford on 7 February 2012. Under a S106 agreement, they were required to improve the junction of Patching Hall Lane and Broomfield Road (by The Parade) before occupation of the 35th home. They missed their planned dates of doing this in the Spring, in April and in August. Most of the houses are now complete.

I have raised this with Highways by contacting the local Highways Liaison Officer and chased up via Member Enquiries, but no date for action has been forthcoming. I understand from Chelmsford City Planners that they need to be told by Essex Highways that the condition has not been met before they can enforce it.

When will Essex Highways ensure this work takes place? More generally, will Essex Highways improve the enforcement of S106 agreements?'

Reply

'Officers have met with Persimmon Homes and there is now an agreed start date of 1 June 2016. Due to the sensitive location of this site and the potential impact that works would have on the network there has been a regrettable delay to the start of this scheme but I can now confirm that June 2016 has been agreed by all parties to be the most appropriate time to carry out the works.

Essex Highways works closely with all developers to ensure that any enforcement is carried out in an appropriate and proportionate manner.'

7. By Councillor Turrell of the Cabinet Member for Highways Delivery

'Essex Highways is the guardian of our roads and pavements. Why, therefore, is Essex Highways allowing Utility Companies to leave pavements and roads in such a poor state? My Division is fast becoming a patchwork with uneven pavements and bumps on the roads which eventually become faults that need repair, leading to more cost for our residents.

Will Essex Highways look at this issue with a view to raising the standard and increasing inspection when Utilities dig up our roads and pavements?’

Reply

‘Essex Highways does not allow utility companies to leave our roads and pavements in a poor state. Rather, Essex Highways plays a full and active role as guardian of Essex’s roads and footways. It makes full use of the powers available to it through the New Roads and Streetworks Act 1991. This Act provides Essex County Council with the power to inspect works and hold utilities companies to account for any remedial actions. It also sets out all required standards for all reinstatement works and the guarantee period for these works (two years for any opening less than 1.5m in depth and three years for any opening that exceeds this depth). Essex County Council - in common with all highways authorities in England - must follow these national standards and is not permitted to set its own independent standards.

All Essex residents should be assured that, where the work of utility companies impacts on roads and pavements, these companies are responsible for all remedial works and for meeting their costs in full. In any case where Essex Highways has to make emergency repairs, the cost of these is fully charged to the utility company. Where roads and pavements are private or unadopted, the responsibility for ensuring the works are completed to safe and acceptable standards lies with the landowner.’

8. By Councillor Gadsby of the Cabinet Member for Communities and Healthy Living

‘After a year in operation, how well has the Community Agents programme worked with what it is set out to do?’

Reply

‘The Community Agent scheme is an innovative partnership between the County Council and the voluntary sector that came about in direct response to the Who Will Care? Commission. Funded by Essex County Council, the County-wide scheme is unique in many ways. It is the first time the four voluntary sector organisations: The Rural Community Council of Essex; British Red Cross; Age UK Essex and Essex Neighbourhood Watch have worked

together with County Council officers to help manage increasing demand on health and social care services.

Since July 2014, the scheme has helped older people and their informal carers remain living at home for longer by offering help before needs reach crisis level - these are people most likely to need a social care package in the near future. Agents visit people in their own homes and through a structured conversation, support them to work out what it is that they want to change – agents focus on improved outcomes.

A year in, the scheme has already helped over 4,447 people, many with far more complex needs than first envisaged. Over 90% are still living comfortably at home. That means better outcomes for residents, smarter use of resources, cashable savings through reduced assessment costs and social care packages and a real partnership success story.

How to refer a person to a Community Agent:

- Direct telephone: 0800 9775858 or 01376 574341
- Email: enquiries@caessex.org.uk

9. By Councillor Le Gresley of the Leader of the Council

‘On 14th October 2014 a motion was carried by Full Council stating that it will not support Local (Development) Plans unless adequate resources are identified to ensure that sufficient infrastructure, including roads, schools, medical facilities, parking, sewerage and drainage, are provided in a timely manner. This was endorsed by a further motion carried by Full Council on 9th December 2014.

(1) Have procedures used by officers been updated to reflect this new Council policy?

(2) On how many occasions since October 2014 has the Council, including Essex Highways, objected to Local Council housing development plans throughout Essex, stating its requirements for support, in accordance with this new policy?’

Reply

‘I thank Councillor Le Gresley for his question and for the opportunity to reaffirm our commitment to support city, borough and district councils in their development of their local plans to ensure that sufficient infrastructure is provided.

(1) I am happy to report that procedures have indeed been put in place as a response to the motion to which the member refers and I provide specific examples below.

In order to assist in delivering one of our key outcomes to ensure sustainable economic growth, officers engage actively, constructively and on an on-going basis, with Essex borough, city and district councils throughout all stages of the Local Plan preparation process to ensure sufficient infrastructure is provided to support the specified housing and employment growth. Each stage of Local Plan consultation also requires County Council Member endorsement and subsequent Cabinet Member Action.

As Councillor Le Gresley will be aware, the County Council's response to Local Plans must be framed by Government policy contained in the National Planning Policy Framework, the supporting Planning Policy Guidance, and the evidence prepared by districts. Responses therefore reflect our role as the Highway Authority, including responsibility for the delivery of the Essex Local Transport Plan and local highways projects; Local Education Authority; Minerals and Waste Planning Authority; Lead Local Flood Authority; and major provider of a wide range of local government services throughout the County of Essex.

Finally, County Council officers provide commentary on Infrastructure Delivery Plans (which need to support a Local Plan) as this demonstrates when infrastructure will need to be delivered. In fact, officers are actively involved in contributing to the preparation of such documents to ensure the County Council's interests are covered.

I hope this answer assures Councillor Le Gresley that we have acted on the aforementioned motion and that our procedures to ensure adequate infrastructure provision for housing development are now very comprehensive.

(2) I am pleased to inform the member, and trust he will be glad to hear, that to date there has been no occasion where the County Council has had to object to a Local Plan.

This is a tribute to the close working relationships the County Council has with borough, city and district councils. Any such issues that could be seen as grounds for fundamental objection would have been resolved prior to consultation.'

10. By Councillor Erskine of the Cabinet Member for Transport, Planning and the Environment

‘Subsequent to the Council assuming responsibility for dealing with certain matters under s.25 of the Land Drainage Act 1991 and the publishing of its Enforcement Protocol in February 2015;

- (1) On how many occasions has this Protocol been used to successfully deal with flooding caused by ordinary water courses on private land?
- (2) How many ‘Compliance Notices’ have been served?
- (3) How many prosecutions and debt recovery processes have been instigated?
- (4) How many cases are still outstanding?’

Reply

‘(1) This Council’s enforcement policy and protocol is applied to every single enquiry or investigation we receive. Having the policy and protocol in place has given officers the confidence to apply a rationale to our decision making and the ability to reach an informed and defensible outcome, therefore the policy is applied 100% of the time with a 100% success rate regardless of the final decision. This Council has dealt with 161 land drainage maintenance enquires since February 2015 and, as previously mentioned, applied the enforcement protocol to all maintenance enquiries.

(2) Since the enforcement policy and protocol have been adopted no formal notices have been served. The policy and protocol has given the Council flexibility to address issues using a more informal friendly approach whilst retaining the power to serve a notice should all other forms of negotiation fail to produce a suitable outcome.

(3) There have been no cases taken to prosecution since the policy and protocol have been in place as we have been able to apply the process set out in our protocol and successfully negotiate any necessary works with the riparian land owners. Prior to having the enforcement policy and protocol one prosecution case was taken to court, which was unsuccessful. The lessons learnt from this unsuccessful prosecution helped produce our current set of policies and protocol’s and we feel that should a case be taken to court Essex County Council will be in a very strong position.

4) After reviewing our records, I can confirm that there are currently 5 live enforcement cases with the Council’s Watercourse Engineers. I cannot confirm as of yet whether formal notices will need to be issued, but will continue to work with the riparian landowners to resolve these matters informally.’

11. By Councillor Henderson of the Cabinet Member for Infrastructure

‘In a recent ‘Place Services and Economic Growth Scrutiny Committee meeting, it was revealed that since contract negotiation with Ringway Jacobs, 58 of the required KPIs (key performance indicators) have been subsequently withdrawn. This drops the total from 115 KPIs in the 1st year of contract, to 57 currently. Is the portfolio holder able to provide to members details of which KPIs have been removed?’

Reply

Yes. We promised this to the Scrutiny Committee in the New Year and I am happy to provide details to all Members.

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

‘With the incoming proposal to extend free childcare provision to 30 hours per week, can the portfolio holder confirm that Essex services have the places to meet demand?’

Reply

‘The extension from 15 hours to 30 hours Free Early Education Entitlement (FEEE) for 3 and 4 year olds will not be implemented in Essex until September 2017.

Childcare across the County is run by a mixture of private, voluntary, independent and maintained providers including pre-schools, day nurseries, childminders, maintained nursery schools, nursery classes in primary schools, nursery units in independent schools; currently offering 42,937 childcare places.

At this point in time it is not yet known if there will be sufficient childcare provision across Essex to meet the demand for an increased FEEE offer from 15 hours to 30 hours for 3 and 4 year olds from September 2017.

However, a Countywide childcare sufficiency analysis is undertaken on a termly basis which provides full details on any gaps in childcare places, and this includes information on availability of FEEE places.

Across the county there are currently some areas without sufficient places and strategies are in place to address these shortfalls. These include:-

- a capital grant being offered to the childcare sector to increase the number of FEEE places for eligible 2 year olds and this has resulted in 636 new places being developed in areas of need;
- a capital grant process is being developed to offer childcare providers funding in areas subject to significant housing development, utilising the Section 106 funding received by the Council, to create new childcare places. Any grant awarded will be based on the childcare provider offering FEEE for 2, 3 and 4 year olds and the requirement to offer 30 hours for 3 and 4 year olds from September 2017;
- a capital grant as part of the Council's basic need planning to offer schools and / or childcare providers to develop new childcare places in schools or on school land where schools are relocating, expanding or new schools are being built. Any grant awarded will be based on the childcare provider offering FEEE for 2, 3 and 4 year olds and the requirement to offer 30 hours for 3 and 4 year olds from September 2017.

Additionally, Early Years and Childcare officers are currently undertaking a series of workshops on a district wide basis to meet with childcare providers to discuss the Free Early Education Entitlement funding, and this includes the move to 30 hours for 3 and 4 year olds from September 2017 and any impact this may have, to enable early planning of a robust strategy to address any issues. Workshops have taken place in Chelmsford, Colchester, Harlow and Basildon so far with 200 childcare providers attending. The remaining workshops are being planned for the New Year.'

13. By Councillor Harris of the Cabinet Member for Communities and Healthy Living

'What impact has there been on non-emergency home to hospital transport as a result of cuts to the public health budget?'

Reply

'There has been no impact on non-emergency home to hospital transport as a result of the cuts to the public health budget.'

14. By Councillor Danvers of the Cabinet Member for Corporate Services

'Would the Portfolio Holder for Libraries comment on the future status of Harlow Central Library? Are there any short term or long term plans to reduce the area of the library and accommodate the local Register Office?'

Reply

'Thank you for your question Councillor Danvers.

Proposals to relocate the Harlow Register Office from its current location to Harlow Central Library to create a "single front door" and improve the customer experience for residents is based on the successful model developed at a number of locations including Witham Library. These proposals were emailed to all Harlow Divisional Members on the 25th November for their comment.'

15. By Councillor Danvers of the Leader of the Council

'With the extensive public consultation being carried out by EDF over the proposals for a new Nuclear power station at Bradwell will the Leader of the Council explain what steps will be taken to ensure the safety of the people of Essex to this unknown and untried Chinese technology.'

Reply

'I thank Councillor Danvers for his question on this very important matter for the County, and indeed, the Country.

The potential development of a new power station at Bradwell presents Essex with an exciting opportunity to provide jobs, training, and economic growth for our community.

I fully understand the safety concerns that some people will have. However, it is not accurate to suggest that the technology, which is based closely on reactors already used safely and effectively around the world, is unknown and untried.

By way of context; on October this year EDF Energy and their partner China General Nuclear Power Corporation (CGN), announced that they are intending to develop three new nuclear power stations in the UK, subject to receiving the appropriate consents and permissions.

This would start with Hinkley Point C in Somerset, followed by Sizewell C in Suffolk and finally Bradwell B in Essex.

Both Hinkley Point and Sizewell power station projects would be built with UK-EPR nuclear reactors, a third-generation pressurised water reactor similar to the existing Sizewell B.

CGN and EDF Energy are intending to develop Bradwell B with UK-modified Chinese technology, another third-generation pressurised water reactor called a Hualong, again very similar to Sizewell B and the UK-EPR reactors being proposed at Hinkley Point C and Sizewell C.

Bradwell B, the least advanced of the three projects, is currently at a pre-planning stage, meaning that no plans have been produced, which will likely take several years to progress to detailed proposals.

The UK's nuclear safety regulator, the Office for Nuclear Regulation (ONR), will ensure that EDF and CGN demonstrate that they meet strict compliance requirements for safety and security.

The UK has among the highest nuclear safety standards in the world and the County Council will seek to engage with the rigorous process of review, assessment and challenge that the Government conducts to ensure that the safety for the people of Essex remains paramount at every stage.'

16. By Councillor Bayley of the Cabinet Member for Transport, Planning and the Environment

'Given that, in April 2012 the Council assumed sole responsibility for dealing with matters under s.25 of the Land Drainage Act 1991, relating to the regulation of Ordinary Water Courses and has established a protocol for the purpose;

(1) has the Council established a database and map identifying the location of such Water Courses, together with their riparian ownership?

(2) where residents are being affected by flooding due to such Water Courses, that also affect Essex Highways infrastructure, should it not be the responsibility of the Council to identify riparian ownership rather than offloading such duty to our residents, which seems to be the current policy?'

Reply

'(1) Yes, the County Council as the Lead Local Flood Authority has a statutory duty under section 21 of the Flood and Water Management Act 2010 to maintain a register of structures or features which are likely to have a significant effect on flood risk. This Council has a new data base system which will over time map the asset records of Essex.

By way of prioritising this huge task, the Flood and Water Management Team have begun collecting data for our asset register in areas with a history of flooding, or key risk areas identified within our Surface Water Management Plans. Understanding that Parish Councils and local communities are also a vital source of information, we are leading a unique community project called 'Where does water go?'. This provides willing volunteers with OS mapping, survey materials and a training guide enabling them to map the location, condition and dimensions of any flood assets in their local area. Parish councils, ramblers groups, Essex Wildlife Trust river wardens and flood action groups are now using these resources. We then digitise any asset data provided. Our asset database has recently been published online and can be viewed on a map at www.essex.gov.uk/flooding.

(2) Depending on the nature of the flood, an investigation will be led by the Flood and Water Management Team or Essex Highways. The Flood and Water Management Team focus on strategic priorities for managing risk to people and private property. Typically local non-highway flooding of private land forms our case load. Following our enforcement policy and protocol, where a case requires our intervention, the Flood Team will certainly carry out land registry searches in order to identify relevant responsible landowners. This is not something that we ask or expect landowners to do for themselves. Although, at the early stages of engagement, we may ask whether customers are aware of land ownership, or indeed if they have spoken with neighbouring landowners about ditch maintenance issues. However, we understand that this can be difficult and are here to assist in identifying those responsible.

Essex Highways are currently running a pilot exercise in Maldon District to address highway enforcement issues. In this regard in relation to Flooding this highway enforcement team are using the delegated powers given to the Lead Local Flood Authority and complying with the same principles as the enforcement protocol. As this Highway Enforcement is a pilot project highway enforcement is not being pursued in the same way for other parts of Essex.'

17. By Councillor Smith of the Cabinet Member for Highways Delivery

‘Within my Division there is now a growing number of missing kerbstones. They are noted but given a low priority and without any foreseeable repair date.
At the setting of the 2015/16 Annual Budget, will funds be put aside to repair and replace damaged or missing kerbstones?’

Reply

‘All missing kerb stones are risk assessed in line with the current maintenance strategy. The budget for next year has not been finalised but I am looking for ways to increase investment in our capital maintenance programme for footways.’

18. By Councillor Smith of the Cabinet Member for Finance

‘Will Essex County Council be financially better off when Britain votes to leave the EU?’

Reply

‘Firstly, the issue is not “when” but “if” as the Councillor well knows. Local government funding is determined in great part by central Government.

There are as many views as there are economists as to the impact of any decision to leave the EU on the local and national economy.’

19. By Councillor Clempner of the Leader of the Council

‘Given the well-publicised financial challenges faced by Princess Alexandra hospital, which affects not just Harlow but the whole of West Essex, does the Leader agree with me that PAH should not be excluded from the NHS Essex Success Regime and that the Government should urgently address the significant funding and systemic issues at the Hospital?’

Reply

'I thank Councillor Clempner for her pertinent question. I agree with her that West Essex – and indeed North East Essex, which also faces pressures on its health and care system – should not have been excluded from the NHS Success Regime. In fact, the County Council has made representations to NHS England and Members of Parliament objecting to the exclusion, which we see as a missed opportunity and causing unnecessary fragmentation.

The issue was discussed at the recent meeting of the Essex Health and Wellbeing Board on 24 November and I have written to NHS England, the Trust Development Authority and Monitor (the regulatory bodies) in my capacity as Chairman of the Board. The decision to focus the regime on Mid Essex and South Essex has now been finalised by the regulatory bodies but we have made the following representations:

1. Agreement that those areas excluded from the Success Regime (West Essex and North East Essex) can be part of any governance arrangements put in place. The Health and Wellbeing Board is clear that decisions taken about Mid and South Essex are relevant and will affect these neighbouring areas and we would therefore like assurance that they will be part of the governance arrangements.
2. Assurances about the support that West Essex (and North East Essex) will receive from the Tripartite, as we regard these as critical for system-wide resilience and improvement. We are aware discussions are taking place with West Essex CCG about the possible support they will receive from NHS England and we are eager to see concrete evidence of this in the near future.

I will keep members up to date with progress on these matters.

Essex County Council is currently working with West Essex CCG on a business case for the closer integration of health and social care. It is recognised that the pressures on Princess Alexandra Hospital can only be addressed by looking at how the whole system works, looking at how primary, community and social care services work together to ease pressures on acute services. The CCG is exploring ambitious proposals about a new model of integrated care and support from the regulatory bodies will be crucial in driving this forward.

I can make assurances that we will certainly take up this matter with Ministers if support is not forthcoming.'