

Minutes of a meeting of Essex County Council held at County Hall, Chelmsford on 9 December 2014

Present

Chairman: Councillor N Hume

Vice-Chairman: Councillor J F Aldridge

Councillors:

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

Prayers

The meeting was preceded by prayers led by Councillor John Spence substituting for The Reverend Alun J Hurd who was held up in traffic.

1. Apologies for Absence

Apologies for absence were received on behalf of Councillors W Archibald, A Erskine, P Honeywood and Lady Newton.

2. Declarations of Interest

There were no declarations of interest made at this point.

3. Minutes of the meeting held on 14 October 2014

Subject to the following corrections to the minutes as set out on page 22 of the Agenda proposed by Councillor Bass:

15.14 the word 'District' being replaced with 'Division',

15.15 the word 'would' being replaced with 'could' and later the word 'could' being replaced with 'would',

16.1 'Mr' being replaced with 'Councillor',

and on page 24 as proposed by Councillor Hedley:

17.4 the abbreviation 'NFU' being replaced with 'FBU' it was

Resolved:

That the minutes of the meeting held on 14 October 2014 be approved as a correct record and signed by the Chairman.

4. Chairman's Announcements**You Make The Difference Awards 2014**

The Chairman congratulated everyone who was nominated and the winners of the You Make The Difference Awards 2014.

Member Development Charter Plus

The Chairman congratulated all those involved in the achievement of the award of the Member Development Charter Plus, particularly congratulating Joanna Boaler, Head of Democratic Services, and the Vice-Chairman Councillor J Aldridge as well as all members of the Member Development Steering Group

A formal presentation will be made at the next meeting in February.

National Children and Young People Now Awards

The Winter Warmers project, based in Clacton, won gold at the awards in the Youth Volunteering Award category in a gala event held at London's Connaught Rooms. The project, which ran last winter, was a joint initiative between Essex County Council, the Prince's Trust Team and the Citizens Advice Bureau. The Chairman congratulated all those involved. Councillor Gooding, The Cabinet Member for Education and Lifelong Learning also congratulated the young people for their innovative scheme. In addition to the award itself it had been decided that those involved should receive a certificate from the Council.

The Chairman presented certificates to the young people present.

2014 Social Worker of the Year Awards

At the Chairman's invitation, Councillor Madden, Cabinet Member for Adults and Children, introduced Zahraa Adam from the Children in Care Team and congratulated her on winning both the Newly Qualified Children's Social Worker of the Year and overall Social Worker of the Year categories in the 2014 Social Worker of the Year Awards.

The Chairman on behalf of the Council added his congratulations to those of Councillor Madden.

Public Sector/Not-for-Profit Risk Management Award

The Chairman on behalf of the Council received from Councillor Spence, Cabinet Member for Finance, the Public Sector/Not-for-Profit Risk Management Award presented by the Continuity, Insurance and Risk Management Magazine at the fifth annual Risk Management Awards.

Councillor Spence paid tribute to the work of Ashley Easen, Head of Organisational Risk, and her team.

The Chairman congratulated the officers and the Cabinet Member on the receipt of the award.

Use of Microphones and Mobile Phones

The Chairman reminded members of the need to take care when using the microphones in the Chamber. He also reminded all those present to switch off their mobile phones.

5. Presentation of Petitions

There were no petitions presented.

6. Executive Statement

The Leader of the Council gave a statement concerning the Chancellor's Autumn Statement and Essex's Devolution Bid including:

- the growth in the Essex economy,
- investment in infrastructure,
- improvements in the Council's performance,
- supporting communities,
- utilising the private, public and voluntary sectors and developing strong partnerships,
- devolved powers for Essex,
- reforming business rates, and
- seeking a fair deal for Essex.

7. Motions

1. Careers Advice for Young People

It was moved by Councillor Danvers and seconded by Councillor Harris

'That this Council:

acknowledges the impact of revised statutory guidance, introduced by the Conservative-led government, on schools having to deliver careers guidance; noting findings by Pearson UK, which revealed that 37% of secondary school pupils surveyed were relying on television programmes for careers guidance, with only 1 in 3 teachers surveyed confident they were providing legally required careers advice;

further notes recent concerns expressed by Ofsted, into youth participation that not enough schools and academies have a clear strategy for providing impartial and independent careers guidance to all their pupils aged 13-18, and too few providers are evaluating the quality of their careers guidance provision effectively; with around 36% of schools using teaching assistants to carry out this work with little training available;

believes that the administration has been short-sighted in cutting the Council's careers advice service whilst our key partner councils on the Essex Employment and Skills Board, Thurrock Council and Southend Borough Council, have retained and refined their careers advice offer to young people;

This Council therefore resolves:

to explore opportunities to secure County Council provision of careers information, advice and guidance to all young people 13-18 in Essex, ensuring that the evidence base for skills developed by the Employment and Skills Board is deployed consistently and impartially through face to

face, trained personal advisers to support young people in making positive and productive post 16 choices that are right for them as individuals, to thrive in the jobs market.'

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

2. Devolution

It was moved by Councillor Finch and seconded by Councillor Bentley

'This Council welcomes the measures the Government has taken to devolve powers to local people through the Localism Act. However, this Council now asks that more devolved powers and funding be made in a number of areas including skills, transportation, greater flexibility on business rates retention and tax raising responsibilities to ensure that a greater proportion of taxes paid by the people of Essex are kept in Essex.

This Council believes that the people of Essex are the ones who should determine the future of these areas and have greater say on investment in their county through their locally elected representatives.

This Council also resolves that County Councils play a critical role in the building of the UK economy and wishes Essex and other counties be treated by the Government as equals to the metropolitan cities of England when it comes to devolution.

This Council further resolves that a written copy of this motion be sent to the Prime Minister, the Chancellor of the Exchequer, the Secretary of State for Communities and Local Government, all Essex MPs and all Leaders of Essex District, Borough and City Councils.'

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

'This Council welcomes the measures the Government has taken to devolve powers to local people through the Localism Act. However, this Council now asks that more devolved powers and funding be made in a number of areas including skills, transportation, greater flexibility on business rates retention and tax raising responsibilities to ensure that a greater proportion of taxes paid by the people of Essex are kept in Essex.

This Council believes that the people of Essex are the ones who should determine the future of these areas and have greater say on investment in their county through their locally elected representatives.

This Council also believes that County Councils, Districts, Boroughs and City Councils play a critical role in the building of the UK economy and wishes Essex and other counties be treated by the Government as equals to the metropolitan cities of England when it comes to devolution.

This Council further resolves that a written copy of this motion be sent to the Prime Minister, the Chancellor of the Exchequer, the Secretary of State for Communities and Local Government, all Essex MPs and all Leaders of Essex District, Borough and City Councils.'

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

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

3. Regeneration and Promotion of Small Businesses throughout Essex

It was moved by Councillor Helm and seconded by Councillor Huntman

'This Council understands much time and resources are spent in promoting or regenerating "key sectors" of business such as technology, manufacturing, financial services, ports and logistics and offshore wind-farms. This however neglects a huge sector of the Essex economy.

Therefore Council calls upon the administration to consider a package of incentives specifically designed to support a sector presently ignored, namely sole traders, self-employed and small business owners. The package should include support and assistance for new start-ups, and retail outlets struggling on High Streets throughout Essex.'

Councillors Kendall and Bentley declared an interest as owners and operators of small businesses.

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

4. LED Lighting

On the recommendation of the Chairman it was agreed that this motion be taken as the next item of business.

It was moved by Councillor Robinson and seconded by Councillor Kendall

'This Council notes that:

- (a) Many councils including nearby unitary authorities, are moving to LED street lights.
- (b) The Green Investment Bank (GIB) has £3.8 billion from the UK Government to help the UK's economy become greener and stronger, and sees energy efficiency measures, including LED street lighting, at the heart of a low carbon economy.
- (c) The GIB says that Local Authorities deciding to make the switch to low energy streetlights will have a short payback period on their

investment, as early as five years. After that, they will be able to enjoy a reduction in their electricity bill of up to 80 percent.

This Council therefore resolves to include in the 2015/16 budget funding to begin switching Essex street lights to LED, either from own Invest to Save reserves or by taking a GIB loan - the 30% of lights that are left on all night and lights on street signs being considered first.'

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

'This Council notes that:

(a) Many councils including nearby unitary authorities, are moving to LED street lights.

(b) The Green Investment Bank (GIB) has £3.8 billion from the UK Government to help the UK's economy become greener and stronger, and sees energy efficiency measures, including LED street lighting, at the heart of a low carbon economy.

(c) The GIB says that Local Authorities deciding to make the switch to low energy streetlights will have a short payback period on their investment, as early as five years.

After that, they will be able to enjoy a reduction in their electricity bill of up to 80 percent.

This Council therefore resolves to include in the 2015/16 budget funding to begin switching Essex street lights to LED, either from own Invest to Save reserves; taking a GIB loan or under Government backed funding through the Salix Project.'

Prior to the amendment being put to the meeting the mover of the original Motion indicated his willingness to accept the amendment such that the Motion amended accordingly became the substantive Motion.

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

The substantive Motion having been put it was declared to be lost by 26 votes for and 40 against. There were 4 abstentions.

Those voting for the Motion were Councillors:

B Aspinell
A Bayley
D Blackwell
K Bobbin
M Danvers
J A Deakin

K Gibbs
D Harris
G Helm
I Henderson
T M A Higgins
J Huntman

M Mackrory
M McGeorge
P Oxley
S Robinson
K Smith
A Turrell

T Durcan
M Ellis
M D Fisher

D J Kendall
N Le Gresley
J Lodge

J Whitehouse
J A Young

Those voting against the Motion were Councillors:

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

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

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

Those abstaining were Councillors:

J Abbott
M Hoy

C Pond
C Seagers

8. Adjournment

With the agreement of Council the Chairman adjourned the meeting for luncheon at 13:30pm.

The meeting reconvened at 14:30pm.

9. Motions (continued)

5. Infrastructure

It was moved by Councillor Knapman and seconded by Councillor Barker

‘This Council supports fully its District, Borough and City Councils which, when developing their Local Plans, seek to protect Green Belt sites from inappropriate development and ensure that housing development cannot occur where there is insufficient infrastructural provision. Whilst noting collaborative working between local authorities and the public sector over the use of brownfield sites; this Council calls on Central Government to endorse wholeheartedly these approaches to house-building within councils’ borders.’

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

10. To consider a report of matters reserved to the Council

The report of Council Issues was received.

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

Resolved:

1. Special Responsibility Allowances

That the following changes be made:

- (i) reduce the Special Responsibility Allowance paid to the Scrutiny Board Chairman to £16,050 pa
- (ii) delete the Special Responsibility Allowance paid to the Deputy Leader of the Conservative Group.

11. To consider a report concerning Cabinet Members and Portfolios

The Leader presented a report concerning changes to Cabinet Members and Portfolios.

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

Resolved:

That the Portfolios agreed by the Leader and as set out in the report be reflected in the Constitution.

12. The Leader's Report of Cabinet Issues

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

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

The published answers to the 24 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 and responses given:

- (2) Councillor Whitehouse received an assurance from the Cabinet Member for Libraries, Communities and Planning that he would consider greater promotion of the cheaper 01245 430430 alternative number for residents to call other than the 0845 numbers currently listed on the Council's website that attract a higher call charge.
- (4) Councillor Pond thanked the Cabinet Member for Highways and Transportation for his reply and highlighted the £6.5 million cost of the Street Lighting Central Management System (CMS) and sought confirmation that it was able to save money on things other than part-night lighting and in particular would be capable of switching off LED lights as individual units or clusters.

The Cabinet Member stated that the CMS, the largest in the world, was pioneered by an Essex-based firm in order to manage individually 127,000 lights. It was controlled through 57 base-stations and, as described in the written question, had other functions than just switching lights off, including being able to make savings by managing the lighting stock.

- (6) Councillor Higgins sought further information from the Cabinet Member for Libraries, Communities and Planning concerning the talks between Mersea Outdoors and local landowners to provide a boating lake.

The Cabinet Member reiterated his written answer concerning the commercial sensitivity of the situation but added that he would speak to Councillor Higgins outside of the Chamber.

- (7) Councillor Deakin thanked the Cabinet Member for Highways Maintenance and Small Scheme Delivery for his written reply but, whilst welcoming the installation of a 'pedestrian refuge' expressed continuing concerns about the entrance to and egress from the new school on Maltese Road and asked that the Cabinet Member might consider a revision to the traffic management in the area.

The Cabinet Member stated that he was reluctant to amend work in progress but he would ask officers to look at the traffic management once the school was open.

- (9) Councillor Kendall asked the Cabinet Member for Highways Maintenance and Small Scheme Delivery if he shared his concerns that it appeared that there needed to be a 70 per-cent deterioration in the road and line-markings near pedestrian crossings before any work could be done and they could be re-painted?

The Cabinet Member replied that the criteria have been revised and upgraded to follow national criteria.

- (10) Councillor Kendall asked the Cabinet Member for Highways and Transportation what action he intended to take to ensure that the public was informed of the crime statistics related to part-night lighting?

The Cabinet Member reiterated his written reply that in principle he could agree but that the matter was not as simple as the Councillor suggested. There were crimes committed between the hours of midnight and 5:00am in all areas of the County and not just where lights were switched off. It was necessary to identify where switching off the street lights had been a contributing factor. These figures need to be compared with crime statistics and trends in areas where part-night lighting was not employed and trends in crime that takes place during the day. But there were further complicating factors such as seasonal trends. He added that it was wrong for some to conclude that individual incidents that have taken place in the early hours of the morning, particularly tragic ones, are related to part-night lighting. He suggested that such conclusions only served to engender a fear of crime. In the interests of transparency the Cabinet Member stated that he would publish the figures as requested but only once they could be properly analysed.

- (11) Councillor Mackrory drew the attention of the Leader to the second paragraph of his written question that he believed had not been addressed in the response.

The Leader replied that the 11 December meeting, referred to in his written answer, was the beginning of the debate. The matter was at an early stage and would include consultations and involvement of District Councils, members of the public and Members of the County Council to arrive at an outline plan. He gave a commitment to keep Members informed.

- (12) Councillor Robinson asked the Cabinet Member for Highways and Transportation if, as he had stated in his written response, buying in staff capacity wasn't the issue, perhaps he could explain what it was?

The Cabinet Member replied that the Member had asked for advice as to how the Local Highways Panels could deliver their agreed projects. The first issue was that the LHPs were delivering a very much larger number of projects than they did the previous year or the year before that. He believed that the LHPs understood they needed to finalise their list of projects for the ensuing financial year before 1 April 2015 in order to have a good chance of having them delivered. But some schemes require a preliminary evaluation and that is the 'two-stage process' to which he had referred in the written answer. The Cabinet Member also drew attention to the difference between capital and revenue budgets and the fact that capital allocations cannot be used for buying in staff. He added that it wasn't a staffing issue but one of managing expectations. He suggested that these were matters well understood by the LHPs.

- (13) Councillor Robinson asked the Cabinet Member for Highways and Transportation if he intended to involve relevant Chelmsford City

Councillors in the discussion on current and future congestion problems. He had been informed that the Cabinet Member intended only to meet with the Leader of the City Council.

The Cabinet Member replied that he was always prepared to meet. He met regularly with members of Chelmsford City Council at what are called 'five-a-side gatherings' to discuss issues in Chelmsford. He is also happy to attend a Locality Board meeting.

- (14) Councillor Le Gresley thanked the Cabinet Member for Libraries, Communities and Planning for his response but asked that he be sent online links to the plans and guidance mentioned in the reply.

The Leader, in the absence of the relevant Cabinet Member replied that such links would be sent.

- (15) Councillor Bayley asked the Cabinet Member for Economic Growth, Infrastructure, Waste and Recycling what support could be given to the High Streets in the face of the challenge posed by the internet?

The Cabinet Member replied that it was not possible for the Council to affect the behaviour of those who preferred to shop online. Shops affected needed to meet the challenge.

- (16) Councillor Smith thanked the Leader for his response and suggested subjects that might be usefully studied by pupils including those instances when the people had resisted an overbearing State.

The Leader affirmed that he would ask officers to explore the possibilities of introducing an 'Essex History Week' to present the rich and diverse heritage of the people of Essex.

- (17) Councillor Danvers asked the Cabinet Member for Highways and Transportation if he would permit District Councils to pay to have their street lights turned back on?

The Cabinet Member replied that, as that was not a supplementary to the written question but the introduction of a different subject he had nothing to say.

- (19) Councillor Henderson asked the Cabinet Member for Highways and Transportation if he could clarify what might be the cost of the extension of LED lighting across Essex as there had been a number of different figures quoted.

The Cabinet Member replied that there had been consideration given to an application for Government funding to pay for LED lighting projects and to applying to Green Investment Banks and the Public Works Loans Board. The Council will fund the pilot scheme itself.

- (20) Councillor Henderson asked the Cabinet Member for Highways and Transportation if it were the case that the CMS could be used to detect faults.

The Cabinet Member replied that, again Councillor Henderson was not asking a supplementary to his written question but raising a new matter and so he had nothing further to add.

- (21) Councillor Bobbin thanked the Leader for his reply but asked if he could guarantee that there would be the introduction of the living wage as the lack of such a guarantee was making local residents open to unfair competition from abroad.

The Leader replied that the position of the Council on this matter had already been made clear and he had no further comment to make beyond his written reply.

- (24) Councillor Smith asked the Leader if he would write the letter that he had requested in his written question.

The Leader replied that he would consider the matter.

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

1. Councillor Pond asked the Cabinet Member for Libraries, Communities and Planning to restate what he actually said in the Member Reference Group last month, that every effort would be made to ensure that libraries are in the very best places to serve their communities and that no library would be closed down.

The Cabinet Member replied that he was happy to confirm that was correct.

2. Councillor Danvers asked the Cabinet Member for Highways and Transportation if a district council wished to pay to switch on street lights would he meet with them to discuss the matter.

The Cabinet Member replied that he had already agreed to meet with Group Leaders from Harlow, which is Councillor Danver's District, to discuss street lighting. He would not pre-judge what might be the outcome of that meeting.

3. Councillor Abbott asked the Cabinet Member for Highways and Transportation when Witham Town Council might receive the road-signs they have been requesting for some time, for the better directing of HGVs.

The Cabinet Member replied that the Council was working on a laudable proposal from Witham Town Council and the Council was doing what it could to help, bearing in mind some complexities that need to be carefully considered.

4. Councillor Abbot enquired of the Cabinet Member for Highways and Transportation concerning recent press reports that the Council had decided the A12 should be upgraded and be reclassified as a motorway when this decision was made, by whom and what consultation took place with those persons who might be affected?

The Cabinet Member replied that he had been calling for the A12 from Brentwood to Ipswich to become a motorway and had been doing so for all his time in office. He was confident that the suggestion is supported by the vast majority of users as it is a major and strategic route.

5. Councillor Buckley asked the Cabinet Member for Highways Maintenance and Small Scheme Delivery if he could update Council on the extended delays on the implementation of the 106 agreements on the Bridge Road, Shotgate, Wickford.

The Cabinet Member replied that the money was passed to the Council and Basildon Council in 2012. The design is commissioned to be completed this year and the planned start date is July 2015.

6. Councillor Kendall asked the Cabinet Member for Highways and Transportation if there could be a breakdown by Local Highways Panel of what money has been taken back for re-allocation to various schemes including the LED pilot scheme?

The Cabinet Member replied that he had already replied to Councillor Kendall by email that, of course he could have the figures for Brentwood as he is the Chairman of the LHP and any local member could have an update on the local position. As Councillor Kendal then informed him that he was unable to obtain those figures he invited him to meet after the meeting to resolve any difficulties he was having. He added that all LHPs should have access to such figures and an estimate on capital schemes, overspends and underspends and he would be very happy to supply details at the end of the year.

7. Councillor Whitehouse asked the Cabinet Member for Highways Maintenance and Small Scheme Delivery if he could update Council on the scope and progress of the review of the Parking Partnerships.

The Cabinet Member replied that there would be a report to Cabinet in March.

8. Councillor Wood asked the Cabinet Member for Education and Lifelong Learning to agree that it was a great announcement by Ofsted that the Clacton Coastal Academy was 'good with outstanding features'.

The Cabinet Member replied that this was a good news story and a tribute to the hard work of all concerned.

9. Councillor Henderson asked the Cabinet Member for Highways and Transportation what is the cost and payback period of introducing LED lighting; is it £15million, £30million or £60 million?

The Cabinet Member replied that the actual figure was hypothetically £68million with a 19-year payback period but the intention is to take a more incremental and affordable approach. After the pilots have taken place a decision will be taken on whether to proceed further on a step-by-step basis and so the question is purely hypothetical.

10. Councillor Smith asked the Cabinet Member for Highways and Transportation if, in the event of a harsh winter, there were plans to supplement the Urban Salt Bag Partnership Scheme.

The Cabinet Member replied that the salt supplies would be supplemented if necessary.

11. Councillor Bobbin asked the Cabinet Member for Highways and Transportation whether following the recent tragic death in Basildon would he be putting the lights back on in business parks and industrial areas before there were any more accidents?

The Cabinet Member replied that the Council will continue to work closely with the Police to examine whether it would be sensible to override the scheme in certain specific instances.

12. Councillor Huntman asked the Cabinet Member for Highways and Transportation if he agreed that although it was heartening to hear Government announcements last week regarding the A12 (and credit where it was due to the Cabinet Member for helping to secure the funding) was it not UKIP that led the agenda on this matter?

The Cabinet Member agreed that he had indeed used words originally quoted by Councillor Huntman in the Chamber.

13. Councillor Robinson asked the Cabinet Member for Education and Lifelong Learning that local members be kept better informed of matters in their Divisions as, for example, he believed that a school in his Division is converting to an Academy and although he had been sent the Ofsted report a year ago he wished he had been more closely informed.

The Cabinet Member believed that he normally kept local members so informed but apologised if on this occasion he had neglected to do so.

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

There were no questions.

16. Oral questions of the representative of the Essex Fire Authority.

There were no questions.

The meeting closed at 15:50

Chairman
10 February 2015