



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, 16 May 2023	Council Chamber, County Hall, Chelmsford, CM1 1QH
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Gavin Jones
Chief Executive

Officer Support to the Council:

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Prayers The meeting will be preceded by Prayers led by Councillor John Spence, a lay Canon in the Church of England.

		Pages
1	Election of Chairman	
2	Appointment of Vice-Chairman	
3	Apologies for Absence	
4	Declarations of Interest	
	To note any declarations of interest to be made by Members in accordance with the Members' Code of Conduct.	
5	Confirmation of the minutes of the meeting held on 9 February 2023	4 - 46
6	Public Speakers	

7	Chairman's Announcements and Communications	
8	Petitions	
9	Return of Members Elected and Proportionality	47 - 47
10	To note the Political Groups' appointments to Committees	48 - 50
11	To appoint the Chairmen of Committees	51 - 51
12	Other Appointments	52 - 57
	a) To receive notice from the Leader of the Council of the two County Council nominations to the Health and Wellbeing Board,	
	b) To appoint the County Council's representative on the Essex Police, Fire and Crime Panel and	
	c) To appoint the County Council's representative on the Essex Pension Fund Advisory Board.	
	d) To receive the full list of Approved Bodies and to note the changes to appointments to Outside Bodies since the last Annual Meeting	
13	Executive Statements	
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19	Oral questions of the Leader, Cabinet members, Chairman of a committee or the Council's representative on the Essex Police, Fire and Crime Panel	

Essex County Council and Committees Information

All Council and Committee Meetings are held in public unless the business is exempt in accordance with the requirements of the Local Government Act 1972. If there is exempted business, it will be clearly marked as an Exempt Item on the agenda and members of the public and any representatives of the media will be asked to leave the meeting room for that item.

The agenda is available on the [Essex County Council website](#) and by then following the links from [Running the Council](#) or you can go directly to the [Meetings Calendar](#) to see what is happening this month.

Attendance at meetings

Most meetings are held at County Hall, Chelmsford, CM1 1LX. [A map and directions to County Hall can be found on our website.](#)

Access to the meeting and reasonable adjustments

County Hall is accessible via ramped access to the building for people with physical disabilities. The Council Chamber and Committee Rooms are accessible by lift and are located on the first and second floors of County Hall.

Induction loop facilities are available in most Meeting Rooms. Specialist headsets are available from Reception.

With sufficient notice, documents can be made available in alternative formats, for further information about this or about the meeting in general please contact the named officer on the agenda pack or email democratic.services@essex.gov.uk

Livestreaming of meetings

In the interests of improving access to the Council's meetings, most meetings will be livestreamed on the [ECC Democracy YouTube Channel](#). Recordings of the meetings once they have finished are also available on the Channel.

Minutes of the meeting of the Full Council, held in the Council Chamber at County Hall, Chelmsford on Thursday, 9 February 2023.

Present: Chairman: Cllr Eddie Johnson
Vice-Chairman: Cllr Jillian Reeves

Cllr Barry Aspinell	Cllr Dave Harris	Cllr Mark Platt
Cllr Tony Ball	Cllr Anthony Hedley	Cllr Ross Playle
Cllr Lewis Barber	Cllr Ivan Henderson	Cllr Chris Pond
Cllr Susan Barker	Cllr Jeff Henry	Cllr Stephen Robinson
Cllr Kevin Bentley	Cllr Paul Honeywood	Cllr Peter Schwier
Cllr Lynette Bowers-Flint	Cllr Michael Hoy	Cllr Lee Scordis
Cllr Malcom Buckley	Cllr John Jowers	Cllr Lee Scott
Cllr Graham Butland	Cllr Sam Kane	Cllr Laureen Shaw
Cllr Mark Cory	Cllr David King	Cllr Andrew Sheldon
Cllr Simon Crow	Cllr Dan Land	Cllr Mick Skeels
Cllr Tom Cunningham	Cllr Sue Lissimore	Cllr Kerry Smith
Cllr Beverley Egan	Cllr Derrick Louis	Cllr Clive Souter
Cllr Jane Fleming	Cllr Mike Mackrory	Cllr Wendy Stamp
Cllr Martin Foley	Cllr Peter May	Cllr Mike Steel
Cllr Paul Gadd	Cllr Aidan McGurran	Cllr Mark Stephenson
Cllr Alan Goggin	Cllr Jaymey McIvor	Cllr Mike Steptoe
Cllr Marie Goldman	Cllr Louise McKinlay	Cllr Marshall Vance
Cllr Ray Gooding	Cllr Anthony McQuiggan	Cllr Lesley Wagland
Cllr Ian Grundy	Cllr Dr Richard Moore	Cllr Chris Whitbread
Cllr Carlo Guglielmi	Cllr James Newport	Cllr Holly Whitbread

Not present but attended the meeting online (these members did not vote on any items):

Cllr Dave Blackwell Cllr Chris Siddall
Cllr June Lumley

Chairman's Welcome and Introduction

The Chairman informed those present that the meeting would be broadcast live over the internet by way of the ECC Democracy YouTube Channel.

The opening remarks, together with the broadcast of the entire meeting may be found on the [ECC Democracy YouTube Channel](#).

Prayers

The meeting was preceded by prayers led by The Reverend Canon Ivor Moody, Vice Dean and Canon Pastor, Chelmsford Cathedral and Workplace Chaplain, Essex County Council.

Councillor Johnson formally opened the meeting.

1. Apologies for Absence

Apologies for absence were received on behalf of Cllr Mike Garnett, Cllr John Spence, Cllr Bob Massey, Cllr Mark Durham, Cllr Luke Mackenzie, Cllr Paul Thorogood, Cllr Michael Hardware and Cllr Jude Deakin.

2. Declarations of Interest

Members were reminded by the Chairman of the need to declare any interests and to do so immediately or at the start of the consideration of any relevant item of business.

The Chairman also reminded members of the advice they had been given by the Monitoring Officer relating to the budget debate:

- ‘(a) that any member who may have any arrears of Council Tax outstanding for two months or more must make a declaration of interest and you not entitled to vote on the Annual Budget but are not prevented from taking part in the discussion; and
- (b) members must also make declarations of interest relating to the Budget debate in accordance with the detailed advice given by the Monitoring Officer in his email to you on 20 January.’

3. Confirmation of the minutes of the meeting of Council held on 13 December 2022

Resolved:

That the minutes of the meeting held on 13 December 2022 be approved as a correct record and signed by the Chairman.

4. Public Speakers

The Chairman noted that there was one member of the public registered to speak, Mr Kelly from Maldon.

Mr Kelly, having been invited to speak, said:

'What action will the County Council take to prevent the risk of a serious accident being caused by repeated pavement obstruction and dangerous parking in the 'up lane' of London Road, Maldon, in the vicinity of the junction with Beacon Hill and the bridge over the Maldon bypass?'

In response Cllr Lee Scott, Cabinet Member for Highways Maintenance and Sustainable Transport thanked Mr Kelly for the question and meeting regarding this issue and said:

'SEPP are currently carrying out site assessments and a review of parking in the area. Cllr Carlie Mayes (Maldon Joint Committee Member) submitted an application form to SEPP in December which was also supported by Essex County Councillor Jane Fleming.

The application seeks to implement a No Waiting and No Loading parking restriction within the two areas identified on the map sent to Mr Kelly, to prevent double parking and parking on the pavement.

The SEPP Technicians will review the area against the implementation policy and make a report with recommendations for the Maldon Lead Officer and Maldon Joint Committee Member to consider and approve.

If it is considered necessary to implement a parking restriction along this section of road, the scheme will be submitted for funding to enable a permissions to be requested.

I will continue to update Mr Kelly regarding this.'

5. Chairman's Announcements and Communications

New Year's Honours

The Chairman informed Members that 20 Essex people were awarded honours in the King's New Year honours list.

The honours included services to the community, charities and voluntary groups as well as to public services including health, wellbeing and social care, education, policing, veterans, the Windrush generation, Parliament and international search and rescue.

The Chairman congratulated on behalf of the council, all those in Essex who had received an award.

Awards

Local Authorities Pension Fund Investment Awards

The Chairman informed Members that in December 2022 at the Local Authorities Pension Fund Investment Awards, Essex was announced as the

Winner of the Local Government Pension Scheme Investment Strategy of the Year award.

At the invitation of the Chairman, Cllr Susan Barker, Chairman of the Essex Pension Fund Strategy Board spoke about the award.

Essex Housing Awards

The Chairman informed Members that Essex Housing had received a further award. At the invitation of the Chairman, Cllr Lesley Wagland, Cabinet Member for Economic Renewal, Infrastructure and Planning spoke about the award.

Earthquakes in Turkey and Syria

The Chairman invited Members to take a moment to reflect on the terrible devastation caused by the earthquakes in Turkey and Syria. The Chairman noted that many Essex residents may have had connections with individuals caught up in the devastation, he said that thoughts were with everyone who was impacted and wished those from the county who were supporting the rescue and humanitarian mission the very best and the Council's thanks.

6. Petitions

The Chairman invited Cllr Anthony Hedley to present a petition relating to supporting residents and Brightside School who were asking for a zebra crossing outside the entrance to the school. Cllr Lee Scott responded to accept the petition.

7. Executive Statements

At the invitation of the Chairman, Cllr Kevin Bentley, Leader of the Council gave a statement on 'Financing Everyone's Essex'.

The Executive Statement is published on the ECC website and the broadcast of the meeting may be found on the [ECC Democracy YouTube Channel](#).

8. Everyone's Essex Annual Plan and Budget 2023-24

The Council received the report Everyone's Essex Annual Plan and Budget 2022-23 that was in two parts, Part 1 being the Section 151 Officer's report and Part 2 being the Budget and Plan.

There were also four appendices:

- Appendix A – Essex County Council Annual Plan 2023-24
- Appendix B – Equality Impact Assessment 2023-24
- Appendix C – Pay Policy Statement 2023-24
- Appendix D – Budget Consultation Report

It was noted that there had been an addendum report and replacement recommendations. This was produced following the supply of further information relating to the final local government finance settlement, the final council tax base, the deficit/surplus from the prior year, and the Non Domestic Rates (NNDR) information from all 12 billing authorities.

It was moved by Cllr Martin Foley and seconded by Cllr Michael Hoy that the recommended budget be amended as follows:

‘That the net effect of the budget resolution be amended as set out for the reasons and purposes below:

1. Supporting the mental health needs of children and young people:

- 1.1 A one-off increase of £120,000 for the Emotional Wellbeing and Mental Health Service** (Children’s Services and Early Years portfolio) to support the delivery of the recommendations from the Mental Health Services for Young People joint Task and Finish Group, which was set up following the carried motion at Council in May 2022.
- 1.2** The mental health of children and young people has worsened in recent years. The review has shown that there is a lot of good, positive and helpful support available to young people requiring mental health support, however what is less clear, is how they can access this and also determine the right service that they need. The review set out a number of recommendations including a single contact hub for young people requiring mental health support, lobbying for additional funding and support, and further training and guidance for schools, as well as addressing recruitment and retention issues.
- 1.3** The cross-party Task and Finish Group will work together to determine the priorities for the funding at their next meeting on 10 February 2023. They will also monitor the outcomes and effectiveness of the funding.
- 1.4** It is not expected to add any pressure to funding gap in 2024/25 onwards. If there is a need for additional one-off or ongoing funding, a separate case will be made.
- 1.5** It is proposed **to be funded by reducing the Children’s Transformation reserve by £120,000 to £3.4m** at the end of 2023/24.

2. Section 151 Officer’s Commentary on Independent Group Budget Amendment

- 2.1** It is proposed that the amendment is to be funded from reserves in 2023/24 and therefore there will be no overall impact on the budget in this financial year. The investment will amend the following tables in the Annual plan and Budget 2023/24.

Children's Services and Early Years Revenue Budget

2021/22	2022/23	2022/23			2023/24	
Actuals	Original	Latest		Gross	Income	Specific
£000	£000	£000		Expenditure	£000	Grants
				£000		£000
1,940	2,008	2,008	Emotional Wellbeing and Mental Health Service	2,135	(7)	2,128

Other Operating costs

2021/22	2022/23	2022/23			2023/24	
Actuals	Original	Latest		Gross	Income	Specific
£000	£000	£000		Expenditure	£000	Grants
				£000		£000
			Approps To/(From) Reserves and Restricted Use Funds (i)			
5,873		(503)	Childrens Transformation Reserve		(120)	(120)

Reserves

			2023/24			2024/25	2025/26	2026/27
	Balance as at	Balance as at	Budgeted	Assumed	Closing			
	1 April 2022	1 April 2023	(Contributions)/	usage	balance	£000	£000	£000
	£000	£000	Withdrawals	£000	£000			
Reserves earmarked for future use								
Childrens Transformation Reserve	(7,188)	(6,016)	120	2,496	(3,400)	(2,887)	(2,887)	(2,887)

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It was moved by Cllr Ivan Henderson and seconded by Cllr Aidan McGurran that the recommended budget be amended as follows:

'That the net effect of the budget resolution be amended for the reasons and purposes set out below:

1. Highways Quality Assurance

Increase to the 2023/24 Highways Maintenance and Sustainable Transport revenue budget of **£50,000**, on a one-off basis to support an independent review of the criteria assessment used by Ringway Jacobs. The review will assess the quality criteria applied when approving maintenance and repairs, carried out under the existing Ringway Jacobs contract to quality assure their remedial work.

This would require an increase in the budget for the Highways Maintenance and Sustainable Transport portfolio of **£50,000** which will be funded through a withdrawal from the earmarked Ambition Fund reserve.

Increase to the annual Highways Maintenance and Sustainable Transport revenue budget for three years, from 2023/24 to 2025/26, of **£43,000** per annum. This is to fund twice yearly, independent inspections of highway

repair work carried out under the existing Ringway Jacobs contract, sampling a range of completed repairs across the county.

This would require an increase in the budget for the Highways Maintenance and Sustainable Transport portfolio of **£43,000** per annum which will be funded through withdrawals from the Ambition Fund Reserve for 2023/24 through to 2025/26, a total reduction to the reserve of **£129,000**.

2. Youth Service

An increase to the Youth Service revenue budget of **£500,000** to enable the setup of a dedicated team to target specific areas of high deprivation and mental health in young people. This will fund one Senior Targeted Youth Advisor, ten Targeted Youth Advisors and ancillary costs.

This would require an increase to the Community, Equality, Partnerships and Performance portfolio budget of **£500,000** per annum and a reduction of the same sum to the budgeted appropriation to the Transformation Reserve.

3. Careers Advice

An increase to the Schools revenue budget of **£262,000** per annum to enable creation of a taskforce of careers advisors up to 2025 (2 years). It is proposed that this be funded from reserves for a two year period after which time the impact will be assessed and decision made about whether it should become base budget.

This would require an increase to the Education Excellence, Life Long Learning and Employability portfolio budget of **£262,000** and a reduction of the same sum in the Transformation Reserve.

4. Adult Community Learning Nursery Provision

An increase to the Adult Community Learning revenue budget of **£139,000** to reverse the proposed saving regarding removal of nursery provision.

This would require an increase to the Education Excellence, Life Long Learning and Employability portfolio budget of **£139,000** per annum and a reduction in the budgeted appropriation to the Transformation Reserve of the same amount.

5. Promotion of Adult Community Learning Take up

An increase to the Adult Community Learning revenue budget of **£50,000** to fund one-off promotional activity that will increase the take up of Adult Community Learning courses.

This would require a one-off increase to the Education Excellence, Life Long Learning and Employability portfolio budget of **£50,000** and a reduction of the same sum in the Ambition Fund Reserve.

6. Street Lighting

An increase to the Street Lighting revenue budget of **£675,000** to reverse the proposed saving regarding reducing the hours of operation of some of our streetlights.

This would require an increase to the Highways Maintenance and Sustainable Transport portfolio budget of **£675,000** per annum and a reduction in the budgeted appropriation to the Transformation Reserve of the same amount.

S151 Officer's Commentary on the Budget amendment Proposal

The proposals have set out clearly the funding sources, which will amend the following tables in the Annual plan and Budget 2023/24:

Highways Maintenance and Sustainable Transport

2021/22 Actuals £000	2022/23 Original Budget £000	2022/23 Latest Budget £000		Gross Expenditure £000	2023/24 Income £000	Specific Grants £000	Total Net Expenditure £000
12,298	14,337	14,081	Roads And Footways	14,771	(123)		14,649
6,653	7,538	12,374	Street Lighting	16,074	(1,209)		14,865

Community, Equality, Partnerships and Performance

2021/22 Actuals £000	2022/23 Original Budget £000	2022/23 Latest Budget £000		Gross Expenditure £000	2023/24 Income £000	Specific Grants £000	Total Net Expenditure £000
2,678	3,425	3,551	Youth Services	4,549	1,270	(1,963)	3,855

Education Excellence, Life Long Learning and Employability

2021/22 Actuals £000	2022/23 Original Budget £000	2022/23 Latest Budget £000		Gross Expenditure £000	2023/24 Income £000	Specific Grants £000	Total Net Expenditure £000
(525)	(452)	(416)	Adult Community Learning	11,643	(3,249)	(8,279)	115
385	(1,201)	740	Schools	4,761	(4,969)	(46)	(254)

Other Operating Costs

2021/22 Actuals £000	2022/23 Original Budget £000	2022/23 Latest Budget £000		Gross Expenditure £000	2023/24 Income £000	Specific Grants £000	Total Net Expenditure £000
			Approps To/(From) Reserves and Restricted Use Funds				
(10,055)	8,800	4,208	Ambition Fund Reserve	4,000	(143)		3,857
(6,181)	11,823	13,127	Transformation Reserve	10,506	(262)		10,244

Reserves

			2023/24			2024/25	2025/26	2026/27
	Balance at 1	Balance at 1	Budgeted	Assumed	Closing			
	April 2022	April 2023	(Contributions)	usage	balance			
	£000	£000	/ Withdrawals	£000	£000	£000	£000	£000
Reserves earmarked for future use								
Ambition Fund	(6,523)	(6,403)	(3,857)	3,468	(6,792)	(3,468)	-	-
Transformation	(48,506)	(47,829)	(10,244)	12,500	(45,573)	(43,317)	(41,323)	(38,118)

- £143,000 withdrawal from the Ambition Fund, taking the balance on this reserve to £6.8m at the end of 2023/24, with further proposed withdrawals of £43,000 in both 2024/25 and 2025/26. It is currently assumed that the balance of the reserve is fully drawn down by the end of 2025/26, however it is not fully committed so this does not change our planning assumptions.
- £1,314,000 reduction in the annual budgeted appropriation to the Transformation Reserve across the MTRS, and withdrawals from the reserve of £262,000 in 2023/24 and 2024/25. Proposals will reduce the balance of the reserve to £45.6m at the end of 2023/24.

The reduction in the annual budgeted appropriation to the Transformation Reserve will impact the capacity to invest in change to enable financial sustainability given the £75m gap over the medium term.'

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It was moved by Cllr David King and seconded by Cllr Mike Mackrory that the recommended budget be amended as follows:

'1 That the net effect of the budget resolution be amended as set out for the reasons and purposes set out below:

1.1 Recognising the pressures on the most vulnerable and just about managing from the energy and cost of living crisis. Recognising the many challenges for our residents, from the state of our highways to the pressures on adult social care and the NHS and for the mental health of young people **we propose additional help and support** as detailed below.

1.2 To increase the proposed Council Tax increase from 3.5% to the full 4.99% possible, generating additional income of some £11.6m in 2023/24. This, with an additional £10m funded through borrowing will enable a total of £21.6m to be made available in 2023/24 from which the following revenue and capital investment proposals are to be funded and the budget recommendation be amended as detailed in the Section 151 officer's commentary and statement below.

- 1.3 To further protect low income families from the impacts of the increases in Council Tax by **doubling ECC's investment into the district led hardship scheme**, adding an additional £300,000 to the base budget over each of the 4 years of the MTRS. This scheme is developed in partnership with Essex District, Borough and City Councils who in past years have generously supported many households, so reducing hardship and the pressure of their Council Tax bills.

2 Supporting the mental health needs of children and young people

- 2.1 The huge increase in numbers of young people requiring advice and treatment for mental health issues due to Coronavirus is well documented. Current demand is not being met fast enough as shown by waiting times, to the detriment of those young people. Pressures made worse by the impact on wider NHS capacity. It is accordingly **proposed to increase the Children and Families base budget by £3m** (Children's Services and Early Years portfolio) over each of the 4 years of the MTRS.
- 2.2 £1m of this additional funding is to enable **more vital work with children and young people with mental health issues**, in the knowledge that any such measures may reduce the risk of harm and suicide prevention, and benefit the NHS. We will promote the benefits of investing in match-funding this significant additional expenditure with the Integrated Care Systems to provide more mental health counselling support in all schools to help identify and address mental health issues at an early age with the intention of reducing demand on services in the future.
- 2.3 £1m additional **investment in the Family Innovation Fund**, working with children and young people to achieve stable, resilient and safe family environments, delivering services including coaching, mediation, conflict resolution and counselling through 1:1, group and family/parent/couples work.
- 2.4 A further **£1m invested in Essex Short Breaks**, a service that provides clubs and activities for young people with SEND and also offers parents and carers of children and young people with special educational needs and/or disability a break from their additional caring responsibilities which enables them to maintain their ability to support their children and manage work and family life balance.
- 2.5 An increase of **£2.14m in the base budget provision for Active Essex** (Community, Equality, Partnerships and Performance portfolio), specifically to invest in sport and activity by extending school and club capacity and resource in the community.

- 2.6 A further increase of **£1.572m (in 2023/24) in the base budget provision for Youth Services** (Community, Equality, Partnerships and Performance portfolio) reducing to £1m for the remaining 3 years of the MTRS from 2024/25. To enhance the provision of Youth Service projects including, support, mentoring and respite for young carers, school lunchtime clubs/drop in sessions run by youth workers and outreach work, including detached working.

3 Investing in additional social care capacity

- 3.1 It is proposed **to increase the adult social care base budget** (Adult, Social Care and Health portfolio) by £1.5m over each of the 4 years of the MTRS to address care and support for older people, specifically to invest in additional social care bed capacity. In addition, £1.5m per annum to be invested into enhancement of the Discharge Fund which, through agreement with Better Care Fund partners, would further support additional bed capacity and enhance outcomes by expediting hospital discharges.

4 Investing in our response to the climate emergency

- 4.1 Recognising the gravity of the Climate Emergency to accelerate our response, by agreement with the independent Essex Climate Action Committee, investing a further **£500,000 annually into the Essex Forest Initiative to enhance urban tree planting and “tiny forest” initiatives**. So increasing public engagement and awareness of our work.

5 Investing in our infrastructure and quality of life

- 5.1 The reinstatement of **the Highway Rangers** as an essential service highly valued by residents, to best practice management and delivery arrangements to be agreed with District Councils, at a cost of some £860,000 (Highways Maintenance and Sustainable Transport portfolio).
- 5.2 A one off increase of £5m in the Highways Capital programme provision in 2023/24 for Road Maintenance (Infrastructure portfolio).
- 5.3 **To increase footway maintenance spend**, as the most neglected and in need of repair area of highways, so helping meet the wider aims of **Active Travel**, by an additional one off capital investment of £2m in 2023/24.
- 5.4 **To help Local Highways Panels delivery** with an additional £2m invested as a one off in 2023/24 to enable delivery of priority highways schemes in local areas.

5.5 A one off increase in our **capital investment in new cycling and walking infrastructure** of £750,000 in 2023/24, improving thus our prospects of attracting match and grant funding from Government and other partners, such as the NHS.

5.6 A one off increase in **Electric Vehicle Infrastructure** of £250,000 in addition to the existing capital budget in 2023/24, as a contribution to our efforts to respond to the Climate Emergency and to improve air quality across Essex.

6 Cost and Use of Reserves

6.1 These measures contained within this proposal will be an increase of £11.6m to the 2023/24 gross expenditure budget (around 0.5%) and are funded in full by increasing the rise in Council Tax from 3.5% to 4.99%. One off capital investments will be funded through borrowing and there will be no draw on unrestricted reserves.

7 Section 151 Officer's Commentary on Liberal Democrat Budget Amendment

7.1 It is proposed that the revenue amendments to budget are to be wholly funded from the increase to the rise in council tax from 3.5% to 4.99% in 2023/24, which is estimated to generate circa £11.6m in additional funding. The table below sets out the revised tax levels by band as a result of the proposed 4.99% increase and the equivalent annual increases;

	Council tax rate		
	2022/23	2023/24 4.99% rise	2023/24 Annual increase
Band A	£934.08	£980.76	£46.68
Band B	£1,089.76	£1,144.22	£54.46
Band C	£1,245.44	£1,307.68	£62.24
Band D	£1,401.12	£1,471.14	£70.02
Band E	£1,712.48	£1,798.06	£85.58
Band F	£2,023.84	£2,124.98	£101.14
Band G	£2,335.20	£2,451.90	£116.70
Band H	£2,802.24	£2,942.28	£140.04

7.2 The proposed investments will have an ongoing impact on the Medium Term Resource Strategy (MTRS) from 2023/24 onwards as detailed in the table below;

	2023/24	2024/25	2025/26	2026/27
Revenue investment: Description	£000	£000	£000	£000
Supporting low income families	300	300	300	300
Investment in children's services	3,000	3,000	3,000	3,000
Investment in children's sport and activity	2,140	2,140	2,140	2,140
Investment in youth services	1,572	1,000	1,000	1,000
Social care bed capacity	3,000	3,000	3,000	3,000
Investment in climate change emergency	500	500	500	500
Re-instatement of Highways Rangers services	860	860	860	860
Additional capital expenditure; Interest on borrowing	228	455	455	455
Additional capital expenditure; Minimum Revenue Provision (MRP)	0	345	345	345
Total cost	11,600	11,600	11,600	11,600

7.3 The amendments required to the portfolio tables in the Annual Plan and Budget 2023/24 are set out in Appendix A.

7.4 The impact of the proposed amendments to the 2023/24 capital programme is detailed in the table below;

	Current budget	Proposed budget	Increase/
	2023/24	2023/24	(decrease)
Capital investment: Description	£000	£000	£000
Highways maintenance	35,150	40,150	5,000
Footways maintenance	8,000	10,000	2,000
Local Highways Panel investment	4,800	6,800	2,000
Cycling and walking infrastructure	2,300	3,050	750
Electric vehicle infrastructure	200	450	250
Total cost	50,450	60,450	10,000

7.5 The estimated revenue borrowing costs for the additional capital expenditure of £10m have been calculated using the assumption that MRP is charged over 30 years and using the 2023/24 budgeted interest rate of 4.55%. These costs are set out within the revenue investment summary table at paragraph 7.2. There is no assumption as to ongoing revenue commitment from the incremental capital spend proposal in 2023/24.

7.6 The following table summarises and reconciles the proposed budget amendment as set out above across the life of the MTRS;

	2023/24	2024/25	2025/26	2026/27
Budget amendment reconciliation	£000	£000	£000	£000
Budget amendment proposals				
Revenue investments	11,600	11,600	11,600	11,600
Proposed funding streams				
Increase to council tax	11,600	11,600	11,600	11,600
Total remaining funding gap	0	0	0	0

7.7 These amendments do not add to the pressures and forecast funding gap from 2024/25 onwards which must be addressed by the County Council, through further efficiencies and or additional funding streams.

Appendix A: Amended tables in Annual Plan and Budget 2023/24

Finance, Resources and Corporate Affairs

2021/22	2022/23	2022/23		Gross	2023/24	Total Net
Actuals	Original Budget	Latest Budget		Expenditure	Income	Expenditure
£000	£000	£000		£000	£000	£000
2,058	7,648	7,648	Council Tax Sharing Scheme	6,948		6,948

Childrens Services and Early Years

2021/22	2022/23	2022/23		Gross	2023/24	Total Net
Actuals	Original Budget	Latest Budget		Expenditure	Income	Expenditure
£000	£000	£000		£000	£000	£000
15,134	16,959	18,253	Childrens Family Support	20,445	(76)	20,368
1,940	2,008	2,008	Emotional Wellbeing and Mental Health Service	3,015	(7)	3,008

Community, Equality, Partnerships and Performance

2021/22	2022/23	2022/23		Gross	2023/24	Total Net
Actuals	Original Budget	Latest Budget		Expenditure	Income	Expenditure
£000	£000	£000		£000	£000	£000
623	623	1,064	Sports Development	2,824	(438)	2,386
2,678	3,425	3,551	Youth Services	5,621	1,270	4,927

Adult Social Care and Health

2021/22	2022/23	2022/23		Gross	2023/24	Total Net
Actuals	Original Budget	Latest Budget		Expenditure	Income	Expenditure
£000	£000	£000		£000	£000	£000
101,750	100,160	111,808	Older People	303,254	(130,473)	124,292

Highways Maintenance and Sustainable Transport

2021/22	2022/23	2022/23		Gross	2023/24	Total Net
Actuals	Original Budget	Latest Budget		Expenditure	Income	Expenditure
£000	£000	£000		£000	£000	£000
1,102	1,008	1,063	Flood Management	1,768	(135)	1,633
1,277	455	1,270	Localism	860		860

Other Operating Costs

2021/22	2022/23	2022/23		Gross	2023/24	Total Net
Actuals	Original Budget	Latest Budget		Expenditure	Income	Expenditure
£000	£000	£000		£000	£000	£000
20,045	25,349	25,349	External Interest Payable	28,722		28,722

.....

The amendment moved by Cllr Martin Foley and seconded by Cllr Michael Hoy was put to the vote and was **lost**.

The amendment moved by Cllr Ivan Henderson and seconded by Cllr Aidan McGurran was put to the vote and was **lost**.

The amendment moved by Cllr David King and seconded by Cllr Mike Mackrory was put to the vote and was **lost**.

In accordance with Standing Order 16.10.2 (Voting on budget decisions) the Motion as shown in the Budget report, the Addendum Report and Replacement Recommendations document was put to a division by name and **carried** by 43 votes for, 15 against and 2 abstentions.

Those voting for the Motion were Councillors:

Cllr Tony Ball	Cllr Jeff Henry	Cllr Lee Scott
Cllr Lewis Barber	Cllr Paul Honeywood	Cllr Laureen Shaw
Cllr Susan Barker	Cllr John Jowers	Cllr Andrew Sheldon
Cllr Kevin Bentley	Cllr Sam Kane	Cllr Mick Skeels
Cllr Lynette Bowers-Flint	Cllr Dan Land	Cllr Clive Souter
Cllr Malcolm Buckley	Cllr Sue Lissimore	Cllr Wendy Stamp
Cllr Graham Butland	Cllr Derek Louis	Cllr Mike Steel
Cllr Simon Crow	Cllr Peter May	Cllr Mark Stephenson
Cllr Tom Cunningham	Cllr Jaymey McIvor	Cllr Mike Steptoe
Cllr Beverley Egan	Cllr Louise McKinlay	Cllr Marshall Vance
Cllr Jane Fleming	Cllr Dr Richard Moore	Cllr Lesley Wagland
Cllr Alan Goggin	Cllr Mark Platt	Cllr Chris Whitbread
Cllr Ray Gooding	Cllr Ross Playle	Cllr Holly Whitbread
Cllr Ian Grundy	Cllr Chris Pond	
Cllr Anthony Hedley	Cllr Peter Schwier	

Those voting against the Motion were Councillors:

Cllr Barry Aspinell	Cllr Dave Harris	Cllr Aidan McGurran
Cllr Mark Corey	Cllr Ivan Henderson	Cllr James Newport
Cllr Martin Foley	Cllr Michael Hoy	Cllr Stephen Robinson
Cllr Paul Gadd	Cllr David King	Cllr Lee Scordis
Cllr Marie Goldman	Cllr Mike Mackrory	Cllr Kerry Smith

Cllr Eddie Johnson and Cllr Jillian Reeves abstained.

Cllr Carlo Guglielmi and Cllr Anthony McQuiggan were not present in the Chamber when the named vote took place.

Resolved:**Everyone's Essex Annual Plan and Revenue budget**

- 2.1 That the Everyone's Essex Annual Plan and budget be approved in the form appended to this report (Appendix A) subject to the changes set out in paragraph 2.16 below.
- 2.2 That the net cost of services to be set at **£1,176.9million (m)** for 2023/24 – Appendix A (page 26).
- 2.3 That the net revenue budget requirement be set at **£1,011.2m** (net cost of services less general government grants) for 2023/24 – Appendix A (page 30).
- 2.4 That the total council tax funding requirement be set at **£799.0m** for 2023/24 – Appendix A (page 30).
- 2.5 That Essex County Council's element of the council tax be increased by 3.5% comprising of a 1.5% increase in general council tax and 2.0% adult social care precept. This would result in the Essex County Council element of the council tax being **£1,450.17** for a Band D property in 2023/24. A full list of bands is as follows:

Council Tax Band	2022/23	2023/24
	£	£
Band A	934.08	966.78
Band B	1,089.76	1,127.91
Band C	1,245.44	1,289.04
Band D	1,401.12	1,450.17
Band E	1,712.48	1,772.43
Band F	2,023.84	2,094.69
Band G	2,335.20	2,416.95
Band H	2,802.24	2,900.34

- 2.6 Full Council approve the Essex County Council element of the council tax for each category of dwelling and the precepts on each of the council tax billing authorities for 2023/24, together with the final tax base, as set out in the table below:

Billing Authority	2023/24 Final Tax Base Band D Equivalent	2023/24 Gross precept £000
Basildon	61,230	88,794,199
Braintree	55,801	80,920,936
Brentwood	33,870	49,117,258
Castle Point	31,258	45,329,414
Chelmsford	70,763	102,618,220
Colchester	65,865	95,515,592
Epping Forest	54,884	79,590,550
Harlow	28,483	41,305,192
Maldon	25,892	37,548,208
Rochford	32,889	47,694,496
Tendring	51,050	74,031,179
Uttlesford	39,007	56,567,086
Total for ECC	550,992	799,032,330

- 2.7 That the proposed total schools budget be set at **£639.2m** for 2023/24 which will be funded by the Dedicated Schools Grant, Pupil Premium Grant, Universal Free School Meals Grant, PE and Sports Premium Grant, COVID-19 Recovery Premium Grant, Sixth Form Grant, Teachers Pay and Pension Grants, NQT Grant, Senior Mental Health Lead Training Grant and YPLA Funding Grant. The majority of this will be passed through to maintained schools.
- 2.8 That the underlying balance on the General Balance be set at **£68.1m** as at 1 April 2023 (Appendix A, Annex 1, page 58).
- 2.9 That the capital payments guideline be set at **£274.9m** for 2023/24 (Appendix A, page 29)
- 2.10 That for the purposes of section 52ZB of the Local Government Finance Act 1992 the Council formally determines that the increase in council tax is not such as to trigger a referendum.

Capital Strategy

- 2.11 That the 2023/24 to 2026/27 Prudential Indicators and limits, together with updated limits for 2022/23 as set out in Annexes 3A and 3B of the Capital Strategy (Appendix A, pages 96-100) be approved. This includes an authorised limit for external debt of **£1,260m** for the 2023/24 financial year, which defines the maximum amount of external borrowing by the Council, and represents the statutory limit determined under section 3(1) of the Local Government Act 2003.
- 2.12 That the Treasury Management Strategy for 2023/24 be approved, comprising:
- Borrowing strategy, as set out in Annex 3 of the Capital Strategy (Appendix A, Annex 3, page 81).

- b. Treasury management investments strategy, as set out in Annex 3 and Annex 3D of the Capital Strategy (Appendix A, Annex 3, page 88).
 - c. Indicative strategy for commercial investment activities, as set out in Annex 3 of the Capital Strategy (Appendix A, Annex 3, page 91).
- 2.13 That the policy for making a prudent level of revenue provision for the repayment of debt, (the Minimum Revenue Provision policy) as set out in Annex 3C of the Capital Strategy (Appendix A, Annex 3, page 101), be approved.
- 2.14 That the revised Treasury Management Policy Statement (Appendix A, Annex 3, page 108) and Treasury Management Practices (Appendix A, Annex 3, page 109), which set out the policies, objectives, and approach to treasury management, are adopted.

Pay Policy Statement

- 2.15 That the Council adopts the Pay Policy Statement for 2023/24 as set out in Appendix C.

Changes to annual plan and budget

- 2.16 That the following figures be amended to the Annual Plan which forms Appendix A to the report (which starts at page 42 of the published agenda pack) as shown on the replacement pages annexed to the addendum report.
- (a) Where the net cost of service currently shows **£1,164,212,799** (page 71 of the agenda pack), this will be amended to **£1,176,926,480** (as shown on page 2 of this report)
 - (b) Where the Ambition Fund Reserve shows **£4.000m** total net expenditure (page 95 of the agenda pack), this is amended to **£9.925m**
 - (c) Where the Collection Fund Risk Reserve shows **£7.714m** total net expenditure (page 95 of the agenda pack), this is amended to **£9.114m**
 - (d) Where the Everyone's Essex Reserve shows **£0** total net expenditure (page 95 of the agenda pack), this is amended to **£2.000m**
 - (e) Where the Reserve for Future Capital Funding shows **£4.074m** total net expenditure (page 96 of the agenda pack), this is amended to **£7.463m**

(f) Where the Other Operating costs portfolio shows **£121.794m** total net expenditure budget (starts at page 94 of the agenda pack), this is amended to **£134.507m**.

(g) That pages 67, 69, 71, 94, 95, 96, 99 and 100 of the agenda be replaced with those appended to the addendum report circulated at the meeting.

2.17 That the Section 151 Officer be authorised to amend other figures in the Annual Plan which need to change as a result of the mathematical changes of the above consequence.

2.18 That once final allocations for specific government grants (including Public Health grant and Supporting Families grant) are known, the Section 151 Officer is authorised to:

a) Initially transfer any increase in specific grant funding beyond that included in the budget report published 1 February 2023 to the Collection Fund Risk Reserve pending proposals for use; and

b) Fund any decrease in specific grant funding compared to that in the budget report published 1 February 2023 from the Collection Fund Risk Reserve. In this scenario, the report on the first quarter position to Cabinet in July will set out how that amount will be recovered.

9. Adjournment

With the agreement of Council, the Chairman adjourned the meeting at 12:50pm. The meeting reconvened at 13:23pm.

10. Council Issues

At the invitation of the Chairman, Cllr Kevin Bentley presented the report.

The Chairman put the recommendations to the meeting as two separate votes. The date of the October Council meeting, minor changes to the Constitution and Pension Board Terms of Reference were put to the vote first. It having been moved by Cllr Kevin Bentley and seconded by Cllr Louise McKinlay it was

Resolved:

(1) That the October meeting of Council be held on Tuesday 17 October 2023.

(2) That the following amendments to the constitution be made with effect from the close of this meeting:

Amend paragraph 20.9 of the constitution to read:

20.9 Agenda Items

Any member of an Overview and Scrutiny Committee or Task and Finish Group shall be entitled to give notice to the Proper Officer that he wishes an item relevant to the functions of the Committee or Task and Finish Group to be included on the agenda for the next available meeting of the Committee or Task and Finish Group. On receipt of such a request the Proper Officer will ensure that it is included on the next available agenda.

At each Overview and Scrutiny Committee meeting members of the relevant Overview and Scrutiny Committee can suggest additions for that Committee's work programme.

The Overview and Scrutiny Committee will add the item to the agenda and may either:

- (i) commission work to commence immediately;
- (ii) request a scoping document to be prepared to assist the decision;
or
- (iii) reject the suggestion.

Any member can write to the Head of Democracy and Transparency giving an outline of the item and issue to be scrutinised and the reasons. This will then be placed on the agenda of the next meeting of the Scrutiny Board for consideration for allocation to the appropriate Overview and Scrutiny Committee. The Scrutiny Board may recommend that the item be:

- (i) given priority over other items; or
- (ii) placed on the pending list; or the Scrutiny Board may reject the request.

Amend paragraph 16.11.1 (iv) to read as follows:

(iv) The subject of any proposed statement and the identity of the person who will be making it should be notified to the Head of Democracy and Transparency by 5pm two working days prior to the Council meeting. The Head of Democracy and Transparency will send an e-mail notification to all Members of the Council.

- (3) That the terms of reference for the Essex Pension Fund Strategy Board, the Investment Steering Committee and the Pension Advisory Board are agreed and that paragraphs 8.1.4 - 8.1.6 of the constitution are amended as set out in Appendix A to the minutes.

The Chairman then put the recommendations relating to the executive statement to the vote. It having been moved by Cllr Kevin Bentley and seconded by Cllr Louise McKinlay it was

Resolved:

That paragraph 16.11.1 (iii)-(ix) be replaced with:

- (iii) No executive statement may last more than 10 minutes. The executive statements made at a meeting shall not in total last more than 20 minutes. The maximum length of the statement shall be notified in accordance with (iv).
- (iv) The subject of any proposed statement, the identity of the person who will be making it and the length allocated to it must be notified to the Head of Democracy and Transparency by 5pm on the Friday prior to the Council meeting. The Head of Democracy and Transparency will send an e-mail notification to all Members of the Council.
- (v) In exceptional circumstances where it has not been possible to provide notification and identify the person making the statement by 5pm on the Friday prior to the Council meeting, such notification shall be made to the Head of Democracy and Transparency as soon as possible for notification to the leaders of all political groups and for the agreement of the Chairman of the Council that it may proceed.
- (vi) At the meeting, the Leader of the Council or Cabinet Member will be entitled to address the Council on the subject of the Statement for the time allocated.
- (vii) After a statement has been made or after all statements have been made, the Chairman then invite leaders of opposition groups (or a member nominated by them) to make a statement in reply for up to three minutes.
- (viii) At any meeting taking place after 1 September 2023, the Chairman will then invite questions from Members of the Council for a period of time at his discretion. The originator of the Statement shall respond to the questions as they are raised.

11. Cabinet Issues

At the invitation of the Chairman, Cllr Kevin Bentley presented the report and it having been moved by Cllr Kevin Bentley and seconded by Cllr Louise McKinlay it was

Resolved:

To receive the list of urgent decisions taken and the minutes of the Cabinet meetings held on 15 December 2022 and 17 January 2023.

12. Oral Questions of the Leader, Cabinet Member, chairman of a committee or the representative of the Essex Police, Fire and Crime Panel.

The oral questions and answers as part of the broadcast of the meeting may be found on the [ECC Democracy YouTube Channel](#).

The questions asked were:

Question asked by:	Question asked to:	Subject of the question
Cllr Jaymey McIvor	Cabinet Member for Highways and Sustainable Transport	The Council's position on ULEZ zone in London.
Cllr Dave Harris	Cabinet Member for Highways and Sustainable Transport	Treatment of concrete roads in Maypole Division.
Cllr Dave Harris	Leader of the Council	Support for churches and community organisations with huge increase in cost of heating.
Cllr Aidan McGurran	Leader of the Council	Expenditure relating to Essex Trade and Investment Ltd and cost of member and officer travel to China.
Cllr Chris Pond	Cabinet Member for Highways and Sustainable Transport	LED streetlights.
Cllr Ivan Henderson	Cabinet Member for Waste Reduction and Recycling	Booking system at household waste and recycling sites.
Cllr Ivan Henderson	Cabinet Member for Highways and Sustainable Transport	What happens after the ending of national government's bus recovery support in March 2023.
Cllr Wendy Stamp	Cabinet Member for Waste Reduction and Recycling	How the success of the booking system trial at household waste and recycling sites be measured.
Cllr Barry Aspinell	Leader of the Council	Supermarket planning appeal in Brentwood.
Cllr Barry Aspinell	Cabinet Member for Waste Reduction and Recycling	Booking at household waste and recycling centres.
Cllr James Newport	Cabinet Member for Education Excellence, Learning and Skills	King Edmund School in Rochford and disaster recovery plans in schools.
Cllr James Newport	Cabinet Member for Highways and Sustainable Transport	Slippage in LED programme.
Cllr Stephen Robinson	Cabinet Member for Waste Reduction and Recycling	Booking system at recycling centres.
Cllr Stephen Robinson	Cabinet Member for Highways and Sustainable Transport	Is the £9m announced in the budget speech for

Question asked by:	Question asked to:	Subject of the question
		highways capital or revenue.
Cllr Michael Hoy	Cabinet Member for Highways and Sustainable Transport	Flooding in Watery Lane in Rochford.
Cllr Michael Hoy	Cabinet Member for Highways and Sustainable Transport	Urgency of replacing, missing bollards.
Cllr Susan Barker	Cabinet Member for Highways and Sustainable Transport	Litter removal on trunk roads.
Cllr Mark Stephenson	Cabinet Member for Waste Reduction and Recycling	Accessibility of booking system for household waste and recycling sites.
Cllr Martin Foley	Cabinet Member for Waste Reduction and Recycling	Recycling rates at Rayleigh.
Cllr Martin Foley	Cabinet Member for Waste Reduction and Recycling	Booking system at household waste and recycling sites.

13. Closure of Meeting

As this was the last full meeting of the Chairman, the Leader of the Council paid tribute to Cllr Eddie Johnson and thanked him for his work as Chairman of the Council.

A recording of the meeting is available as a [video on YouTube](#).
The meeting closed at 2:09pm.

Chairman

Appendix A**8.1.4 Essex Pension Fund Strategy Board**

Membership: There are eleven Members of the Essex Pension Fund Strategy Board (PSB) including:

All Voting* Members	How Nominated or Appointed	Term of Office
7 Members of the Council	Appointed by the Council	1 year as appointed at the annual meeting of the Council or as changed from time to time by the Constitution
1 Member Councillor representing Borough, City and District Councils in Essex	Nominated by Essex Borough and District Leaders/Chief Executives	4 years from the date of appointment
1 Member Councillor representing Southend on Sea City Council and Thurrock Borough Council	Nominated jointly by and from either Southend-on-Sea City and Thurrock Councils	4 years from the date of appointment
1 Member representing other Employing Bodies	Nominated by other employers at the employer forum or such other process as agreed by the Chairman and the Director for Essex Pension Fund and must be in the employment of or hold office in relation to an Essex Pension Fund (EPF) employer	6 years from date of appointment
1 member representing Scheme Members	Nominated by Unison and must be a member of the Essex Pension Fund	6 years from date of appointment

*voting is subject to other provisions within this document.

The Constitution does not permit non-Essex County Council members to have substitutes.

Quorum

A meeting of the PSB shall only be quorate when:

- i) At least 4 members are present, and
- ii) At least 3 of the members present are Essex County Council members.

Term of Office

The Term of Office may be extended by up to six months if considered necessary for the purpose for the appointment process, for example, due to the timing of local authority elections, with the agreement of the Director for Essex Pension Fund.

Any PSB Member may be re-appointed for further terms following the appropriate appointment process.

A Member may resign by giving notice to the Director for Essex Pension Fund and shall cease to be qualified to be a member of the PSB if they cease to hold the office or employment which qualifies them for the role.

Role and Function

The PSB will exercise on behalf of the Council all of the powers and duties of the Council in relation to its functions as Administering Authority of the Essex Pension Fund except where they have been specifically delegated by the Council to another Committee or to an Officer. Its principal aim is to consider pensions matters with a view to safeguarding the interests of all pension fund Members. In doing so, the PSB will take account of advice from the Director for Essex Pension Fund and the Fund's professional Advisers.

The role of the PSB will include the following specific functions:

- (i) to monitor and oversee the work of the Essex Pension Fund Investment Steering Committee (ISC) through its quarterly reports;
- (ii) to ensure the proper administration of the Fund, including compliance with the Local Government Pension Scheme (LGPS) and other legislation, ensuring that it delivers best value and compliance with statutory and non-statutory best practice guidance where considered appropriate;
- (iii) to determine, review and monitor the Fund's aims, objectives, strategies, compliance statements and procedures relating to the funding strategy, including approving its Funding Strategy Statement;
- (iv) to make arrangements for the actuarial valuation, ongoing monitoring of liabilities and to undertake any asset/liability and other relevant studies as required;
- (v) to determine, review and monitor the Fund's policy in regard to Employer admission and cessation arrangements;
- (vi) to determine, review and monitor the Fund's other aims, objectives, policies, strategies, compliance statements and procedures for the overall management of the Fund, including but not limited to administration, communications and governance;

- (vii) to determine how the various Administering Authority discretions are operated for the Fund;
- (viii) to agree Administering Authority responses to consultations by Central Government, professional and other bodies;
- (ix) to consider any views expressed by employing organisations and staff representatives;
- (x) to both appoint and terminate the appointment of the Fund's advisers, including actuaries, governance advisers and specialist lawyers (where required) and periodically to review those arrangements;
- (xi) to agree the Fund's business plans and monitor progress against them;
- (xii) to consider the Fund's financial statements and to approve an Annual Report on the activities of the Fund in line with legislation and guidance; and
- (xiii) to agree a Knowledge and Skills Strategy and ensure its requirements are adhered to.

No matters relating to Essex County Council's responsibilities as an Employer participating in the Essex Pension Fund are delegated to the PSB.

Officers

The PSB may delegate a range of its functions to one or more officers of the Administering Authority. The PSB will be responsible for outlining expectations in relation to reporting progress of delegated functions back to the PSB. Any delegations the PSB makes to Officers should be notified to the Council's Monitoring Officer.

Chairman

- (i) Only members of Essex County Council may be the Chairman and Vice Chairman.
- (ii) The Chairman will be elected by the County Council at the annual meeting.
- (iii) The Vice-Chairman will be elected annually by members of Essex County Council at the PSB.

Training

The Essex Pension Fund has a dedicated Knowledge and Skills Strategy which applies to all members of the PSB and which includes the expectation to attend regular training sessions in order they may maintain an appropriate level of knowledge and skills to perform their role effectively.

Remuneration

Any Co-optee to the PSB who is not an employee, Officer or Member of their appointing organisation and who is not otherwise entitled to payment for time spent on the role is entitled to claim an allowance in accordance with Appendix 2.

The agreed allowance to be paid is £16.08 per hour to include reasonable preparation time. Therefore it is considered that the following can be claimed:

- PSB attendance - up to four hours which includes preparation time = £64.32 per meeting
- ISC attendance - up to four hours which includes preparation time = £64.32 per meeting
- ISC Strategic meeting attendance - up to six hours which includes preparation time = £96.48 per meeting
- Extra activities = £16.08 per hour which includes:
 - attendance at internal training events hosted by Essex Pension Fund;
 - attendance at and preparation for Task and Finish Groups; and
 - attendance at and preparation for the Appointments Panel, as part of the Essex Pension Fund Advisory Board (PAB) appointments process.

This allowance does not include time spent on external training or observing at Essex Pension Fund Advisory Board meetings.

Essex Pension Fund Advisory Board

Members of the Essex Pension Fund Advisory Board (PAB) are permitted to attend the PSB, including during any items of private business. Comments may also be made by these persons subject to permission to speak being granted by the Chairman. In accordance with the Fund's Conflicts of Interest Policy, a member of the PAB may be asked to leave the room during an item where they have a potential conflict of interest.

8.1.5 Essex Pension Fund Investment Steering Committee

Membership: There are nine Members of the Investment Steering Committee (ISC).

All ISC Members shall be drawn from Essex Pension Fund Strategy Board (PSB) membership as follows:

Members	How Nominated or Appointed
7 Members of the Council (voting members)	All Council members of the PSB
1 Member representing Employers in Essex (non-voting member)	The Member of the PSB nominated by Essex Borough, City and District Leaders/Chief Executives

1 Member representing Scheme Members (non-voting member)	The Member of the PSB nominated to represent Scheme Members
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The Chairman and Vice-Chairman of the ISC shall be the Chairman and Vice-Chairman of the PSB respectively.

Quorum

A meeting of the ISC shall only be quorate when there are three voting members present.

Term of Office for non-voting members

The Term of Office for non-voting members is as follows:

Members	Term of Office
The Member of the PSB nominated by Essex Borough, City and District Leaders/Chief Executives	4 years from the date of appointment
The Member of the PSB nominated to represent Scheme Members	6 years from date of appointment

The Term of Office for non voting members may be extended by up to six months if considered necessary for the purpose for the re-appointment process, for example, due to the timing of local authority elections, with the agreement of the Director for Essex Pension Fund.

Any ISC non-voting Member may be re-appointed for further terms following the appropriate appointment process in line with the PSB.

A Non-voting Member may resign by giving notice to the Director for Essex Pension Fund or Leader of the Council and shall cease to be qualified to be a member of the ISC if they cease to hold the office or employment which qualifies them for the role.

Role and Functions

- (i) to approve and review the asset allocation benchmark for the Fund;
- (ii) to determine, review and monitor the Fund's aims, objectives, policies, strategies and procedures relating to investment of the Fund's assets including the Investment Strategy Statement and any Environmental, Social and Governance (ESG) matters;
- (iii) to appoint and terminate Investment Managers (in relation to non-pooled assets), Custodians and Advisers to the Fund solely relating to investment matters;
- (iv) In relation to the LGPS ACCESS Pension Fund Pool;

- a. to consider pooling matters including recommendations by the ACCESS Joint Committee;
 - b. to determine the transition of the assets held by Essex Pension Fund in relation to the Pool and the funds or sub-funds operated by the Operator;
 - c. to appoint the elected Councillor for Essex County Council (ISC Chairman) to the Joint Committee as and when required with the ISC Vice Chairman, or any other Member, able to deputise in their absence;
 - d. to advise the representative on the Joint Committee on such matters as may be required;
 - e. to monitor the performance of the LGPS ACCESS Pool and its Operator and recommending actions to the ACCESS Joint Committee or ACCESS Support Unit, as appropriate;
 - f. to receive and consider reports from the LGPS ACCESS Joint Committee and the Operator;
 - g. to undertake any other decisions or matters relating to the operation or management of the LGPS ACCESS Pool as may be required.
- (v) to assess the quality and performance of each Investment Manager and the relevant ACCESS Operator annually in conjunction with Essex Pension Fund investment advisers and the Section 151 Officer;
- (vi) to monitor compliance of the investment arrangements with the Investment Strategy Statement;
- (vii) to monitor and review the Fund's compliance with the LGPS Scheme Advisory Board adopted Code of Transparency and UK Stewardship Code;
- (viii) to assess the risks assumed by the Fund at a global level as well as on a manager by manager basis;
- (ix) to approve and to review annually the content of the Pension Fund Treasury Management Strategy; and
- (x) to submit quarterly reports on its activities to the PSB.

Training

The Essex Pension Fund has a dedicated Knowledge and Skills Strategy which applies to all members of the ISC and which includes the expectation to attend regular training sessions in order they may maintain an appropriate level of knowledge and skills to perform their role effectively.

Essex Pension Fund Advisory Board (PAB)

Members of the PAB are permitted to attend the ISC, including during any items of private business. Comments may also be made by these persons subject to

permission to speak being granted by the Chairman. In accordance with the Fund's Conflicts of Interest Policy, a member of the PAB may be asked to leave the room during an item where they have a potential conflict of interest.

8.1.6 The Essex Pension Fund Advisory Board

1. Introduction

The Essex Pension Fund Advisory Board was appointed by Essex County Council (the Scheme Manager and Administering Authority to Essex Pension Fund) on 10 February 2015 as its Local Pensions Board in accordance with section 5 of the Public Service Pensions Act 2013 and Part 3 of the Local Government Pension Scheme (LGPS) Regulations 2013. As such, Parts 3 and 4 of the Constitution of Essex County Council do not apply to this Pension Fund Advisory Board unless expressly referred to within and permitted by these Terms of Reference and Rules of Procedure. The Pension Fund Advisory Board is referred to in these terms of reference as 'the Board'.

In these terms of reference:

"CoP" means any Code of Practice on Governance issued by TPR

"EPF" means the Essex Pensions Fund

"ISC" means the Essex Pension Fund Investment Steering Committee

"LGPS" means the Local Government Pension Scheme

"PSB" means the Essex Pension Fund Strategy Board

"Scheme Manager", "Council" and "ECC" means Essex County Council

"TPR" means The Pensions Regulator

"Member" means a member of the Board

"Board" means the Essex Pension Fund Advisory Board.

The Board will exercise all its powers and duties in accordance with legislation and these Terms of Reference and Rules of Procedure. The Board shall have the power to do anything which is considered to facilitate, or is conducive or incidental to, the discharge of its functions.

2. Appointment and Membership of the Board

(A) The Board shall consist of nine Members and will be constituted as follows:

Members	How Nominated or Appointed
4 Employer representatives made up of one from each of the following groups of Employers in the Fund:	ECC (an elected Member)
	The District, City and Borough Councils of Essex (an elected Member)
	Southend-on-Sea City and Thurrock Unitary Authorities (an elected Member)
	All other Employers

4 Scheme Member representatives of which:	One will be nominated by the trade unions
	The rest will be drawn from the total Fund's active, deferred and pensioner membership
1 Independent Chairman	Through appointment process

(B) The Employer representatives in 2(A) above will be appointed by the respective authorities referred to in each of those clauses.

(C) The Other Employer representative as per clause 2A above, and Scheme Member representatives, and the Independent Chairman will be appointed through a clear and transparent process as determined by an Appointments Panel which will consist of:

- (i) the Chairman of the PSB
- (ii) the Scheme Member representative from the PSB
- (iii) the Director for Essex Pension Fund

and will be advised by the Independent Governance and Administration Adviser for EPF.

The Appointments Panel will also be supported by Officers of the EPF as considered as appropriate by the Appointments Panel.

The Appointments Panel will define any eligibility and/or selection criteria that will apply to Board Members within the scope of this procedure, beyond those already included in these Terms of Reference and Rules of Procedure, having due regard to the LGPS Regulations and any other relevant Code of Practice and guidance. The Appointments Panel will have the power to appoint or reject any nomination or applicant where they consider the individual does not meet the eligibility and/or selection criteria. Should any of the Appointments Panel members be unable to undertake their responsibilities they, or the remainder of the Appointments Panel in their absence, may delegate a suitable alternate to undertake Appointments Panel responsibilities on their behalf.

(D) Where any Employer, other than ECC, has a representative on the PSB or ISC, that Employer will not be permitted to also have a representative on the Board.

(E) No Officer of ECC who is either responsible for discharging any function in relation to the LGPS regulations or has delegated decision-making authority in relation to LGPS matters may be a member of the Board.

(F) No member of the PSB or ISC may be appointed to the Board.

(G) All Scheme Member and Employer representatives must have the capacity to represent their EPF Members and Employers as appropriate

(H)The Board shall appoint a Vice Chairman annually from amongst its Members at the first meeting of the Board after each annual meeting of the Council. This will be done by a nomination process followed by a show of hands from those in attendance at that first meeting.

3. Quorum and Meetings of the Board

(A) A meeting of the PAB shall only be quorate when:

i) 4 Members are present including at least the Chairman or Vice-Chairman, 1 Employer representative and 1 Scheme Member representative.

A meeting that is (or becomes at any point) inquorate will only continue if the Chairman (or Vice-Chairman) decides it should and in relation to items of business as agreed by the Chairman (or Vice-Chairman). Attendance will be recorded and monitored by the EPF.

(B) Substitutes will not be permitted.

(C) Meetings will normally be held at the offices in County Hall, Chelmsford offering a Hybrid approach allowing Members to dial in via telephone/video conferencing facilities.

(D)Following such procedure as determined by the Chairman, urgent business of the Board between meetings may in exceptional circumstances between Members of the Board including telephone/video conferencing and e-mails.

(E) The Board will normally meet four times in each calendar year and must meet a minimum of twice in each calendar year.

(F) It is expected that voting by the Board will only be in exceptional circumstances and the Board will, as far as possible, reach a consensus. Each Scheme Member representative and Employer representative will be entitled to vote where voting is considered necessary by the Chairman.

(G) Where voting is considered necessary by the Chairman, in the event of an equal number of votes being cast for or against a proposal, there shall be no casting vote but the proposal shall be considered to have been rejected.

(H)The results of any voting outcomes will be recorded in the Board meeting record.

(I) The Independent Chairman of the Board will not be entitled to vote.

(J) Meetings of the Board are not open to the general public. The following will be entitled to attend Board meetings as observers and may be asked to present information or answer questions by the Board. Comments may also be made by these persons subject to permission to speak being granted by the Chairman:

- i. Members of the PSB and ISC
- ii. The Executive Director, Corporate Services (Section 151 Officer), the Director for Essex Pension Fund, the other Officers holding managerial positions for EPF, and the Monitoring Officer
- iii. Other Officers or Advisers of the EPF or the Scheme Manager with responsibilities in relation to matters being considered by the Board or providing support to the Board including carrying out the administration for the Board
- iv. Other Employers participating in the EPF subject to approval in advance by the Chairman, or on request of the Chairman
- v. Any other person requested to attend by the Chairman
- vi. Any other person subject to approval in advance by the Chairman.

4. Term of Office

(A) Employer representative appointments will expire after a period of four years from the date of establishment of the PAB or the date of their appointment if later. This period may be extended to up to six years if agreed by the Director for Essex Pension Fund. It will automatically cease if the individual is no longer in the employment of that employer, no longer holds office in relation to that employer or is no longer an elected member of that employer, as appropriate.

(B) Scheme member representative appointments will expire after a period of four years from the date of establishment of the PAB or the date of their individual appointment if later. This period may be extended to up to six years if agreed by the Director for Essex Pension Fund. It will automatically cease if the individual is no longer a trade union representative or representative of EPF members (in accordance with the criteria set by the Appointments Panel).

(C) The Independent Chairman's appointment will expire after a period of four years from the date of establishment of the PAB or the date of their individual appointment if later. This period may be extended to up to six years if agreed by the Appointments Panel.

(D) Any Board member, including the Independent Chairman, may be reappointed for further terms following an appointment process.

(E) The Term of Office may be extended by up to six months if considered necessary for the purpose of the appointment process, for example, due to

the timing of local authority elections, with the agreement of the Director for Essex Pension Fund.

(F) In relation to Scheme Members representatives who are appointed by the Appointments Panel, other than ceasing to be eligible (as set out above) a Board member may only be removed from office during the Term of Appointment by the unanimous agreement of the Appointments Panel. Such reasons may include non-compliance with this Terms of Reference and Rules of Procedure including inappropriate conduct, conflicts of interest, avoidance of training or low meeting attendance, not having the capacity to represent their members or for any other reason not meeting the criteria required to be a Board member.

(G) The removal of the Independent Chairman requires unanimous agreement from the Appointments Panel.

5. Role and Functions of the Board

The Board has the following roles and functions:

- (A) To assist the Scheme Manager:
 - to secure compliance with the LGPS regulations and any other legislation relating to the governance and administration of the LGPS
 - to secure compliance with requirements imposed in relation to the LGPS by TPR
- (B) To assist the Scheme Manager to ensure the effective and efficient governance and administration of the LGPS for the EPF.

In doing this, the Board:

- a) shall assist the Scheme Manager with such matters as the LGPS regulations and guidance may specify.
- b) shall be a “critical friend” to the PSB and the ISC.
- c) may provide oversight of decisions made by the PSB and ISC to ensure that due process has been followed.
- d) may review any decision made by or on behalf of the Scheme Manager or any action taken by the Scheme Manager.
- e) shall comment on and assist in identifying and managing breaches of the law in relation to EPF matters where required.
- f) at the invitation of the PSB, may also undertake other tasks, including (but not limited to):
 - assisting the PSB by reviewing aspects of the performance of the EPF – for example by reviewing the risk management arrangements

within EPF (although the PSB will remain accountable for risk management);

- reviewing administration standards or performance or review efficacy of EPF Member and Employer communications;

- reviewing published policies to ensure they remain fit for purpose and are complete;

- reviewing EPF annual reports;

- being part of any consultation process with the purpose of adding value to that process based on, for example, their representation of Employers and EPF Members;

- discussing strategic matters such as communications where requested by the PSB.

- g) shall provide such information as is requested to other bodies including but not limited to the LGPS Scheme Advisory Board and TPR and provide an annual report of the work of the Board to the Scheme Manager.

- h) will prepare a record of each meeting which will normally be published no later than 12 working days following the meeting using the appropriate systems of the Scheme Manager.

- i) must provide a record of each meeting to the following PSB meeting and may make reports and recommendations to the PSB insofar as they relate to the role of the Board (see "Reporting and Escalation").

The Board is not a decision-making body in relation to the management of the EPF but makes recommendations to assist in such management. The EPF's management powers and responsibilities which have been, and may be, delegated by the Council to committees, sub-committees and officers of the Council, remain solely the powers and responsibilities of those committees, sub-committees and officers. The Board operates independently of the Essex PSB.

Though members of the Board include representatives of specific categories of stakeholder (i.e. pension Scheme Members and categories of Employers within the EPF) each Member is required to have due regard to this document. All Members Board are expected to work jointly in the best interest of EPF, rather than representing the interest of any individual stakeholders or organisations. This should not prevent Members from sharing their knowledge on how matters might impact specific stakeholders of the EPF.

6. Chairing

The role of the Chairman is to:

(A) Ensure that all Members show due respect for process, that all views are fully heard and considered and that decisions are democratically made where consensus cannot be reached.

(B) To uphold and promote the purpose of the Board and to interpret its Terms of Reference and Rules of Procedure when necessary.

(C) Ensure that Members have the facilities and make appropriate efforts to achieve the knowledge and skills as determined in the EPF Knowledge and Skills Strategy and other guidance or legislation and ensure a training record is monitored and maintained.

(D) Act as professional adviser for the Board or arrange such advice as required to be provided subject to agreement by the Director for Essex Pension Fund.

(E) Agree the agenda for each Board meeting.

(F) Approve records of each Board meetings.

(G) Ensure an attendance record is maintained to allow the Scheme Manager to make arrangements for remuneration and expenses to be paid.

(H) Agree with the Scheme Manager an appropriate budget for the Board, which is ratified by the Board before being formally approved by the Scheme Manager along with the EPF Annual Budget.

(I) Write reports required by the Scheme Manager on the work of the Board.

(J) Liaise with the Director for Essex Pension Fund on the requirements of the Board, including advanced notice for Scheme Manager officers to attend and arranging dates and times of Board meetings.

(K) To provide guidance on all points of procedure and order, and the Chairman's interpretation of these Terms of Reference and Rules of Procedure shall be final.

(L) Other tasks which may be deemed appropriate by the Scheme Manager for the Chairman of the Board.

(M) To commission advice or work on behalf of the Board.

(N) To liaise with the Chairmen of the PSB and ISC as deemed appropriate.

(O) Other tasks that may be requested by the members of the Board, within the remit of these Terms of Reference and Rules of Procedure and subject to agreement with the Director for Essex Pension Fund.

(P) To annually review and report on the activities of the Board.

7. Reporting and Escalation

(A) Where the Board wish to make a recommendation to the PSB or ISC they should do so in writing to the Director for Essex Pension Fund. The recommendation will normally be considered at the next available meeting of the body concerned. The next available meeting will normally be the first meeting which takes place 20 days after the recommendation is issued.

(B) As permitted by clause 2, the Board may review any decision made by or on behalf of the Scheme Manager or any action taken by the Scheme Manager. Where the Board has reviewed a decision or action and believe the wrong decision has been made or wrong course of action has been taken and wish this decision or action to be escalated, the following process shall be followed:

Stage 1: The Board may refer a decision or action to the original decision maker or responsible person if at least 3 employer representatives and 3 scheme member representatives believe that one or more of the following applies:

1. the decision maker/responsible person was not authorised to make the decision or take the action in question;
2. the decision/action was in breach of legislation and/or regulations;
3. the decision maker/responsible person did not follow professional advice given (or did not take professional advice) and it is believed that this could result in a materially bad outcome for the EPF;
4. the approach to making the decision or take the action did not follow one or more of the following principles:
 - (i) the decision-maker/responsible person did not ask themselves the right question(s);
 - (ii) the decision-maker/responsible person did not direct themselves correctly in law; in particular did not adopt a correct interpretation of the legislation and regulations relevant to the EPF;
 - (iii) the decision-maker/responsible person did not take into account all relevant facts;
 - (iv) the decision-maker/responsible person arrived at a perverse decision or took a perverse action (i.e. a decision or

action which no reasonable decision-maker/responsible person could have reached)

5. New material has come to light that might have resulted in a different outcome provided that the original decision or action has not yet been irrevocably implemented.

Stage 2: If the Board is dissatisfied with the response of the decision maker/appropriate person, it will seek the advice of the Director for Essex Pension Fund (unless the Director was the original decision maker).

Stage 3: Where the decision-maker/appropriate person in question is the Director for Essex Pension Fund and the Board remains dissatisfied with the response or resolution from the Director for Essex Pension Fund it will seek the joint advice of the ECC's section 151 Officer and ECC's Monitoring Officer.

Stage 4: Where the Board remains dissatisfied with the joint response from the Executive Director, Corporate Services and ECC's Monitoring Officer. The Board will seek the advice of the National LGPS Advisory Board (and shall inform the Director for Essex Pension Fund, ECC's section 151 Officer and ECC's Monitoring Officer that it has done so)

8. Standards and Conflicts of Interest

A conflict of interest is defined in the Public Service Pensions Act 2013 as: "in relation to a person, means a financial or other interest which is likely to prejudice the person's exercise of functions as a member of the board (but does not include a financial or other interest arising merely by virtue of membership of the scheme or any connected scheme)."

(A) Members shall comply with the EPF Conflicts of Interest Policy insofar as it relates to Members.

(B) Members of the Board must provide, as and when requested by the Scheme Manager, such information as the Scheme Manager requires to identify all potential conflicts of interest and ensure that any member of the Board or person to be appointed to the Board does not have a conflict of interest at appointment or whilst a member of the Board.

(C) Part 24 of the ECC's Members' Code of Conduct shall apply in relation to the standards of conduct of Members insofar as they can be reasonably considered to apply to the role of members of the Board, including the non-disclosure of confidential information.

(D) Members must adhere to the requirements of the EPF Procedure for Monitoring and Reporting Breaches of the Law and should be mindful of the individual legal requirements in relation to reporting breaches of the law in relation to EPF matters.

9. Knowledge and Understanding

Under the requirements of the Public Service Pensions Act 2013, Members must be conversant with:

- a) the legislation and associated guidance of the LGPS, and
- b) any document recording policy about the administration of the LGPS which is adopted by the EPF.

In addition, a Members must have knowledge and understanding of:

- The law relating to pensions, and
- Any other matters which are prescribed in regulations.

It is for individual Members to be satisfied that they have the appropriate degree of knowledge and understanding to enable them to properly exercise their functions as a Member.

In line with this requirement Members are required to be able to demonstrate their knowledge and understanding and to refresh and keep their knowledge up to date. Members are therefore required to:

- participate in training events (a written record of relevant training and development will be maintained)
- undertake a personal training needs analysis or other method to identify gaps in skills, competencies and knowledge.
- Comply with the EPF Knowledge and Skills Strategy insofar as it relates to Members.

10. Remuneration and Expenses

(A) Subject to (B) below, an allowance may be made to Scheme Member representatives for attending meetings relating to Board business at a rate of £16.08 per hour, in line with the PSB Co-optee allowance at Appendix 2.

This allowance includes reasonable preparation time. Therefore it is considered that the following can be claimed:

- PAB attendance - up to four hours which includes preparation time = £64.32 per meeting
- Extra activities = £16.08 per hour which includes:
 - attendance at internal training events hosted by EPF; and
 - attendance at and preparation for Task and Finish Groups.

This allowance does not include time spent on external training events or observing at PSB or ISC meetings.

(B) It is hoped that Employers of Members who represent people who are members of the pension scheme will provide appropriate capacity to allow the representative to perform this role within their normal working day without any reduction in pay or leave. If that is the case, the representative will not be entitled to any allowance.

(C) Employer and pension scheme member representatives shall be entitled to claim travel and subsistence allowances at the rates contained in the Schedule of Member Remuneration in Scheme Manager's Constitution.

(D) The Chairman shall be paid remuneration and expenses as determined by the Appointments Panel. The Chairman will be expected not to claim all or part of the remuneration if the duties are carried out within their normal working day of other paid employment without any reduction in pay.

11.Receipt of advice and information

The Board will be supported in its role and responsibilities by the Independent Chairman and by EPF Officers who will provide a secretariat role. In addition, Board Members will receive the final reports, minutes and agendas relating to all PSB and ISC and may attend PSB and ISC meetings (including during exempt items).

Insofar as it relates to the role of the Board, the Board may also:

- (A) request and receive information and reports from the PSB, ISC or any other body or officer responsible for the management of the EPF,
- (B) examine decisions made or actions taken by the PSB, ISC or any other body or officer responsible for the management of the EPF,
- (C) may attend all or any part of a PSB or ISC meeting (including during exempt items) unless they are asked to leave as a result of a conflict of interest.

The Secretariat will provide such information as is requested that is available without unreasonable work or costs. Any requests for information and advice that have not been provided by the Secretariat are subject to the approval of the Director for Essex Pension Fund who will be required to consider positively all reasonable requests in relation to the role of the Pension Board whilst being mindful of value for money.

12.ACCESS Joint Committee

The ACCESS Joint Committee operates on the basis member authorities have a limited number of opportunities to send observers to observe those parts of the meetings of the Joint Committee which are held in private (as a statutory joint committee the public are entitled to attend unless excluded in accordance with the law). The Scheme Manager currently allows Members some of its slots to observe the meetings.

Any Member who observes an ACCESS meeting is expected to the Board at the next available meeting.

No information regarding the ACCESS Joint Committee Part 2, (exempt or confidential business), may be released outside of the ACCESS Joint Committee meeting or meeting of the Board.

12.Administration

The Chairman will agree an agenda with the Secretariat prior to each Board meeting. The agenda and any papers for the Board will be issued at least 5 working days (where practicable) in advance of the meeting except in the case of matters of urgency. Draft records of each meeting including all actions, decisions and matters where the Board was unable to reach a decision will be drafted and normally circulated to all Board members within 12 working days after the meeting. These draft records will be subject to formal agreement by the Chairman taking consideration of comments by Board members (which may be done electronically between meetings).

The records of the meetings may, at the discretion of the Chairman, be edited to exclude items on the grounds that they would either involve the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A (2) of that Act.

The Board must comply with the General Data Protection Regulation and the Scheme Manager's data protection policy. It must also adhere to the Scheme Manager's requirements, controls and policies for Freedom of Information Act compliance.

13.Accountability

The Board will collectively and individually be accountable to ECC, as the Scheme Manager to the EPF.

14.Review, Interpretation and Publication of Terms of Reference and Rules of Procedure

These Terms of Reference and Rules of Procedure have been agreed by ECC. The Council will monitor and evaluate the operation of the Board and may review this Terms of Reference and Rules of Procedure from time to time.

These Terms of Reference and Rules of Procedure is incorporated into the Council's Constitution and published on the Council's website and may be amended by the same means as permitted for the Constitution. It will also form part of the EPF's Governance Policy and Compliance Statement which will be made available in accordance with the requirements of the LGPS Regulations.

15.Publication of Board information

In accordance with the Public Service Pensions Act 2013, Essex County Council is required to publish information about the Board including:

- who the Board Members are
- representation on the Board
- the role of the Board.

In accordance with good practice, ECC may publish other information relating to the Board as considered appropriate from time to time and which may include:

- the agendas and meeting records
- training and attendance logs
- an annual report on the work of the Board.

All or some of this information may be published using the following means or other means as considered appropriate from time to time:

- on the EPF website – www.essexpensionfund.co.uk
- on the ECC website – <http://www.essex.gov.uk>,
- within the EPF Annual Report and Accounts,
- within the EPF's Governance Policy and Compliance Statement.

Information may be excluded on the grounds that it would either involve the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act.

The Chief Executive's Report on return of Members Elected and Political Proportionality

A by election for the Laindon Park and Fryerns division was held on 4 May 2023. Cllr Pat Reid was re-elected to the Council. Cllr Reid has joined the Labour Group. The effect of the by election means that the composition of the Council remains:

The Conservative Group:	52
The Non-Aligned Group:	10
The Liberal Democrat Group:	8
The Labour Group:	5

Total: 75

Whenever a Councillor joins a political group the Council is required by law to undertake a review of committee seat allocations in accordance with the statutory rules of political balance. The review has been undertaken and no changes to committee seat allocations arise from the recent changes since Cllr Reid's election does not change the political balance of the council as her predecessor was also a member of the Labour Group.

Recommendation:

That there be no change to the allocation of committee seat places which remain as determined by the Council at its annual meeting in May 2021.

Membership of Committees – as set out below		
Corporate Policy and Scrutiny Committee (14) (10 Con: 1 Lab: 1 LD : 2 NAG)	People and Families Policy and Scrutiny Committee (14 + 4) (10 Con :1 Lab: 1 LD : 2 NAG + 4 Co-opted)	Place Services and Economic Growth Policy and Scrutiny Committee (14) (10 Con: 1 Lab: 1 LD: 2 NAG)
Lewis Barber Simon Crow Tom Cunningham Mike Garnett Ivan Henderson Sam Kane Mike Mackrory Jaymey Mclvor Anthony McQuiggan Chris Pond Clive Souter Wendy Stamp Mike Steptoe Marshall Vance <i>Conservative Sub:</i> Sue Lissimore Bob Massey Daniel Land Jane Fleming <i>Labour Sub:</i> Aidan McGurran <i>Liberal Democrat Sub:</i> David King	Marie Goldman Ray Gooding Ian Grundy Carlo Guglielmi Eddie Johnson Daniel Land Sue Lissimore June Lumley Peter May Aidan McGurran Ross Playle Mick Skeels Wendy Stamp Mike Steel <i>Conservative Subs:</i> Jeff Henry Jaymey Mclvor Michael Hardware <i>Labour Sub:</i> Lee Scordis <i>Liberal Democrat Sub:</i> Mark Cory	Dave Blackwell Simon Crow Jane Fleming Paul Gadd Alan Goggin Paul Honeywood Bob Massey James Newport Lee Scordis Andrew Sheldon Chris Siddall Mick Skeels Marshall Vance Andrew Wiles <i>Conservative Subs:</i> Susan Barker Jaymey Mclvor Richard Moore <i>Labour Sub:</i> Aidan McGurran <i>Liberal Democrat Sub:</i> Jude Deakin

Health Overview, Policy and Scrutiny Committee (12 + 4)	Development and Regulation Committee (12)	Audit, Governance and Standards Committee (10 +1)
(8 Con: 1 Lab: 1 LD: 2 NAG + 4 Co-opted)	(8 Con: 1 Lab: 1 LD: 2 NAG)	(7 Con: 1 Lab: 1 LD: 1 NAG + 1 Co-opted) (none to be on Cabinet)
Martin Foley Paul Gadd Ian Grundy Dave Harris Jeff Henry Eddie Johnson Daniel Land June Lumley Anthony McQuiggan Richard Moore Stephen Robinson Mike Steptoe <i>Conservative Subs:</i> Mark Durham Bob Massey <i>Labour Sub:</i> <i>Liberal Democrat Sub:</i> Mike Mackrory Mark Cory	Barry Aspinell Lynette Bowers-Flint Mike Garnett Carlo Guglielmi Michael Hardware Dave Harris John Jowers Luke Mackenzie Mark Stephenson Mike Steel Mike Steptoe Paul Thorogood <i>Conservative Subs:</i> Simon Crow Ian Grundy Jeff Henry Sam Kane Andrew Sheldon Marshall Vance <i>Labour Sub:</i> Lee Scordis Aidan McGurran <i>Liberal Democrat Sub</i> Mike Mackrory	Susan Barker Anthony Hedley David King Luke Mackenzie Aidan McGurran Anthony McQuiggan Mark Platt Laureen Shaw Chris Siddall Vacancy – NAG - TBC <i>Conservative Subs:</i> Lewis Barber Jane Fleming Jaymey McIvor <i>Labour Sub:</i> Lee Scordis <i>Liberal Democrat Sub</i> Mike Mackrory

**Investment Steering
Committee (7 + 2)**

(5 Con: 1 Lib Dem: 1
NAG + 2 non-voting)

Susan Barker

Alan Goggin

Anthony Hedley

Michael Hoy

David King

Mark Platt

Clive Souter

Conservative Subs:

Mark Durham

Liberal Democrat Sub:

Mike Mackrory

Election of Chairmen of Committees

**Corporate Policy and
Scrutiny Committee**

Chairman:

Chris Pond

**People and Families
Policy and Scrutiny
Committee**

Chairman:

Ray Gooding

**Place Services and
Economic Growth Policy
and Scrutiny Committee**

Chairman:

Alan Goggin

**Health Overview, Policy
and Scrutiny Committee**

Chairman:

Jeff Henry

**Development and
Regulation Committee**

Chairman:

Carlo Guglielmi

**Audit, Governance and
Standards Committee**

Chairman:

Tony Hedley

Scrutiny Board

Chairman:

Ray Gooding

**Investment Steering
Committee**

Chairman:

Susan Barker

Other Appointments

a) Appointments to the Health and Wellbeing Board

John Spence and Beverley Egan as members with Ray Gooding as the named substitute.

b) Appointment to the Essex Police, Fire and Crime Panel

Ross Playle as the member with Ian Grundy as the named substitute.

c) Appointment to the Essex Pension Fund Advisory Board

Chris Siddall

d) Appointments to Outside Bodies

Appendix 4 of part 26 of the Constitution is a list of Approved Bodies. Members appointed as County Council representatives to Approved Bodies may claim expenses from the Council for attending meetings if they do not receive payment from any other organisation.

- Appendix 1 shows the list of appointments made since the last Annual Meeting.
- Appendix 2 sets out the full list of approved bodies as of 5 May 2023.

Recommendation:

To receive the full list of Approved Bodies and to note the changes to appointments to Outside Bodies since the last Annual Meeting.

Appendix 1 – List of appointments made since the last Annual Meeting

	Appointments from May 2022	
Billericay Educational Trust	Cllr Dr Richard Moore	20/05/2022
Chelmsford for You (Chelmsford Business Improvement District)	Cllr Anthony McQuiggan	26/04/2023
Crouch Harbour Advisory Committee	Cllr Jane Fleming	26/09/2022
Essex Local Highways Panel - Rochford	Cllr James Newport	03/03/2022
Essex Sensory Pathway: Strategic Partnership Group	Cllr Holly Whitbread	24/05/2022
Great and Little Leighs Education Charity	Mrs Susan Bunton	25/10/2022
Harlow College of Further Education Corporation	Cllr Michael Hardware	01/01/2023
Hertfordshire and West Essex Integrated Care Partnership	Cllr John Spence Cllr Holly Whitbread	19/04/2023
Lee Valley Regional Park	Cllr Clive Souter	13/02/2023
Mid and South Essex Integrated Care Partnership	Cllr John Spence Cllr Tony Ball	19/04/2023
North Essex Parking Partnership	Cllr Daniel Land	17/06/2022
Parking and Traffic Regulations Outside London Joint Committee	Cllr Lee Scott	14/02/2023
South Essex Parking Partnership	Cllr Laureen Shaw	17/06/2022
Suffolk and North Essex Integrated Care Partnership	Cllr John Spence Cllr Beverley Egan	19/04/2023
Whipps Cross Joint Health Overview and Scrutiny Committee	Cllr Marshall Vance	13/07/2022

A full list of appointments to Outside Bodies is available on [CMIS](#).

Appendix 2 – Full list of approved bodies as of 5 May 2023

Abberton Rural Training
ACCESS Pension Fund Pool Joint Committee
Active Essex Foundation
Adoption Panel Mid
Adoption Panel North
Adoption Panel South
Adoption Panel West
Ann Johnson's Educational Foundation
Billericay Educational Trust
Bradwell Local Community Liaison Committee
Bradwell Quarry Liaison Group
Bulls Lodge Liaison Group
Chelmsford For You (Chelmsford Business Improvement District)
Civilian Military Partnership Board
Coast & Heaths AONB Partnership
Coast & Heaths AONB Joint Advisory Committee (JAC)
Coastal Renaissance Partnership Board (CRPB)
Coleman's Farm Quarry Liaison Group
County Councils Network (CCN)
Crouch Harbour Advisory Committee
Crumps Farm Liaison Group
Danbury Lakes Country Park Forum
Dedham Vale AONB and Stour Valley Partnership
Dedham Vale AONB and Stour Valley Joint Advisory Committee (JAC)
East of England LGA (EELGA) Assembly
East Suffolk and North Essex NHS Foundation Trust (formerly Colchester Hospital University Trust)
Epping and Theydon Garnon Joint Charities
Essex Association of Local Councils
Essex Cares Limited
Essex Coastal Forum
Essex Countywide Traveller Unit (ECTU) Joint Committee
Essex Local Highways Panel - Basildon
Essex Local Highways Panel - Braintree
Essex Local Highways Panel - Brentwood
Essex Local Highways Panel - Castle Point
Essex Local Highways Panel - Chelmsford
Essex Local Highways Panel - Colchester

Essex Local Highways Panel - Epping Forest
Essex Local Highways Panel - Harlow
Essex Local Highways Panel - Maldon
Essex Local Highways Panel - Rochford
Essex Local Highways Panel - Tendring
Essex Local Highways Panel - Uttlesford
Essex Partnership University Foundation Trust
Essex Rural Partnership
Essex Sensory Pathway: Strategic Partnership Group
Essex Waterways Ltd: Chelmer and Blackwater Navigation
Family Hub Advisory Board, Braintree district (formerly Chelmsford Children's Centre Partnership Group)
Family Hub Advisory Board, Chelmsford district (formerly Chelmsford Children's Centre Partnership Group)
Family Hub Advisory Board, Maldon district (formerly Chelmsford Children's Centre Partnership Group)
Fawbert and Barnard's Educational Foundation
Feering and Kelvedon Local History Museum
Firstsite
Fitch and Mott Trust
Fostering Panels
Gosling Education Foundation
Grange Farm Centre Trust
Great and Little Leighs Educational Charity (British School, Great Leighs)
Great Notley Country Park Joint Partnership Board
Harlow College of Further Education Corporation
Harlow Strategic Partnership for Educational Attainment
Hatfield Forest National Trust Local Committee - Management Committee
Hertfordshire and West Essex Integrated Care Partnership
Kent and Essex Inshore Fisheries and Conservation Authority
King Edward VI School at Chelmsford (Foundation) V.C.
Lee Valley Regional Park Authority
Leverton Educational Foundation
LGA - Executive Board
LGA - General Assembly
LGA Resources Board
LGA Coastal Special Interest Group
Local Children's Partnership Board - Mid Essex
Local Children's Partnership Board - North East Essex

Local Children's Partnership Board - South Essex
Local Children's Partnership Board - West Essex
Local Strategic Partnership - Basildon
Local Strategic Partnership - Chelmsford
Local Strategic Partnership - Epping Forest
Local Strategic Partnership - Harlow 20/20
Local Strategic Partnership - Rochford
Local Strategic Partnership - Uttlesford
Local Strategic Partnership - Castle Point
London Southend Airport Consultative Committee
Mid and South Essex Integrated Care Partnership
Mid and South Essex NHS Foundation Trust
National Association of Areas of Outstanding Natural Beauty
North East London Joint Health Overview and Scrutiny Committee
North Essex Parking Partnership (NEPP)
Parking and Traffic Regulations Outside London Joint Committee
Partnership Member Board - Waste
Princess Alexandra Hospital NHS Trust
Regional Flood & Coastal Committee Anglian (Eastern)
Regional Flood & Coastal Committee Anglian (Great Ouse)
Regional Flood & Coastal Committee Thames
Reserve Forces and Cadets Association for East Anglia (East Anglia RFCA)
Rivenhall Airfield Waste Site Liaison Group
Rural Community Council of Essex (RCCE)
Safer Essex
Safer Essex Roads Partnership
Saffron Walden Museum Society
Saffron Walden Town Library Society
South East Local Enterprise Partnership (SELEP) Accountability Board
South Essex Parking Partnership (SEPP)
Standing Advisory Committee for Religious Education (SACRE)
Stansted Airport Consultative Committee
Suffolk and North Essex Integrated Care Partnership
Thames Estuary 2100 Strategic Programme Board
Thames Gateway South Essex Partnership
The Plume Educational Trust

Thomas Plume's Library Charitable Incorporated Organisation
Transport Routes Appeal Panel
Visit Essex Board
Whipps Cross Joint Health Overview and Scrutiny Committee
Youth Strategy Group - Basildon
Youth Strategy Group - Braintree
Youth Strategy Group - Brentwood
Youth Strategy Group - Castle Point
Youth Strategy Group - Chelmsford
Youth Strategy Group - Colchester
Youth Strategy Group - Epping Forest
Youth Strategy Group - Harlow
Youth Strategy Group - Maldon
Youth Strategy Group - Rochford
Youth Strategy Group - Tendring
Youth Strategy Group - Uttlesford

Motions

Members have given notice that they intend to move the following motions in accordance with paragraph 16.8.2 of the Constitution:

The Courts have made it clear that the Public Sector Equality Duty applies to the Council when it is considering these motions, even if they are motions without legal effect. There is not a general requirement for an equality impact assessment but regard should be had to the equality duty when drafting and considering motions.

The equality duty requires Council to have due regard to the need to:

- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes it unlawful to discriminate etc on the grounds of a protected characteristic.
- (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
- (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

1. Rising sea-level and the Essex coast

Moved by Cllr Paul Thorogood and seconded by Cllr Chris Pond.

'Given that the world is in all probability going to overshoot a +1.5C temperature rise Council asks the Cabinet to prepare plans for Essex to be ready for a world with higher sea levels, long-term droughts, occasional flash flooding and supply chain problems impacting food supply. Council further asks the Cabinet to present those draft plans to Council in December 2023 for the purpose of consultation.'

2. Health and GP Services in Essex

Moved by Cllr Marie Goldman and seconded by Cllr Stephen Robinson.

'This Council believes that timely and face to face access to GP services are essential for the health and wellbeing of our residents and calls for more consistent access across the county and reduced waiting times, as this will help Essex residents, and reduce pressure on Accident and Emergency and other hospital services.

This Council notes unacceptable waiting times and difficulty in securing access to a GP. Same day appointments are available for some, but other residents can wait for a week or more, with significant risks to health for some. A face-to-

face appointment is increasingly difficult to secure in some practices, and many residents are having to see other health professionals, rather than a GP.

This Council requests the Health Overview and Scrutiny Committee to obtain from the three Integrated Care Systems a position statement on the number of GP vacancies in the county and what steps are being taken to fill these.

The Council requests the Cabinet Member for Adult Social Care and Health to:

- Write to the Secretary of State for Health and Social Care asking that the Government fund additional doctor training places at Anglia Ruskin University's Medical School, to meet the need for new doctors, based on growing demand and forthcoming retirements.
- Support the City, Borough and District Councils in Essex when they want to make provision for GP surgeries and other health provision in their Local Plans.'

Agenda item 15

Council Issues

1. Minor changes to the constitution

- 1.1 A minor change to resolve an anomaly in paragraph 16.11.1 of the Constitution which says that executive statements should be notified on the Friday before the meeting, which means that advanced notice is required between one and six days before the meeting, depending on the day of the week upon which the meeting is held. It's proposed to change it so that two working days' notice is given.

2. Recommendation:

- 2.1 Amend paragraph 16.11.1 (iv) of the constitution to read as follows:

'(iv) The subject of any proposed statement and the identity of the person who will be making it should be notified to the Head of Democracy and Transparency by 5pm two working days prior to the Council meeting. The Head of Democracy and Transparency will send an e-mail notification to all Members of the Council.'

3. Member Allowances – Annual Indexation

- 3.1 Members are asked to update the constitution to reflect the new rates for the Member Allowances which apply automatically following the annual adjustment in line with the index agreed by the Council when it adopted the new scheme of allowances in July 2022. The index chosen by council is the Office of National Statistics Public Sector Pay index – this gives a percentage figure and avoids the difficulties that have been experienced by authorities who linked to the national local government pay award. We can rely on this index for a period of four years from 2022. Some Members choose to forgo any part of the allowance.
- 3.2 The basic allowance will be increased from £12,292 pa to £12,941pa.
- 3.3 The special responsibility allowances will be as follows:

	New (£)
Leader	58,235
Deputy Leader	46,582
Cabinet Member	39,017

Deputy to Cabinet Member	14,559
Scrutiny Board Chairman	17,470
Committee Chairman	14,559
Leader of Largest Opposition Group	17,470
Smaller Opposition Group Leaders	5,823
Chairman of the Council	23,294
Vice-Chairman of the Council	11,647

4. Recommendation:

- 4.1 To note the new rates for Member Allowances.
- 4.2 Amend Appendix 2 – Member Allowances Scheme, of the Constitution to reflect the new rates for member Allowances as follows:

Members Allowances Scheme

Basic Allowance

£12,941 per annum

Special Responsibility Allowances

Postholder	Rate	Amount
Basic Allowance (75)	-	£12,941
Leader	450% of basic allowance	£58,235
	As a % of the Leader's allowance	
Deputy Leader	80%	£46,582
Cabinet Member (8)	67%	£39,017
Deputy to Cabinet Member (11)	25%	£14,559
Scrutiny Board Chairman	30%	£17,470
Committee Chairman (8)	25%	£14,559
Leader of the largest opposition group	30%	£17,470
(The SRA for the leader of the main opposition group will be split equally between two or more		

leaders of opposition groups for the duration of any period of time in which they have an equality of members in the group.)		
Smaller opposition group leaders (for groups which include at least 5% of Members in their Group)	10%	£5,823
Chairman of the Council	40%	£23,294
Vice-Chairman of the Council	20%	£11,647
Co-opted members of Pension Strategy Board (in accordance with paragraph 26.8)		£16.92 per hour to include reasonable preparation time.

4.3 Amend Paragraph 8.1.4 Essex Pension Fund Strategy Board – **Remuneration**, as follows:

The agreed allowance to be paid is £16.92 per hour to include reasonable preparation time. Therefore it is considered that the following can be claimed:

- PSB attendance - up to four hours which includes preparation time = £67.68 per meeting
- ISC attendance - up to four hours which includes preparation time = £67.68 per meeting
- ISC Strategic meeting attendance - up to six hours which includes preparation time = £101.52 per meeting
- Extra activities = £16.92 per hour which includes:
 - attendance at internal training events hosted by Essex Pension Fund;
 - attendance at and preparation for Task and Finish Groups; and
 - attendance at and preparation for the Appointments Panel, as part of the Essex Pension Fund Advisory Board (PAB) appointments process.

4.4 Amend Paragraph 8.1.6 The Essex Pension Fund Advisory Board – **10. Remuneration and Expenses**, as follows:

10. Remuneration and Expenses

(A) Subject to (B) below, an allowance may be made to Scheme Member representatives for attending meetings relating to Board business at a rate of £16.92 per hour, in line with the PSB Co-optee allowance at Appendix 2.

This allowance includes reasonable preparation time. Therefore it is considered that the following can be claimed:

- PAB attendance - up to four hours which includes preparation time = £67.68 per meeting
- Extra activities = £16.92 per hour which includes:
 - attendance at internal training events hosted by EPF; and
 - attendance at and preparation for Task and Finish Groups.

This allowance does not include time spent on external training events or observing at PSB or ISC meetings.

The Leader's Report of Cabinet Issues

This report is

- a) To note decisions that have been taken as urgent key decisions, not on the forward plan (Constitution para 19.17), or non-key decisions exempt from call-in on the grounds of urgency as attached as appendix 1 to the report since the last meeting of Council on 9 February 2023; and
- b) To receive the minutes of the Cabinet meetings held on 21 February, 21 March and 18 April 2023 attached as appendix 2.

Recommendations

To receive the list of urgent decisions taken and the minutes of the Cabinet meetings held on 21 February, 21 March and 18 April 2023.

Urgent Decisions

Part 1: Key decisions taken with less than 28 days prior notice.

The following decision was taken after giving five clear days' notice to the Chairman of the Corporate Policy and Scrutiny Committee because it was not practicable to give the full 28 days' notice. The notice to the Chairman was also published on the Council's website.

DATE PUBLISHED	CABINET MEMBER	TITLE OF DECISION	REFERENCE NUMBER
-	-	-	-

Part 2: Decisions Exempt from Call-in

The following decisions were taken which were either not key decisions or where prior notice was given, but the Chairman of the Corporate Policy and Scrutiny Committee agreed that it was in the best interests of the Council for the decision to be implemented urgently and the decision was therefore exempted from call-in.

DATE PUBLISHED	CABINET MEMBER	TITLE OF DECISION	REFERENCE NUMBER
16 March 2023	Cllr Kevin Bentley	Phasing of the A120-A133 Link Road including Procurement of Phase 1 of the A120-A133 Link Road, acquisition of land by Compulsory Purchase Orders and Award of Contract for Section A of the Colchester Rapid Transit System	FP/033/02/23

Minutes of a meeting of the Cabinet that took place in the Council Chamber at County Hall at 10.15am on Tuesday 21 February 2023

Present:

Councillor	Cabinet Member Responsibility
Cllr Kevin Bentley	Leader of the Council (Chairman)
Cllr Malcolm Buckley	Waste Reduction and Recycling
Cllr Graham Butland	Devolution, the Arts, Heritage and Culture
Cllr Beverley Egan	Children's Services and Early Years
Cllr Lee Scott	Highways Maintenance and Sustainable Transport
Cllr John Spence	Health and Adult Social Care
Cllr Lesley Wagland	Economic Renewal, Infrastructure and Planning
Cllr Chris Whitbread	Finance, Resources and Corporate Affairs

Cllrs Mark Durham, Ivan Henderson, Mark Platt, Peter Schwier, Laureen Shaw, Andrew Sheldon, Derrick Louis and Mike Mackrory were also present. Cllr Chris Pond attended remotely, via Zoom.

1. Membership, Apologies, Substitutions and Declarations of Interest.

The report of Membership, Apologies and Declarations was received and the following were noted:

1. There had been no changes of membership since the last meeting.
2. Apologies for absence had been received from Cllrs Tony Ball, Cabinet Member for Education Excellence, Lifelong Learning and Employability, Louise McKinlay, Deputy Leader and Cabinet Member for Community, Equality, Partnerships and Performance, and David King Deputy Leader of the Liberal Democrat Group.
3. There were no declarations of interest.

2. Minutes: 17 January 2023

The Minutes of the previous meeting, held on 17 January 2023, were approved as a correct record and signed by the Chairman.

3. Questions from the public

None.

4. Greater Essex Devolution (FP/012/01/23)

The Cabinet's approval was sought to endorse the submission of an expression of interest to Government to begin the process of negotiating a deal in support of the greater devolution of powers from central government. The Leader of the Council and the Cabinet Member for Devolution, the Arts, Heritage and Culture responded to questions from Councillors Mackrory, Henderson and Pond in respect of:

- The origins of the funding available and whether this represented new money being made available;
- The time period over which funding would be made available;
- The plans for Shire Hall in Chelmsford;
- The models for Mayoral precepting;
- Southend-on-Sea City Council's opposition to the directly elected mayoral form of governance and whether unanimous approval was needed from all three top tier authorities;
- The importance of maximising employment opportunities within our existing offshore infrastructure;
- The timing of the process and whether it was linked to a possible general election;
- The overall objectives of Devolution and what the perceived benefits would be;
- The impact of any possible local government reorganisation.

Resolved:

1. Agreed that the Council should submit an expression of interest to Government to begin the process of negotiating a devolution deal in the form set out in Appendix 1 to report FP/012/01/23.
2. Agreed that the Chief Executive may make amendments to the Expression of Interest attached as Appendix 2 to report FP/012/01/23 prior to its submission to Government after consulting the Leader of the Council.

5. Approval to place 2023/24 contractual task orders with Ringway Jacobs for values of £2m and over (FP/568/11/22)

The Cabinet considered a report seeking approval for the issue of task orders likely to exceed £2m to Ringway Jacobs for the 2023/24 financial year.

The Cabinet Member for Highways Maintenance and Sustainable Transport responded to questions from Councillors Mackrory and Henderson in respect of the reduction to capital investment in carriageways and which carriageways would not be resurfaced as a result. A written response would also be provided to Councillor Mackrory on the detail of proposals for cycling infrastructure within the Bunnywalks in Chelmsford.

Resolved:

1. Agreed that the Director Highways and Transportation may issue the task orders to Ringway Jacobs as outlined in Table 1 of Appendix 1 to report

FP/568/11/22, after taking legal advice about the form and content of the task orders.

2. Agreed that the Cabinet Member for Highways Maintenance and Sustainable Transport may change the work to be undertaken under the task orders.

6. Procurement of trainers, venues and a booking system for the delivery of the National Driver Offender Retraining Scheme (NDORS) (FP/588/12/22)

The Cabinet considered a report seeking its approval to set up a Dynamic Purchasing System (DPS) for the creation of a catalogue of trainers to deliver National Driver Offender Retraining Scheme (NDORS) courses and to procure a four-year multi-supplier framework for NDORS training venues in Essex. Approval was also sought to call-off a two year contract for an online booking system following expiry of the existing agreement in April 2023.

The Cabinet Member for Highways Maintenance and Sustainable Transport responded to a question from Councillor Mackrory regarding the quality monitoring of the courses in operation.

Resolved:

1. Agreed to set up a Dynamic Purchasing System ("DPS") for a period of 5 years and the possibility of extension for a further 5 years extension for the following education and training courses under the National Driver Offender Retraining Scheme (NDORS):
 - NDORS Theory Courses
 - NDORS Practical Courses
 - Non NDORS (All schemes of work outside of the judicial system, e.g., elder driver) Theory
 - Non NDORS – Practical
2. Agreed that the Director, Highways and Transport is authorised to agree the terms of the contract and appoint operators to the DPS following completion of the procurement process.
3. Agreed to procure a four year, multi supplier framework for NDORS training venues in Essex, Southend and Thurrock in the following lots:
 - Lot 1 – Uttlesford and Braintree
 - Lot 2 – Colchester and Tendring
 - Lot 3 – Harlow and Epping Forest
 - Lot 4 – Chelmsford and Maldon
 - Lot 5 - Brentwood and Basildon
 - Lot 6 - Rochford, Castle Point and Southend
 - Lot 7 – Thurrock

4. Agreed that the above Framework will be procured using the open procedure with the high-level evaluation criteria evaluating 30% price and 70% quality.
5. Agreed that the Director, Highways and Transport is authorised to agree the detailed evaluation criteria for the procurement of the DPS and the framework for NDORS training venues.
6. Agreed that the Cabinet Member, Highways Maintenance and Sustainable Transport is authorised to award the contracts to the successful bidders following completion of the procurement process of the Framework for NDORS training venues
7. Agreed to call off a two-year contract for an online bookings system (with the option to extend for up to 12 months on two occasions) using the mini-competition process through the G-Cloud 13 Framework Agreement at a total value of £172,800 including VAT.
8. Agreed that the Director, Highways and Transport is authorised to award the contract for the online bookings service to the successful bidder following completion of the mini-competition process.

7. Procurement of accommodation-based support for people with mental health needs (FP/ 595/12/22)

The Cabinet considered a report seeking its agreement to go out to the market to secure a provider for a new model of supported accommodation for people with mental health needs. The service would cover those parts of Mid and South Essex falling within the County Council's boundaries.

The Cabinet Member for Health and Social Care responded to a comment from Councillor Henderson in respect of the Council's aim to prevent people with mental health needs having to go outside Essex for treatment and care. A written answer would also be provided to Councillor Mackrory in respect of the type of accommodation to be provided and whether the Public Health grant had been advised and the possible impact on other initiatives given £600,000 of grant funding was required for accommodation-based support.

Resolved:

1. Agreed to undertake two competitive procurement processes using the open procedure to procure providers of Mental Health Supported Accommodation Services across Mid and South Essex as follows:

Procurement 1 – Intensive Assessment Beds and Complex Needs

- Intensive Assessment Beds (9 units in Mid and South Essex)
- Complex needs (18 units in Mid and South Essex)

Procurement 2 – High, Medium and Low Provision

- High, Medium and Low Mid Essex area (67 units total)
 - High, Medium and Low South Essex area (101 units total)
2. Agreed that the high-level evaluation criteria for the procurements will be 40% price and 60% quality with 10% of the quality score assessing social value.
 3. Agreed that the new contracts for High, Medium and Low Provision will commence in October 2023 with a duration of four years, with a budget envelope of £12.8m over the life of the contract split between the Council (£7.4m) and the Mid and South Essex Integrated Commissioning Board (£5.4m).
 4. Agreed that the new contracts for Intensive Assessment Beds and Complex Needs will commence in April 2024 with a duration of three years and six months, with a budget envelope of £5.8m over the life of the contract split between the Council (£3.3m) and the Mid and South Essex Integrated Commissioning Board (£2.4m).
 5. Agreed that the Cabinet Member for Health and Adult Social Care may award the contracts referred to in paragraphs 2.3 and 2.4 above following completion of the procurement process and once the relevant s256 agreements referred to in paragraph 2.6 below are in place.
 6. Agreed to enter into two s256 Agreements with the Mid and South Essex Integrated Care Board (ICB) for the purposes of commissioning the Mental Health Supported Accommodation services referred to in this report.
 7. Agreed that the Executive Director, Adult Social Care is authorised to agree the terms of the two s256 Agreements with the Mid and South Essex Integrated Care Board.

8. Annual review of the Live at Home Framework 2023-24 (FP/597/12/22)

The Cabinet received a report seeing approval to undertake the Annual Review Process of the Live at Home framework and proposing increases of up to 14.6% to the rates paid to domiciliary care providers on the framework.

The Cabinet Member for Adult Social Care and Health responded to a question from Councillor Henderson in respect of the Council's ability to monitor care workers' working conditions.

Resolved:

1. Agreed that the Live at Home Framework will not be opened to new providers for 2023 but that pricing will re-open to enable providers currently on the framework to submit new prices based on the matrices set out in Appendix A to report FP/597/12/22, which represent an 11.8%-14.6% increase in the rates.

2. Agreed to uplift existing packages of domiciliary care (excluding night sleep and 24 hour live-in care) with effect from 2 April 2023 so that:
 - (a) Packages provided under the framework are increased by £2.84 per hour (including consolidation of the £1.12 per hour temporary uplift approved in October 2022); and
 - (b) Packages not provided under the framework will be uplifted to £22.32 per hour if they are currently less than that.
3. Agreed to allow eligible providers on the older people, mental health and physical/sensory impairment live a home framework who are not currently classified as a 'tier 1 provider' to apply to become a tier 1 provider, enabling them to be considered a priority for new packages.
4. Agreed to make payments to backdate any increases to providers to 2 April 2023.
5. Agreed that the Executive Director of Adult Social Care will make the decisions on the new ranked lists resulting from the above changes.

9. Residential and nursing placements annual fee uplift 2023-34 (FP/009/01/23)

The Cabinet received a report seeking its approval to undertake the annual review process of the Integrated Residential and Nursing (IRN) Framework, and also for a proposed price uplift approach for existing and new residential and nursing placements for older people through the IRN Framework. The report proposed uplifts in rates of 8% to be paid to residential care home providers on the IRN Framework and significant uplifts of 20% to residential homes with nursing.

The Cabinet Member for Adult Social Care and Health responded to a question from Councillor Henderson regarding the impact of increased charges for care packages on those residents who paid for care in full and what would happen if this was unaffordable.

Resolved:

1. Agreed to reopen the Integrated Residential and Nursing (IRN) Framework to new homes and to allow providers of the current homes on the IRN Framework to vary their price point using the price matrix at Appendix A to report FP/09/01/23, which is an increase of each price by:
 - 8% for residential care, with new minimum rate of £647.57 per week.
 - 20% for residential care with nursing, with new minimum rate of £796.46 per week.

2. Noted that, alongside the above change there will also be an increase in the number of price bands available for:
 - Residential without nursing by two bands for Castle Point and Rochford ; and
 - Residential with nursing by four bands in Basildon, Brentwood, Castle Point, Rochford and Southend.
3. Agreed that IRN Framework placements made between 1 April 2023 and 31 May 2023 will be made at the Provider's current rate uplifted by 8% for residential and 20% for nursing, with the rate transitioning to the Provider's new rate on 1 June 2023.
4. Agreed that the new ranking and prices will apply to placements made after 1 June 2023.
5. Agreed to vary the exceptional needs payment for current and future approved placements via the IRN Framework from £80.01 to £140.00 per week with effect from 1 April 2023.
6. Agreed to increase the weekly rate of all existing care home placements in place on 31 March 2023 delivered via the IRN Framework Agreement by 8% for residential without nursing, and by 20% with nursing, capped at the new maximum framework rates of £746.27 per week for residential and £1,009.40 per week for nursing placements and increase placements on the IRN Framework which are currently below the new minimum rate of £647.57 for residential and £796.46 for nursing to the new minimum, with effect from 1 April 2023.

10. Decisions taken by or in consultation with Cabinet Members (FP/006/01/23)

The report was noted.

11. Dates of future meetings

Agreed to note

1. That the next meeting of the Cabinet will take place at 10.15am on Tuesday 21 March 2023.
2. That the meeting of the Cabinet originally scheduled for Tuesday 17 October 2023 will now take place on Tuesday 10 October at 10.15am

(Both meetings to take place in the Council Chamber at County Hall, Chelmsford, CM1 1QH.)

12. Urgent business

There was no urgent business.

There being no further business, the meeting closed at 11.13am.

Minutes of a meeting of the Cabinet that took place in the Council Chamber at County Hall at 10.15am on Tuesday 23 March 2023

Present:

Councillor	Cabinet Member Responsibility
Cllr Louise McKinlay	Deputy Leader and Cabinet Member for Community, Equality, Partnerships and Performance (Chairman)
Cllr Tony Ball	Education Excellence, Lifelong Learning and Employability
Cllr Malcolm Buckley	Waste Reduction and Recycling
Cllr Graham Butland	The Arts, Heritage and Culture
Cllr Beverley Egan	Children's Services and Early Years
Cllr Lee Scott	Highways Maintenance and Sustainable Transport
Cllr John Spence	Health and Adult Social Care
Cllr Lesley Wagland	Economic Renewal, Infrastructure and Planning
Cllr Chris Whitbread	Finance, Resources and Corporate Affairs

Cllrs Mark Durham, Ivan Henderson, David King, Mike Mackrory, Mark Platt, Peter Schwier, Laureen Shaw and Andy Wiles were also present.

1. Membership, Apologies, Substitutions and Declarations of Interest.

The report of Membership, Apologies and Declarations was received and the following were noted:

1. There had been no changes of membership since the last meeting.
2. Apologies for absence had been received from Cllr Kevin Bentley, Leader of the Council, and Councillor Chris Pond, Leader of the Non-Aligned Group,
3. No declarations of interest were made under this agenda item. Councillor John Spence subsequently declared an interest in agenda item 8 (Public Health Accelerator Bids (PHAB) Grants Programme). Minute 8 below refers.

2. Minutes: 21 February 2023

The Minutes of the previous meeting, held on 21 February 2023, were approved as a correct record and signed by the Chairman.

3. Questions from the public

Two members of the public spoke in relation to agenda item 5 as shown in the published agenda (the agenda was subsequently reordered so that the matter

was considered as agenda item 4) - Recommissioning of Short Breaks Provision for Children with Disabilities. Mr Gary Knowles and Ms Lorraine Woodhouse asked the Cabinet to reconsider the recommendation to cease to use Lavender House in Colchester for overnight short night breaks. They advised that the facility had been of vital importance in supporting their families and others like them, and suggested that the alternative options as proposed within the report would not meet their needs or those of families using the service in the future.

The Chairman thanked Mr Knowles and Ms Woodhouse for attending and speaking at the meeting, and noted that the Cabinet Member for Children's Services and Early Years would respond to the points made in her presentation of the report.

Variation in the Order of Business

Upon the proposal of the Chairman, it was agreed to vary the order of the agenda to enable the following item to be considered as the next item of business.

4. Recommissioning of Short Breaks Provision for Children with Disabilities (FP/573/11/22)

The Cabinet received a report which set out the learning from the review of the current Overnight Short Breaks offer, providing recommendations to improve the offer.

The Cabinet Member for Children's Services and Early Years responded to points made by Councillors King, Henderson and Mackrory, which drew reference to a number of points made by the public speakers:

- The process that had been undertaken to reach the recommendations as set out in the report and the options available in respect of further review before a decision was taken;
- Whether the recommendations fulfilled the requirements of the Children Act (1989) with regard to providing choice when accessing services;
- The amount of savings achieved through the discontinuation of overnight short breaks at Lavender House;
- The relevance of comparing ECC services with those provided by other authorities;
- The impact of discontinuing overnight short breaks at Lavender House when there were already waiting lists to access the service;
- The longer term impact of the recommendation and whether future costs would be greater as a result.

The Cabinet Members for Education Excellence, Lifelong Learning and Employability, The Arts, Heritage and Culture, and Health and Adult Social Care noted their support for the recommendations and their confidence that the service to be provided would meet the needs of children and families. The

importance of continued communication and support being provided to the families that were affected was also noted.

Resolved:

1. Agreed to maintain a mixed economy of internal overnight provision, home-based provision, family based (delivered by ECC trained foster carers) and external provision for overnight short breaks for parents and carers of children and young people with special educational needs and/or disability which shall include:
 - i. Ceasing to use Lavender House in Colchester for overnight short night breaks with effect from 30 June 2023; and
 - ii. The extension of provision at the Maples in Harlow so that it operates with a minimum capacity of five beds and a maximum capacity of eight beds (dependent on the behavioural and social needs of the children staying) for seven nights of the week with effect from 30 June 2023.)
2. Noted that the Cabinet Member for Children's Services and Early Years will take a decision on the future use of Lavender House.

5. Proposed Extension of Contract – Essex Child and Family Wellbeing Services (FP/555/11/22)

The Cabinet received a report seeking approval to extend the current Essex Child and Family Wellbeing Service (ECFWS) contract for the maximum three years allowed.

The Cabinet Member for Children's Services and Early Years responded to questions from Councillors Mackrory and Henderson in relation to assurance that refugees of all ethnicities could access the service and the impact of closing sure start centres on demand for these services.

Resolved:

1. Agreed to extend the pre-birth to 19 contract with HCRG Care Limited by three years from 1 April 2024 to 30 April 2027.
2. Agreed to implement a three-year extension and vary the contract to allow for an increased contract price of £95.943m, to provide additional capacity in the service to deal with unforeseeable impacts of demand created by the number of refugees in Essex and the impact of the pandemic upon some young children.
3. Noted that although this increase does not affect the budget for 2023-24, it will exceed the indicative budget figures included in the Council's Medium Term Resource Strategy by £.256m over this period, therefore increasing the overall budget gap, and that the Children and Families Service will

seek to find funding to address the budget pressure created by this decision to bring overall budgets back in line with the MTRS.

6. Essex Adult Social Care Market Sustainability Plan (FP/014/01/23)

The Cabinet received a report seeking approval for the strategic priorities for the future of the Essex care market in the Essex Care Market Strategy and the Market Sustainability Plan.

The Cabinet Member for Health and Adult Social Care responded to questions from Councillors Henderson and Mackrory in relation to the possible impact on affordability of changes to charging thresholds, the level of overseas recruitment, and assurances regarding funding given the likely increase in the number of assessments needed.

Resolved:

1. Agreed to approve the Essex Market Shaping Strategy 2023-30 in the form appended to report FP/14/01/23.
2. Agreed to approve the Market Sustainability Plan for submission to Government by 27 March 2023 in the form appended to report FP/014/01.23.

7. Working Age and Older Adults Care and Support Provision Uplifts (FP/024/01/23)

The Cabinet considered a report which set out uplifts for care providers that operate supported living and extra care settings, and for those that work with working age adults with disabilities and mental health support needs.

The Cabinet Member for Health and Adult Social Care responded to a question from Councillor Mackrory regarding why an automatic uplift would not be applied for placements outside of the county.

Resolved:

Adults with Disabilities Supported Living Services:

1. Agreed to uplift fees by 11.1% from 1 April 2023 for all existing and new packages of care and support for Adults with Disabilities (AWD) residing in Supported Living accommodation, for providers within the administrative county of Essex, to £19.16 per hour for non-complex placements and £21.04 per hour for complex needs placements.

Adults with Disabilities Residential Services:

2. Agreed to uplift fees by 8% from 1 April 2023 for providers who have completed the Care Cubed assessment tool and provided the results to the Council; no uplift will be applied to a provider until they have engaged in this assessment process.
3. Agreed to uplift of core and 1:1 rate for new and existing placements on the Complex Residential Framework by a maximum of 8% from April 2023.

Mental Health Accommodation Services:

4. Agreed to uplift of fees by a maximum of 7.7% for all existing and new packages from April 2023 for services delivered under the new Mental Health Accommodation Pathway, and Supported to Independence, Intensive Enablement, and Intensive Enablement Plus services, with a capped rate of £19.16 per hour for non-complex packages and a capped rate of £21.04 per hour for complex needs packages

Mental Health Residential Services:

5. Agreed to uplift of fees by 8% for existing and new providers from April 2023.

Extra Care Services:

6. Agreed to uplift fees by up to 11.1% on average for all existing care and support plans for those older adults living within extra care accommodation, which equates to a fixed rate increase of £2.12 per hour from April 2023.
7. Agreed to give a new maximum rate of £21.04 per hour and minimum rate of £16.72 per hour, used for the placement of adults into Extra Care Schemes with effect from 2 April 2023.

Out of County Placements:

8. Agreed to increase by an individually agreed amount not exceeding the 'host' authority uplift across all services if (a) the provider requests this and provides supporting evidence and (b) in the case of residential care, only where the Council is satisfied that the provider has completed the Care Cubed toolkit and the results demonstrate appropriate value for money.

8. Public Health Accelerator Bids (PHAB) Grants Programme (FP/573/11/22)

The Cabinet considered a report which set out the case for a new public health programme for Essex to accelerate the implementation of the four themes of Everyone's Essex and the priorities outlined in the new Essex

County Council Wellbeing, Public Health and Communities business plan (2022-25).

The Cabinet Member for Health and Adult Social Care responded to questions from Councillors Mackrory and King regarding the inability to use funding for existing schemes and assurance around the ease of the application process. In making his responses the Cabinet Member for Health and Adult Social Care (Councillor John Spence) declared an other registrable interest in that he is a life Vice President of Essex Community Foundation. This organisation would be engaged with regarding the application process together with other relevant organisations.

Resolved:

1. Agreed to the use of up to £8m of the existing Public Health Reserve balance, within the Grant Equalisation Reserve, to fund a new Essex Public Health Accelerator Bids (PHAB) Programme for three years (2023/24, 2024/25 and 2025/26).
2. Agreed that the rules for the operation of the scheme are as set out in report FP/573/11/22, subject to modification for each funding round by the Director, Public Health and Wellbeing.
3. Agreed that no grants are to be made other than on terms and conditions approved by the Monitoring Officer or his nominee.
4. Noted that any draw-down from reserves will need to be approved in accordance with the Council's Financial Regulations and that the decisions requested in report FP/573/11/22 do not agree to the draw-down of any funding.

9. Update to the Social Value Policy – amendment to the ECC Themes and Outcomes (TOMS) (FP/040/02/23)

The Cabinet received a report which recommended changes to the Essex Themes and Outcomes (TOMS) contained within the Social Value Policy.

The Cabinet Member for Finance, Resources and Corporate Affairs responded to a question from Councillor King regarding the level of assurance that the outcomes could be delivered.

Resolved:

1. Agreed to amend the Social Value Policy and the ECC Themes and Outcomes (TOMS) to:
 - a. Remove the multipliers from the social value scoring process.
 - b. Include the new social value measures set out in Table A of Appendix 3 to report FP/040/02/23.

- c. Include the specific measurers set out in Appendix B of Appendix 3 to report FP/040/02/23 for use in construction contracts.
- d. Amend the existing social value measures and financial proxies set out in Table C of Appendix 3 to report FP/040/02/23.

10. Essex Housing Development LLP Annual Delivery Plan 2023/24 (FP/590/12/22)

A confidential appendix was considered in conjunction with this report (minute 15, below, refers).

The Cabinet received a report seeking approval of Annual Delivery Plan 2023/24 for Essex Housing Development LLP.

The Cabinet Member for Economic Renewal, Infrastructure and Planning

Resolved:

1. Agreed to approve the Essex Housing Annual Delivery Plan 2023/24 contained in the Confidential Appendix to report FP/590/12/22).
2. Noted that further formal decisions will need to be taken for each site for development, financing and land disposal to Essex Housing Development LLP for 2023/24 as set out in paragraph 3.10 of report FP/590/12/22).

11. Decisions taken by or in consultation with Cabinet Members (FP/045/02/23)

The report was noted.

12. Date of the next meeting

Noted that the next meeting of the Cabinet would take place at 10.15am on Tuesday 18 April 2023 in the Council Chamber at County Hall, Chelmsford, CM1 1QH.

13. Urgent business

There was no urgent business.

Exclusion of the Press and Public

Resolved:

That the press and public be excluded from the meeting during consideration of the remaining item of business on the grounds that it involves the likely disclosure of exempt information as specified in paragraph 3 of Schedule 12A of the Local Government Act 1972 – information relating to the financial or business affairs of any particular person).

14. Confidential Appendix: Essex Housing Annual Delivery Plan (FP/590/12/22)

The confidential appendix to report FP/590/12/22, to which minute 11, above, refers, was agreed.

15. Urgent Exempt Business

There was no urgent exempt business.

There being no further business, the meeting closed at 11.36am.

Minutes of a meeting of the Cabinet that took place in the Council Chamber at County Hall at 10.15am on Tuesday 18 April 2023

Present:

Councillor	Cabinet Member Responsibility
Cllr Kevin Bentley	Leader of the Council (Chairman)
Cllr Tony Ball	Education Excellence, Lifelong Learning and Employability
Cllr Malcolm Buckley	Cabinet Member for Waste Reduction and Recycling
Cllr Graham Butland	Cabinet Member for Devolution, the Arts, Heritage and Culture
Cllr Beverley Egan	Children's Services and Early Years
Cllr Lee Scott	Highways Maintenance and Sustainable Transport
Cllr John Spence	Health and Adult Social Care
Cllr Lesley Wagland	Cabinet Member for Economic Renewal, Infrastructure and Planning
Cllr Chris Whitbread	Finance, Resources and Corporate Affairs

Cllrs Susan Barker, Mark Durham, Carlo Guglielmi, Aidan McGurran, Bob Massey, Mark Platt, Laureen Shaw and Holly Whitbread were also present. Attending remotely via Zoom were Cllrs David King, Mike Mackrory and Chris Pond (for agenda items 1-3).

1. Membership, Apologies, Substitutions and Declarations of Interest.

The report of Membership, Apologies and Declarations was received, and the following were noted:

1. There had been no changes of membership since the last meeting.
2. Apologies for absence had been received from Cllrs Louise McKinlay, Deputy Leader and Cabinet Member for Community, Equality, Partnerships and Performance, Peter Schwier, Climate Czar and Ivan Henderson, Leader of the Labour Group (for whom Cllr Aidan McGurran substituted)
3. Cllr Chris Whitbread declared an interest in agenda item 7 (Essex Housing LLP – consent to dispose of land in Epping Forest) in that he is the Leader of Epping Forest District Council. He remained present during consideration of the item and took part in the voting thereon. Minutes 7 and 11 below refer.

2. Minutes: 21 March 2023

The Minutes of the previous meeting, held on 21 March 2023, were approved as a correct record and signed by the Chairman.

3. Questions from the public

None.

4. Adoption of 'Meaningful Lives Matter – Our plan for a more inclusive Essex' (FP/574/11/22)

The Cabinet received a report which presented for approval a new document, 'Meaningful Lives Matter – our plan for a more inclusive Essex' with the aim of enabling people with disabilities to live the best lives they can.

The Cabinet Member for Health and Adult Social Care responded to questions by Cllrs Mike Mackrory, Aidan McGurran and David King concerning the following:

- funding availability, the importance of support for the transition from children's to adult services, the scope of the document to include people with autism where they experience it to be disabling, the challenges of employing greater numbers of social workers, the varying abilities of service users to experience progress and numbers of out of county placements.
- efforts made during the public consultation process to engage with those who are harder to reach and the Council's commitment to continue working with other organisations to ease barriers to receiving and accessing financial and other support.
- the importance of protecting people with disabilities from exploitation by ensuring that they are appropriately paid when undertaking work where remuneration would usually be expected.
- the need for the Anchor Network to act on its commitment to provide employment for people with disabilities and to evidence progress.

The Cabinet Member also highlighted the importance for the documents forming the Adult Social Care Strategic Framework to align with each other, as well as the intention to continue improving the lives of those with disabilities through improved care technology as it became available.

Resolved:

1. Agreed to adopt 'Meaningful Lives Matter, our plan for a more inclusive Essex' in the form appended to report FP/574/11/22:
2. Noted that officers are working on a plan for implementation and a funding request which they intend to present to the Cabinet Member for Adult Social Care and health and the Cabinet Member for Finance, Resources and Corporate Affairs for formal approval.

5. Re-procurement of the on-site care and support services at four extra care schemes (FP/054/02/22)

The Cabinet received a report seeking approval to procure and award contracts to the successful bidder/s for the on-site care and support service within four existing extra care schemes and agreement as to how the 24/7 on-site support provided at these schemes will be funded.

Responding to questions by Cllrs Aidan McGurran and Mike Mackrory, the Cabinet Member for Health and Adult Social Care stated that, based on professional advice, he was confident that sufficient bidders would come forward for the on-site care and support contracts. To ease concerns, he undertook to share the results of the procurement exercise in due course. The existing contracts were due to expire in September 2023 and there was a need to ensure a smooth transition to the new arrangements. These were not being proposed as a means of saving money, although minimal savings were likely due to economies of scale.

Resolved:

1. Agreed to undertake a single-stage competitive tender for the award of five-year contracts for the on-site care and support services at four extra care schemes being Cornell Court, Uttlesford, Montbazon Court, Brentwood, Poplar House, Basildon and Freeman Court, Chelmsford, within the Medium-Term Resource Strategy Budget of £6.7m across the five years of the contracts.
2. Agreed to the early termination of the current on-site care and support contract at Montbazon Court for the reasons set out in paragraph 3.10 of report FP/054/02/23.
3. Agreed that the procurement shall be structured with individual Lots for each scheme, using a single-stage tender process which complies with the 'light-touch' regime in The Public Contract Regulations 2015.
4. Agreed that the high-level evaluation criteria for the award of the contracts will have a Price: Quality split of 60:40 with 10% of the quality score assessing Social Value.
5. Agreed to the Council using its market-shaping powers under the Care Act 2014 to secure the 24-hour, 7 day (24/7) on-site support required for a scheme to be designated extra care, by block-booking 84 support hours per week at each scheme.
6. Noted that the cost of the core 24/7 on-site support in these four extra care schemes falls outside the current Adult Social Care charging arrangements and therefore adults will not be required to pay for this aspect of care provision but will be assessed for a contribution for any chargeable care needs.

7. Agreed that the Executive Director, Adult Social Care, is authorised to award the on-site care and support services contracts for the four schemes if he is satisfied that the contracts represent best value and are within budget when costed at expected volumes,

6. Procurement of a Four-Year Framework Agreement for Construction Projects (FP/063/03/23)

The Cabinet considered a report which sought approval to procure a four-year framework agreement for construction services to replace the existing Essex County Council construction framework which expires in early 2024. The framework will provide design and construction services for education and other capital construction and major maintenance projects and will be available to other contracting authorities

Responding to questions by Cllrs David King and Mike Mackrory, the Cabinet Member for Economic Renewal, Infrastructure and Planning commented on the criteria for companies to be admitted to the Framework and the effect of these in assuring quality throughout the call down process. She undertook to provide examples of any similar price/quality/social value splits to Cllr King if available.

Emphasising the Council's ambition with regard to net zero, the Cabinet Member explained that the 'aim' for new buildings to be net zero design (rather than an absolute requirement) reflected the need for flexibility in certain circumstances.

The Cabinet Member for Education Excellence, Lifelong Learning and Employability commented on the proposals and the benefits of net zero from the perspective of his portfolio.

Resolved:

1. Agreed to procure a four-year, multi-supplier Framework Agreement for the provision of design and build services and construction only services using the restricted procedure with three Lots as follows:

Lot 1: £0 - £750,000 (a maximum of 8 Contractors)

Lot 2: £500,000 - £4.5m (a maximum of 6 Contractors)

Lot 3: Over £4m (a maximum of 6 Contractors)

2. Agreed that the high-level evaluation criteria for appointing Contractors to the Framework Agreement will be based on 30% price: 70% quality, with 10% of the quality score for Lots 1 and 2 assessing Social Value. For Lot 3, social value can be assessed during the mini-competition process.

3. Agreed that the Cabinet Member for Finance, Resources and Corporate Affairs is authorised to award framework agreement to the successful bidders following completion of the procurement process.
4. Agreed that an Advanced Payment Rebate System may only be included in the contract documents if the Director, Legal and Assurance agrees.
5. Noted that the Executive Director, Corporate Services will use her delegated powers to agree the terms on which the framework may be made available to other contracting authorities and that she will seek to ensure that such terms are in broad alignment with the Council's Fees and Charges Policy and recover the Council's contract management costs for non-ECC call-offs.

7. Essex Housing LLP – consent to dispose of land in Epping Forest (FP/050/02/23)

Cllr Chris Whitbread declared an interest in this item – minute 1 above refers.

The Cabinet considered a report which sought approval to procure a four-year framework agreement for construction services to replace the existing Essex County Council construction framework which expires in early 2024. The framework would provide design and construction services for education and other capital construction and major maintenance projects and would be available to other contracting authorities.

Resolved:

1. Subject to the prior grant of the lease of the carer's accommodation as set out in Resolution 2 below and the nomination agreement as set out in Resolution 3 below, agreed to the disposal by the LLP of the freehold ownership of the land shown edged red on the Plan appended to report FP/050/02/23 ('the Site') to Chelmer Housing Partnership, as set out in the Confidential appendix to the report.
2. Agreed to dispose of the long leasehold ownership of the single carer's apartment to Essex County Council (ECC) by the LLP and for ECC to acquire the leasehold ownership of this apartment from the LLP for the price shown in the Confidential Appendix to report FP/050/02/23, as previously agreed by the Cabinet at its meeting in May 2022 (report FP/330/03/22).
3. Agreed that ECC will enter into a nomination agreement with the purchaser giving it nomination rights to the nine specialist units for a period of 250 years from the date of the transfer.

8. Decisions taken by or in consultation with Cabinet Members (FP/045/02/23)

The report was noted.

9. Date of the next meeting

Noted that the Cabinet will next meet at 10.15am on Tuesday 23 May 2023 in the Council Chamber at County Hall, Chelmsford, CM1 1QH.

10. Urgent business

There was no urgent business.

Exclusion of the Press and Public

Resolved:

That the press and public be excluded from the meeting during consideration of the remaining item of business on the grounds that it involves the likely disclosure of exempt information as specified in paragraph 3 of Schedule 12A of the Local Government Act 1972 – information relating to the financial or business affairs of any particular person).

11. Confidential Appendix: Essex Housing LLP – consent to dispose of land in Epping Forest (FP/050/02/23)

Cllr Chris Whitbread declared an interest in this item – minute 1 above refers.

The confidential appendix to report FP/050/02/23, to which minute 7, above, refers, was agreed.

12. Urgent Exempt Business

There was no urgent exempt business.

There being no further business, the meeting closed at 11.15am.

**Chairman
23 May 2023**

Annual Report of Overview and Scrutiny 2022/2023

Report by the Scrutiny Board Chairman, Councillor Ray Gooding

Enquiries to Joanna Boaler, Head of Democracy and Transparency and Statutory Scrutiny Officer by email to joanna.boaler@essex.gov.uk

1. Purpose of the Report

To present the annual report of Overview and Scrutiny to the County Council, providing a summary of the work of the function over the period.

Alongside the annual report are two documents that have been previously agreed by the Scrutiny Board.

- Revised Procedure for dealing with Call-ins
- Revised Cabinet-Scrutiny Protocol; and

The change to the Procedure for dealing with Call-ins relates to Chairing arrangements should a Call-in move from the 'informal' to 'formal' stage and is intended to prevent any potential conflict of interest, or the appearance of a conflict, in this circumstance.

With regard to the Cabinet-Scrutiny protocol the Statutory Guidance (2019) suggests that authorities give consideration to how such a protocol, or amendments to it, are adopted. The Scrutiny Board have approved the changes to the document, designed to provide clarity in respect of communication methods between Cabinet Members and Scrutiny Chairmen, and have requested that it is submitted to Full Council for awareness.

In both cases, tracked changes have been retained in the documents so that the amendments can be easily identified.

2. Recommendation

To note the attached report and documents.

Overview and Scrutiny

Annual Report

2022 - 23

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Introduction

By Scrutiny Board Chairman, Councillor Ray Gooding



I am delighted to be introducing the second Annual Scrutiny Report since becoming Scrutiny Board Chairman in May 2021. It's been a very busy and interesting year for scrutiny, both in terms of the business dealt with by the respective scrutiny committees and their related task and finish groups, and for the Scrutiny Board.

Last year's report set out plans for a review of the effectiveness of entire scrutiny function – that review has now been concluded, and the Board have subsequently been overseeing progress against the recommendations. There's more on that within this current report, but for me particular highlights include:

- Work to raise the profile of the scrutiny function, both within the Council and with the public. Regular liaison with the Communications Team now takes place to identify particular pieces of work for promotion – the Young Person's Mental Health review is a notable example of this and one where we have had the opportunity to publicise the work of the Scrutiny function through close cooperation with the Communications Team;
- The establishment of a defined training programme for all members of scrutiny committees intended to develop the professionalism of the function;
- Recognition of the need to develop effective working relationships with our Cabinet colleagues so that scrutiny can best fulfil its remit of holding the Executive to account – whilst retaining the essential separation between the roles.

Scrutiny works best when it reflects the concerns of local communities, so I would also like to take this opportunity to ask you all to bear this in mind when you are contacted by residents. If you are getting multiple contacts on the same topic, it's likely there could be a role for scrutiny and I'd welcome that conversation.

Similarly, if you have any questions or feedback on the content of this report, I'd be delighted to hear from you. I commend this report to Council.

A handwritten signature in black ink, appearing to read 'Ray Gooding'. The signature is fluid and cursive, written over a light blue horizontal line.

Councillor Ray Gooding, Scrutiny Board Chairman

What is Scrutiny?

Scrutiny is a core feature of the Council's decision-making process.

At Essex County Council the governance model used to make decisions is that of the Leader and Cabinet, also referred to as the Executive model. Introduced by the Local Government Act (2000) this model is the most commonly used within local government and sees decision making powers afforded to a small group of the Council's 75 Councillors. These are the Leader and his nine Cabinet colleagues.

The Act requires that Councils using the Executive model also operates a scrutiny function to act as a 'check and balance' to the significant power held by the Cabinet. As such, only Councillors who are not members of the Cabinet can work within the scrutiny function. Their role is to consider the decisions taken, or that are proposed to be taken by the Cabinet and provide constructive advice and comment for Cabinet's consideration. This is characterised as taking the position of a 'critical friend' and the most effective outcomes are achieved when there is mutual trust and understanding between scrutiny and the Cabinet.

Although the existence of the function is set out in legislation, how it operates and how it is structured is left to individual councils. This provides for a high degree of flexibility and the ability to consider different topics and issues in the most appropriate way. In Essex, the Scrutiny Board coordinates the work of the four standing scrutiny committees by considering the best use of resources, particularly where topics to be considered may fall within the remit of more than one committee. The committees are:

- [Corporate Policy and Scrutiny Committee](#)
- [Health Overview and Policy and Scrutiny Committee](#)
- [Place Services and Economic Growth Policy and Scrutiny Committee](#)
- [People and Families Policy and Scrutiny Committee](#)

Meetings of the scrutiny committees are held in public and are livestreamed to YouTube. As well as these meetings, the committees are also able to commission to smaller working groups, usually called Task and Finish groups, to consider issues that require more in-depth attention. These groups produce reports, which are publicly available, and are submitted to the relevant Cabinet Member for their consideration and response.

There can sometimes be the perception that Scrutiny is somewhat powerless when compared to its Executive cousin. However, where there is a culture of trust and respect between the Scrutiny function and the Executive, the Scrutiny function can attain and deploy a great deal of influence ultimately benefiting both the Council and the residents of Essex. Whilst it is true to say that this culture does currently exist between Scrutiny and the Executive at Essex County Council, it is also appropriate to reflect and consider ways in which the relationship could be further developed and enhanced. This has formed a key part of the review to be undertaken by the Scrutiny Board, on which more information now follows.

Review of the Scrutiny Function

Last year the Scrutiny Board undertook a review into the operation and effectiveness of both the Board itself and the wider Scrutiny function.

The Board had carefully considered the scope of the review and identified the key areas for consideration. The review analysed how scrutiny was currently working at Essex and best practice examples from around the country. It heard from current scrutiny members, officers, the Leader of the Council as well as considering external advice and guidance.

Recommendations were agreed by the Scrutiny Board in Autumn 2022 and since then the Board has been overseeing progress against these, including:

- Outcomes - a renewed focus on outcomes to ensure that scrutiny is making a meaningful impact and contributing to the decision-making process through policy development and pre-decision scrutiny.
- Scrutiny-Executive Protocol - a Protocol has been developed outlining expectations and processes and helping to foster a strong working relationship between the scrutiny and executive functions. ***This Protocol is presented to Full Council for noting.***
- Communications – work is underway to raise the profile of the scrutiny function, both within the Council and with the public. This includes a revamped Scrutiny Bulletin, regular engagement with the Communications Team and proactive media work.
- Training - a standard programme of member training has been established to increase knowledge of scrutiny (amongst both scrutiny and non-scrutiny members), develop questioning skills, and on how to use evidence effectively.
- Call-in – a review of the call-in procedure has been undertaken to ensure that members understand the legislative background to call-in as well as when and how the process should best be used. ***This is presented to Full Council for noting.***
- Health Scrutiny – PAF and HOSC committees are working increasingly closely together to utilise the statutory powers of health scrutiny and address the significant challenges around health and social care.

As well as progressing specific recommendations, the Scrutiny Board has also taken on an increased coordination and oversight role encompassing committee work programmes, dissemination of best practice (including on key lines of enquiry and post-meeting reflection sessions), how performance monitoring is managed and the issue of member attendance.

Through the work of the Board and the individual Committees, the aim is for scrutiny to go from strength to strength at Essex.

Work of the Scrutiny Committees

Over the following pages you will find an introduction to the work undertaken by the Scrutiny function over the course of the year. The four Scrutiny committee Chairmen have selected some key pieces of work completed by their individual committees also highlighting, where relevant, work that has taken place jointly across two committees where it had been identified that this would make the best use of time and resources.

The Task and Finish review undertaken by HOPSC and PAFSC on Young People's Mental Health is included as an example of this type of work. Task and Finish groups allow a more focused and detailed look at a particular topic than would be possible in a standard committee setting. Recommendations are produced at the conclusion of the review and passed to the appropriate Cabinet Member, once endorsed by the 'parent' scrutiny committee, for consideration and response.

1. Chairmen's Highlights from each Committee:

- Corporate Policy and Scrutiny Committee (CPSC)
- Health Policy and Scrutiny Committee (HOPSC)
- People and Families Policy and Scrutiny Committee (PAFSC)
- Place Services and Economic Growth Policy and Scrutiny Committee (PSEG)

2. Example Task and Finish Review:

- Young People's Mental Health

Health Overview Policy and Scrutiny Committee

This committee reviews and scrutinises matters relating to the planning, provision and operation of health services in the County of Essex. This includes primary, secondary, tertiary care, and public health, and may involve reviewing the work of commissioners (such as local clinical commissioning groups), providers of health services (such as hospitals) and other organisations in the health sector.

The committee's Chairman and Vice Chairmen are Councillors Jeff Henry, Dave Harris and Clive Souter. Full details of the committee's work and membership can be found on the Council's [website](#).



Essex has one of the most complex health environments in the Country. Since the creation of the Integrated Care Systems (ICS), it has been split across three different strategic health footprints that do not align with our County Council borders. The ICS's have all introduced their own strategies and HOSC has the ongoing challenge of continuing to have strategic oversight of these different programmes.

HOSC have met with all three ICS leads over the past months and will continue to do so as these new systems begin implementing their strategies.

HOSC focus over the past 12 months has spanned a number of different services, including detailed scrutiny of maternity services at East Suffolk and North Essex Foundation Trust (ESNEFT) after they received a 'requires improvement' from the Care Quality Commission (CQC). This has also been the case for the East of England Ambulance Service Trust (EEAST).

Mental health has been a big focus of the committee's work over the past year, with representations received from both the Essex Partnership University NHS Foundation Trust (EPUT) and the North East London NHS Foundation Trust (NELFT) on how they are delivering services since the pandemic.

The committee have also undertaken two external visits to Colchester General Hospital and the Linden Centre, an inpatient psychiatric unit in Chelmsford. The Linden Centre has been focussed on externally in the media over the past few months and HOSC are aware of the position there and that of the inquiry that is currently taking place. HOSC will continue to monitor this situation closely.

A piece of work I am proud of is the joint Task and Finish group that undertook a review into mental health services for young people. At the annual meeting of the Council in May 2022, a motion was considered on mental health services for young people. The motion rightly recognised the work of schools, charities, mental health professionals and our own officers, and noted the important role they play in the lives of young people.

Councillor Jeff Henry – Chairman

Place Services and Economic Growth Policy and Scrutiny Committee

This committee exercises the scrutiny function on matters relating to environment, economic growth and infrastructure, sustainability, highways and transportation, libraries, planning, communities, waste and recycling and trading standards.

The committee's Chairman and Vice Chairmen are Councillors Alan Goggin, Dave Blackwell and Mike Steel. Full details of the committee's work and membership can be found on the Council's [website](#).



I'm delighted to introduce this annual update to Full Council from the Place Services and Economic Growth Policy and Scrutiny Committee (PSEG).

With a remit that includes climate change, libraries, bus services and highways it was always going to be a busy year for the Committee and suffice to say the last 12 months have not disappointed!

As ever, I would like to begin by thanking all past and present members and officers for their commitment and hard work, as well as all those who have attended and contributed to our meetings. Particular thanks go to my two Vice-Chairman, Councillor Mike Steel and Councillor Dave Blackwell.

It would be impossible to cover everything the Committee has done so I will just pick out a couple of highlights of our work.

A regular attendee at our meetings (he almost has his own seat!) has been Councillor Lee Scott, Portfolio Holder for Highways Maintenance and Sustainable Transport. On a quarterly basis, the Committee scrutinises highways performance. Cllr Scott deserves enormous credit for his open and engaged approach to this work, and committee members deserve equal credit for asking challenging and constructive questions. These sessions demonstrate what I think good scrutiny is about: critical friend challenge that provides public accountability and addresses issues that matter to residents. Providing robust challenge when needed, but also coming up with ideas on how to improve council services.

Many of the issues that we cover - such as climate change - cross several portfolios and therefore I am pleased that PSEG has held successful joint sessions with other scrutiny committees over the last year including with PAF on libraries and CPSC on economic development and the Tovi Eco Park. The culture of scrutiny should be one not of silo working but of close collaboration.

As well as working well internally, it is crucial that scrutiny is focused externally as well. I am pleased therefore that PSEG has facilitated public speakers when discussing cycling and when hearing a call-in on the changes to the Highways Rangers service. Scrutiny should be

amplifying the voice of residents, businesses and parishes, and I am delighted that PSEG is leading the way on this.

One of the joys of chairing PSEG is the variety of topics that the Committee covers and this year that has been no exception. Topics have included reviewing the Bus Service Improvement Plan, understanding efforts to support arts and culture post-covid, hearing plans to boost recycling as part of the new waste strategy and working on changes to Local Highway Panels. Again, enormous credit to committee members for tackling such a broad range of topics in such an engaged way. Even though the Committee includes many Councillors with a substantial amount of experience and expertise, the overall desire from members is to improve and expand the level of scrutiny. As a result, many have agreed to attend extra training sessions as we approach the third year of this particular group. Attendance at meetings has been good – and above previous levels.

With the variety of topics that we cover, I am sure the next 12 months will be as busy as the last, and we are looking forward to working with officers and members to ensure that PSEG continues to deliver strong, non-partisan collaborative scrutiny focused on outcomes for our residents.

If you would like to contribute to our work or make suggestions for our work programme, then please get in touch with me at cllr.alan.goggin@essex.gov.uk

Councillor Alan Goggin – Chairman

Corporate Policy and Scrutiny Committee

This committee reviews the overall strategic direction, policies and priorities of the Cabinet and Council including the budget strategy, financial resources, equality and diversity issues, procurement and the delivery of Everyone's Essex.

The Committee's Chairman and Vice Chairmen are Councillors Chris Pond, Michael Mackrory and Mike Steptoe. Full details of the committee's work and membership can be found on the Council's [website](#).



Last year I stated that the Committee had been keen to assess the financial impact of, and response to, Covid and the subsequent challenges on the budget process, including the assumptions being made for future budgets. That has not changed over the last twelve months with still great uncertainty over some of the longer-term impacts of the pandemic compounded now by increasing care complexity and demand in the Adult Social Care and Health budgets, economic pressures from unprecedented levels of inflation and rising interest rates and continued uncertainty on government funding.

To keep up to speed we request financial updates on at least a quarterly basis incorporating the latest quarterly Outturn which is also presented to Cabinet. Considering these reports in a scrutiny forum (as well as at Cabinet) does permit a longer discussion on the challenges being faced and extracts more detail around priorities, the choices being made and future planning. This accountability and transparency to the financial decision-making process is an essential element of robust local government scrutiny. This has become even more apparent when we see the recent reported financial situations at some other local authorities. In particular, the Committee will be keen to hear if there are any lessons learnt for the sector as a whole from the Commissioners' report on financial management at Thurrock Council. Members are always keen to challenge and seek confirmation from the Cabinet Member and officers that regular benchmarking and sharing of knowledge with other local authorities is undertaken on a range of financial issues and challenges being faced.

We supplement regular financial updates with deep dives on certain budget aspects as and when we feel it appropriate and helpful to get a greater understanding of what lies behind some challenges and issues. We have looked at the regulatory background to, and the Council's policy towards, reserves and provisioning and considered the different types of reserves that have been put in place. Members have been keen to highlight that there were a number of drawdowns from reserves last year, particularly to counter the impact of inflation, but also to develop strategic priorities and have challenged the sustainability of continuing to do this over an extended period of time.

Our financial scrutiny can vary in approach and sometimes means seeking further information on specific entries and/or challenging how a particular commitment or project is to be financed: For example, Members have recently pushed for clarifications on the

reprofiling of budget slippages particularly in relation to Highways Panels, the financing of climate change aspirations and targets and the s106 developer contributions process and governance. Members have also raised the possible mitigation for planned savings at risk of non-delivery and asked for further detail on the weaknesses of savings projections. The CPSC have also questioned the ongoing trend of staff vacancies and have pushed to fully understand where they were located and the extent of any impact on operations. As a result, the Committee has asked to be kept regularly informed on the impact of staff vacancies and future staffing reviews.

The County Council are required to refresh and produce a Capital and Treasury Management Strategy every year and update accordingly to comply with latest professional guidance and statutory requirements. The Strategy had not been presented to the Committee for scrutiny in previous years and I welcomed the opportunity to comment on the latest proposed updated Strategy in January 2023 emphasising that transparency and accountability were enhanced by pre-scrutiny. Whilst the draft strategy outlined the major risks that the Council was exposed to, many of the risks were unpredictable and members queried the sensitivity of the risks identified and sought assurance that regular monitoring was being undertaken.

The Committee has also taken the lead in oversight of the Everyone's Essex performance framework and, with the Chairmen and Vice Chairmen from the other scrutiny committees, have been scrutinising progress on a quarterly basis to ensure transparency in holding the Executive to account on delivery of the objectives and targets within it. Recent issues discussed have included climate actions, increasing physical activity, skills needed for employment in new technology, all-age employment opportunities and more focus on locality-based funding. Incorporated into the most recent discussion was an update on Levelling Up actions being planned and taken, a Locality Fund update and some responses to the cost-of-living challenges.

As the organisation continues to both respond to changes arising from the pandemic and broader evolutionary changes to ways of working, the Committee will continue to scrutinise both the impact of proposed changes on the organisation and on staff. The CPSC has discussed the support being given to staff, managers and leaders in each function to help embed new work styles and hybrid working. A broader property and estate review is due to be scrutinised in March 2023.

Looking forward, the scrutiny function is now giving thought to arrangements for considering any formalised devolution proposals and to investigate any opportunities to work jointly with the scrutiny teams in our neighbouring authorities.

Finally, I would like to thank the members of my committee for their commitment, and their collaborative and non-partisan approach to scrutiny which is vitally important in building trust in the political independence of the scrutiny function here at the County Council. I am sure the Committee will seek to further challenge decision-makers going forward on how they continue to respond to financial and organisational challenges.

Councillor Chris Pond – Chairman

People and Families Policy and Scrutiny Committee

This committee exercises the scrutiny function on matters relating to children and young people, families, education, adult social care, special needs and safeguarding.

The committee's Chairman and Vice Chairmen are Councillors Ray Gooding, Carlo Guglielmi and Peter May. Full details of the committee's work and membership can be found on the Council's [website](#).



The PAF has a wide remit covering so many of the services that were at the brunt of the pandemic, such as education, services for children and families and adult social care. Much of our focus going forward will be looking at the new priorities and strategies that are being developed to reshape services to respond to changing expectations, and new and often more complex support needs.

In my report to you last year I stressed how the PAF had been involved at an early stage in the development of various new corporate strategies and this process has continued with early engagement on further new draft strategies for Adult Community Learning, All-Age Carers, and Disabilities. Each time, the Committee has challenged the assumptions and priorities of each strategy and been able to suggest changes.

The aspirations in high level strategies can often be easy to support and the real test for a scrutiny committee is to challenge what difference they make to the service user. We will continue to keep a critical eye on this and seek evidence of outcomes being achieved. With the SEND strategy, for example, the under identification of moderate Learning Disabilities and speech and language difficulties, continued differences in waiting times for diagnosis across Essex, and how young people access and navigate services, have all previously been highlighted in a Care Quality Commission inspection and the new strategy will need to be seen to specifically address these as part of future partnership working arrangements.

Coming out of the pandemic and the current economic pressures, the future role of Adult Community Learning (ACL) has assumed even greater importance to help provide training so that local people can increase their employability. The PAF has discussed more flexible ways to deliver courses, the refreshing of curriculum and encouraged the ACL property portfolio review underway and opportunities for better siting of some ACL facilities.

The PAF has continued to work with colleagues from the Place Services and Economic Growth Policy and Scrutiny Committee to scrutinise the development of the Everyone's Essex Library Service 2022-26 plan and the proposed wider community and family role. It was good to see public questions on this at one of our sessions and it afforded the opportunity to seek reaffirmation that the libraries will continue to be run by professional staff and that the use of volunteers will only be as a supplement to that. The new additional focus on levelling up within the new library plan has highlighted some concerns on levels of literacy and the Chairman of the Education Task Force will be invited to a future session to discuss this further. Levelling up will continue to be an overarching theme across our work. The current HCRG (formerly Virgin Care) contract for the Essex Child and Family Wellbeing

Service was controversial for some when it was awarded as it meant a completely new outcomes focused approach. We have continued to challenge if the service is reaching the most hard-to-reach as they often subsequently need the most interventions. An additional challenge for us as scrutineers is that because of its new innovative approach there is nothing directly comparable to benchmark in other local authorities. There is also a longer timeline to assess the outcomes being sought compared to quantitative measures.

The PAF has worked with the HOSC looking at the NHS Integrated Care System footprints mapping Essex (see the HOSC Chairman's Statement elsewhere in this report). The PAF has also led a session looking at discharge flows from acute hospitals and ensuring that appropriate domiciliary care is available throughout Essex. The aim is to support people in their own home for as long as possible. However, a major challenge is staff recruitment and retention and the PAF will continue to ask what can be done to improve this situation.

Rising levels of Domestic Abuse has been identified as an unfortunate consequence of the pandemic lock downs. The PAF has been updated on improvements that have been made in terms of support for victims and survivors of domestic abuse and will continue to challenge how the local system responds to the likely additional demands for support.

A new CQC assurance process for local government will start during 2023 and the HOSC and PAF have been briefed on the expectations for that new inspection regime. In preparation, the County Council arranged for an LGA-led mock inspection during February 2023 and, as part of that, some HOSC and PAF scrutiny members participated in a peer inspection scrutiny focus group and responded to questioning on Scrutiny's role in challenging the County Council on adult social care issues. The PAF will soon consider the report of the mock inspection and the ongoing preparations for a future formal inspection.

We have heard one call-in during the last year in relation to the closure of the Essex Teacher Training Programme and the governance process that was followed leading up to the proposed decision. I was pleased that the PAF fully engaged in robust scrutiny of this and, whilst allowing the decision to be implemented, highlighted that there should have been earlier engagement with the PAF and asked the Scrutiny Board to consider lessons learnt and if the current Cabinet-Scrutiny protocol required any changes as a result.

Annually the PAF meets the Independent Chairmen and the statutory partners of both the Children's and Adults Safeguarding Boards and challenges their strategic priorities and the effectiveness of partnership arrangements. The Boards are not operational boards and so we will be seeking more operational focused updates as well in future.

I am pleased to see public questions being asked ahead of some of our discussions and this direct interaction with our residents is something we all need to continue to promote. We now prepare for some items by talking with representatives of Healthwatch Essex's Collaborative Forum to raise our awareness of the challenges faced by people needing support. We will look to use other Forums as well to help further understand user concerns.

Finally, I would like to thank the members of my committee for their continued commitment and interest in the work of the Committee, and their collaborative and non-partisan approach to scrutiny which is vitally important in building trust in the political independence of the scrutiny function here at the County Council.

Councillor Ray Gooding – Chairman

Task and Finish Review – Mental Health Services for Young People

Last year Full Council backed scrutiny recommendations to improve young people's access to mental health services. The recommendations came from a Task and Finish Group made-up of members from the HOSC and the PAF Committees.

Task and Finish Groups can be established by the Scrutiny Committees to carry out in-depth reviews on a particular service area, policy or issue and make recommendations. They are a way by which scrutiny members can help to develop policy.

At the Full Council meeting on 10 May 2022, a motion was carried that a referral be made to scrutiny to undertake a review into mental health services for young people, and that it reports back its findings and recommendations by the end of December 2022.

After agreeing a 'scoping document', the Task and Finish Group held meetings between August and October 2022 and considered a wide range of oral and written evidence. The Group quickly identified that a key challenge for young people was how they can best access support and determine the service that they need.

The Group recognised that it needed to do more than just identify causes of concern; it was important to 'drill down' to identify what could be done to help resolve some of these issues and make recommendations on the way forward.

Task and Finish Groups gather evidence in a variety of ways including written submissions, interviews with internal and external witnesses, site visits, work with partner organisations and other councils, desktop research, public meetings, and surveys.

Recommendations were eventually finalised by the Group in late 2022 and these focused on improving the training and retention of staff, introducing a single point of contact (hub) in Essex for young people requiring mental health support, and a 'wellbeing hub' in every primary school in Essex.

Task and Finish Group recommendations are made to the 'parent' scrutiny committee and then to the relevant Cabinet Member who will give a formal response.

Having been backed by Full Council, the Group's work is being shared with the Essex Health and Wellbeing Board, the Essex Strategic Coordination Group, Essex MPs and the chairs of the relevant House of Commons Select Committee.

The Scrutiny Board is now supporting HOSC and PAF to monitor the outcome and potential implementation of the recommendations. This will ensure that the issue remains at the heart of scrutiny's agenda moving forward and will continue scrutiny's efforts to make a real difference to the lives of young people in Essex.

Training and Development

Following the elections that took place in May 2021, a focused induction programme was delivered to members of the Scrutiny committees on the nature of the scrutiny function itself and the remit of the individual scrutiny committees.

Feedback from these sessions was positive, and the Scrutiny Board agreed that training and development should be kept under review and that suitable opportunities for further development should be identified and delivered. With this in mind, the Scrutiny Board considered member training as a part of the wider Scrutiny Review.

This review recommended that the Board establish a standard programme of member training to increase knowledge of scrutiny (amongst both scrutiny and non-scrutiny members), develop questioning skills, and help members to use evidence effectively; considering the results of a skills audit of members where appropriate.

It was also agreed that the Scrutiny Board was to have oversight of any requests for spending on any training packages commissioned on a collective basis, over and above any individual needs identified by Members as part of the Personal Development Plan process, to ensure that best value is being achieved.

The Board has subsequently worked with officers and organised two training sessions with the LGiU in March:

- *Scrutiny: Understanding and Maximising Your Role.* To enable members to better understand scrutiny including its role, principles, and value; learn from good practice of other councils; develop scrutiny skills; and explore opportunities and options for the development of scrutiny at the Council.
- *Questioning Skills.* Focusing on something that is key to a successful scrutiny function: asking questions! This can be viewed as two separate elements; identifying the right questions to ask to begin with, then actively listening to the response given and putting appropriate follow up questions where needed.

Further formal sessions will be identified and organised by the Scrutiny Board as it seeks to ensure that members are well-trained scrutineers with the skills needed to carry out their roles effectively.

Alongside these formal sessions, the Scrutiny Board continues to disseminate best practice including on the use of Key Lines of Enquiry (KLOE) and encourage individual committees to organise briefing sessions to deepen the knowledge of members serving on scrutiny.

Committee members are also encouraged to continue to actively consider what support and training they need, with the Scrutiny Board and officers within Democratic Services providing support and advice as requested.

How the Public can get Involved

An increasing focus is to get residents involved in the work of scrutiny. There are a number of ways this can currently happen:

Attending a meeting

Members of the public are welcome to attend any public meeting of a scrutiny committee, which are listed on the [online meeting calendar](#).

All scrutiny committees normally allow 15 minutes for public questions at the beginning of each meeting. If you wish to ask a question, let the Chairman or clerk know by 1pm the day before a meeting is scheduled. Public meetings are usually streamed live on YouTube, with recordings available afterwards, via this link [ECC Democracy - YouTube](#).

Giving Evidence

Scrutiny regularly asks organisations or individuals to give evidence at meetings for the purpose of their investigations. If you will be attending scrutiny to give information to a committee, you can find information and guidance about what to expect in the [Scrutiny Handbook](#).

Suggest a Topic

If you would like to feed into the scrutiny process, or suggest a topic for scrutiny's attention, you can get in touch with the Scrutiny Team at democratic.services@essex.gov.uk.

Alternatively, you can contact any of the Councillors who are on the relevant committee or task and finish group and ask them to consider representing you or calling you to give evidence. You can find out which local Councillors are on which committee by checking on the [website](#).

Plans are also being put in place to develop this process and make it easier for you to suggest topics for scrutiny. Watch this space for further updates on this exciting initiative!

**This document has been produced by Essex County Council's Democracy and Transparency service.
Contact us by email at democratic.services@essex.gov.uk.**

Overview and Scrutiny Committees

Procedure for dealing with Call-ins

Introduction

1. All parties will be advised of this procedure each time an executive decision is called in.

Constitution

2. This procedure complements the call-in arrangements set out in the Constitution in the Overview and Scrutiny Committee Procedure Rule. The Procedure Rule takes precedence.

Notification of call in

3. The notification of call in should be set out in the format attached to this document.

Receipt of call in

4. On receipt of a valid notice of call-in made in accordance with the Overview and Scrutiny Committee Procedure Rule, the Scrutiny Officer will (a) arrange for the notice to be acknowledged in writing; (b) for the decision taker to be formally notified in writing of the receipt of a notice of call-in; and (c) for the Chairman of the Committee to be informed where the Chairman is not a party to the call-in.

Reasons for call in

5. The member giving notice must in accordance with the Procedure Rule set out in writing the reasons for calling in the decision. It is important to get this right. If the call in reaches the Committee stage, the debate, including any evidence from witnesses, will be restricted to the grounds given for the call in. In addition, where the decision is being called-in following representations made by a Councillor who is not a member of the Committee, with that Councillor's agreement he/she should be identified in the reasons for the call-in and can therefore be acknowledged in the rest of the procedure.

Informal meeting

6. The informal meeting stage of the arrangements is of great value and could take a number of forms. If it is decided to proceed via an informal stage and no other arrangements emerge, the Scrutiny Officer will, as a matter of urgency, liaise with all interested parties to set up an informal meeting. Where the call-in has been made as the result of representations from a councillor who is not a member of the Committee, that councillor will be invited to attend the informal meeting. The Scrutiny Officer will normally attend the informal meeting and will within 24 hours produce a note for circulation to all parties to the meeting for approval.

7. A Vice-Chairman from the respective Policy and Scrutiny Committee will ordinarily chair the informal call-in meeting at the discretion of the Chairman of the Committee.
8. Where at the informal meeting stage assurances are given by or agreements reached with Cabinet Members and the Scrutiny Officer is not present to take a note then those assurances/agreements should subsequently be confirmed in writing.
9. A report of any call-ins that are withdrawn as a result of an informal meeting will be included on the Agenda for the next meeting of the Committee.

Committee stage

10. If the call-in is not withdrawn as a result of the informal meeting or an informal meeting is not held it will go to the Committee. The Committee should meet within 10 clear working days of the notice of call-in. Wherever possible scheduled meetings of the Committee will be used. Where this is not possible the Scrutiny Officer will liaise with the parties concerned and the Group Spokespersons on the Committee to arrange a special meeting.
11. The Scrutiny Officer will liaise with the parties concerned on behalf of the Chairman of the Committee to ensure that all those with a reasonable interest in the decision have an opportunity to be represented at the meeting, including any councillor whose representations have led to the call-in. Call ins relating to Schools issues not dealt with by the People and Families Scrutiny Committee)
12. If the Call-in relates to a Schools issue then the representatives of Parent Governors and Diocesan Education Committees must also be invited and would have the right to vote on that particular item. This should be confirmed on the notification of call in. (It should be noted that where the Education representatives attend with voting rights affecting the numbers eligible to vote on the Committee, the Administration is ultimately entitled to a natural majority of one over all other voting members.)

Information to be available for the Committee

13. The Committee will automatically be provided with copies of the decision, the reasons for the call in and the note of any informal meeting as part of the Agenda papers put together by the Scrutiny Officer. As much additional evidence as possible should be provided in advance of the meeting and in writing of not more than two sheets of A4. Should the occasion arise where more than two sides of A4 are required, the Scrutiny Manager will exercise his discretion as to whether this be allowed. This applies also to any statement to be made by outside witnesses. Maps and plans should also be made available where applicable. The intention is that the Committee should have a proper opportunity to assess the information being provided by both sides and to seek additional clarification as necessary.

Calling of witnesses

14. Witnesses may be called by either side. They will be expected to speak to the reasons for the call in. They will normally be given a maximum of three minutes each to address the Committee, subject always to the discretion of the Chairman. When calling witnesses attention should be given to the quality rather than the quantity of witnesses. Each witness should have something new and relevant to say to the Committee. The Chairman will exercise his discretion to curtail any witness simply repeating anything that has already been clearly explained.

Committee meeting

15. The procedure at the meeting will be as follows:
 - The councillor responsible for the call in will be given the opportunity to make the case for calling in the decision.
 - Any local member associated with the call in will then be invited to speak.
 - Other interested parties will then provide evidence to the Committee.
 - The Cabinet Member will then be given the opportunity to answer the case and seek to justify the decision taken.
 - There will then be an opportunity for other members of the Committee to ask questions.

Chairing the meeting

16. The member responsible for the call in should not also Chair the meeting. If the Chairman is responsible for the call in the Vice-Chairman should take the Chair for that item. In the absence of the Chairman the Vice-Chairman should not take the Chair if he/she is responsible for a call in to be discussed at that meeting. If it is known that neither the Chairman nor the Vice-Chairman will be available to Chair the meeting arrangements will be agreed in advance with the Group Spokespersons.

Action following the meeting

17. Following consideration of a call-in by the Committee, the Governance Officer will liaise with the Chairman and Group Spokespersons to agree the formal notification of its decision to go to the interested parties and, if the call-in is referred to Council, to agree the wording of the report to Council.

Essex County Council

Protocol for working arrangements between Cabinet and Policy and Scrutiny Committees

The Protocol

Introduction

Legislation and statutory guidance establish the importance and legitimacy of the scrutiny function.

Scrutiny should enhance the Council's governance and decision-making process by ensuring that non-executive members are contributing to the improvement of services for residents and that the executive is subject to non-partisan constructive challenge.

Scrutiny is a member-led process. As the statutory guidance notes, councillors have a unique legitimacy derived from their being democratically elected. The insights that they can bring by having this close connection to local people are part of what gives scrutiny its value.

Scrutiny's success or otherwise will depend on its ability to establish and sustain an effective working relationship with the Cabinet and Cabinet Members. The relationship should be open, trusting and non-partisan in order to deliver focused and transparent policy development and scrutiny.

As government guidance has concluded, this working relationship and the prevailing organisational culture, behaviours and attitudes of an authority will largely determine whether its scrutiny function succeeds or fails.

Effective scrutiny will:

1. Provide constructive 'critical friend' challenge
2. Amplify the voices and concerns of the public
3. Be led by independent people who take responsibility for their role, and
4. Drive improvement in public services.

The culture in which scrutiny conducts its work should be one where there is parity of esteem between the scrutiny and executive functions. Parity of esteem means that the scrutiny function deserves the same respect as executive, decision-making activities. Requests from scrutiny and attempts by scrutiny to engage with policies, plans and activities should be treated with the same

respect as if they came from a Cabinet Member.

As a part of this, all officers should be free to provide impartial advice to scrutiny committees. This is fundamental to effective scrutiny. Of particular importance is the role played by 'statutory officers' – the Monitoring Officer, the Section 151 Officer, Head of Paid Service, and the Statutory Scrutiny Officer. These individuals have a particular role in ensuring that timely, relevant, and high-quality advice is provided to scrutiny.

This protocol aims to support the scrutiny-executive working relationship. It highlights the key roles and responsibilities of the Policy and Scrutiny Committees (PSCs) and of Cabinet in relation to the scrutiny function.

~~The protocol will contribute to more effective PSC work programming and outcomes and, in doing so, enable the Committees to influence Council activity in a meaningful way.~~

The protocol will contribute to more effective PSC work programming and ensure that scrutiny is strategically focused on outcomes, contributing to policy development, and influencing Council activity in a meaningful way rather than merely receiving ad-hoc 'update' style reports on issues.

1. What the Cabinet can expect from Scrutiny

Scrutiny will offer constructive critical friend challenge to the Cabinet having regard to the Council's budget and policy framework, and provide non-partisan checks and balances to secure maximum benefits for the Essex community.

Scrutiny will ensure that its work programmes are targeted appropriately so that they are able to complement the Council's and partners' strategic goals and improvement processes in order to add value to them.

PSCs will engage with the Cabinet and other appropriate parties in determining items for inclusion in their work programme; however, PSCs will be ultimately responsible for what is included.

PSCs will engage with appropriate officers and portfolio holders when developing the methodology and scope of projects and work programme items, and will have a mind to the impact its work will have upon the resource commitments of the specific services.

Cabinet Members will be informed at an early stage about scrutiny reviews that are being established to look at issues within their portfolio, and about possible dates for attending a meeting for the purpose of giving evidence.

PSCs will ensure that at all times councillors and senior officers are kept informed of its deliberations in order to ensure that there are 'no surprises' as the result of

investigations and scrutiny work.

PSCs will endeavour to ensure that recommendations made to Cabinet are realistic and targeted. These recommendations will be discussed with appropriate officers and portfolio holders as part of the preparation of any final report.

PSCs will endeavour, while acting as a critical friend of the Cabinet, to provide an effective means of championing the interests of the council and residents through its activities.

PSCs accept that once a scrutiny report and recommendation is agreed by a Committee, it is for the relevant Cabinet Member to decide what further investigations, consultations and reports are required before being in a position to consider his/her response to a review's recommendations.

PSCs accept that on certain issues the Cabinet and Cabinet Members need to take urgent action and in such cases the opportunity for consultation with scrutiny will be limited. Where such a need arises the cabinet member will brief the appropriate scrutiny chairman.

2. What Overview and Scrutiny Committees can expect from the Cabinet

The Cabinet will respect the independence of Scrutiny. The Cabinet should not try to exercise control over the work of the PSCs either directly or indirectly, and respect that there is no group whip for scrutiny activity.

The Cabinet and senior officers will recognise the value that scrutiny can add to service improvement and will ensure that appropriate referrals are proposed for specific investigations.

~~The Cabinet will work with PSCs to facilitate timely involvement by scrutiny in emerging policy decisions and reflect the principle that scrutiny should be given adequate opportunity to comment before executive decisions are taken. Through regular dialogue, Cabinet Members will outline the plans for their portfolio and give early notice of new developments, policy reviews and decisions in order to determine the best way for the PSCs to add value.~~

The Cabinet will ensure the timely involvement by scrutiny in emerging policy decisions reflecting the principle that scrutiny should be given adequate opportunity to comment before executive decisions are taken.

Through regular dialogue, Cabinet Members will outline the plans for their portfolio and give early notice of new developments, policy reviews and decisions in order to determine the best way for the PSCs to add value. This dialogue could take the form of regular meetings between Scrutiny Chairmen and Cabinet Members.

At the invitation of a PSCs, Cabinet Members will participate in the evidence

gathering process, the consideration of emerging findings, and the deliberation on recommendations from scrutiny.

Cabinet Members will attend PSC meetings when invited to give evidence, respond to questions, respond to the outcomes of reviews, or update the committee on work falling within their executive portfolio. On issues of a sensitive or confidential nature, Cabinet Members should consider the use of private briefing sessions with PSCs.

Following approval of a scrutiny report it will be formally submitted to the Cabinet Member for consideration of any PSC recommendations. As specified in the Constitution, the Cabinet Member will, within one month of it being received, acknowledge its receipt, and give an indication of the likely timescale for the preparation of a response. In due course the Cabinet Member will provide a response to the Committee setting out the executive view of the recommendations made, the reasons for any recommendations being rejected or accepted and, where appropriate, the timescale for the implementation of any proposed action in respect of the topic considered.

Any representation made by a Scrutiny Committee, and the Cabinet Member's response, will be included in any subsequent report considered by the Cabinet or Cabinet Member.

Scrutiny members should have access to a regularly available source of key information about the management of the authority – particularly on performance, management, and risk.

While each request for information should be judged on its individual merits, the Cabinet and senior officers should adopt a default position of sharing the information they hold, on request, with scrutiny committee members.

3. Implementation and Supporting Activity

To secure the implementation of this protocol there will be regular meetings between PSC Chairmen, Vice Chairmen, and Cabinet Members to discuss development of the work programmes, to confirm progress on on-going projects, to discuss in-year referrals, and to identify problem areas.

To secure the implementation of this protocol, following Annual Council every year there will be a process whereby Cabinet Members and PSCs meet to discuss their priorities and programmes for the coming year. The Scrutiny Board will oversee this process in areas where executive portfolios cover more than one PSC.

Following this, there will be regular meetings between PSC Chairmen, Vice Chairmen, and Cabinet Members to discuss the development of the work programmes, to confirm progress on on-going projects, to discuss in-year

referrals, and to identify problem areas.

If difficulties arise in the operation of this protocol, they shall be referred by the Cabinet or the Scrutiny Board to the Corporate Governance Steering Group.

The Statutory Scrutiny Officer, and Monitoring Officer, will oversee compliance with the protocol, and ensure that it is used to support the wider aim of supporting and promoting a culture of scrutiny, with matters relating to the protocol's success being reported to full Council through the scrutiny Annual Report.

Member Development Annual Report 2022/2023

Report by the Member Development Steering Group Chairman, Councillor Jill Reeves

Enquiries to Joanna Boaler, Head of Democracy and Transparency and Statutory Scrutiny Officer on joanna.boaler@essex.gov.uk

1. Purpose of the Report

To present the Member Development Annual Report 2022/23 to Essex County Council.

2. Recommendation

To note the attached report.

Annual Report of Member Development 2023

Introduction from Cllr Jill Reeves, Chairman of the Member Development Steering Group



The Member Development annual reports sets out the achievements of the last year, the objectives of member development, our current development offer and how the Council supports its delivery to all Councillors.

The role and expectations of an elected Member are continuously changing and following the County Council election in 2021, we welcomed 31 new County Councillors onto the Council.

Essex County Council continues to face difficult challenges and the personal development of all Members is essential to the successful delivery of our strategic priorities on behalf of the people we represent and serve.

The current Member Development Steering Group have a good working relationship and have worked to ensure that the member development offer meets the needs of all members.

I urge all Members, even those with many years of experience, to take full advantage of the range of development opportunities on offer and to have a development discussion if you haven't had one.

I would like to take this opportunity to thank all the key officers, principally Sophie Crane and Joanna Boaler, who support the MDSG for their time and invaluable support. Without them we would not be where we are now.

Councillor Jill Reeves
Chairman of the Member Development Steering Group
April 2023

1. Member Development April 2022 – April 2023

In the last year a full member development programme has been delivered, members can read the schedule at Appendix 1.

Following feedback from members we have continued to hold the majority of our internal member development sessions online. We have continued to record sessions and make them available for members to view back in the own time or watch again at a later stage to clarify information. This is something, in addition to holding briefing sessions on a virtual basis, that the MDSG has asked officers to continue. Those sessions we have held in person were not as well attended as virtual sessions, although some sessions lend themselves only to in person, so these will continue on a face to face basis.

Personal development planning should be seen as a means to help Members update their knowledge and learn new skills to assist them to be more effective in supporting their large and diverse communities, we actively championed personal development planning following the election. In the last year officers have reviewed plans and updated them, Members are still encouraged to contact officers for support or advice, recomplete the personal development planning questionnaire or seek a confidential, individual meeting to discuss their developmental aspirations and agree any actions to take this forward. To date, 68 members have personal development plans in place.

Following the plan review we included topics suggested in individual meetings or through the personal development questionnaire, into the Annual Member Development Programme, this helps officers build a programme that meets the needs of members. This will continue into the next year.

2. Councillor Development Charter Plus

The LGA Councillor Development Charter and Charter Plus provides councils with a robust framework and encourages member development across the sector. In 2020 South East Employers launched a new Charter framework is based on extensive consultation by the LGA. The Councillor Development Charter (Charter Plus) has three objectives:

1. There is a clear commitment to councillor development and support
2. The council has a strategic approach to councillor development
3. Learning and development is effective in building skills and knowledge

In January 2022, the LGA Assessment Team received a portfolio of evidence against the standards and an assessment team held a series of interviews and workshops to assess the Council against the Charter Plus. The feedback can be found within the appendix to this report.

We created an action plan based on the assessor's comments that is reviewed regularly at MDSG meetings. The current plan can be found within the appendix of this report.

We anticipate a mid-point review of the Charter Plus later in 2023 or early 2024.

3. Member Development Steering Group

The Member Development Steering Group (MDSG) are an informal group who meet between bi-monthly and quarterly each year. The current membership are confirmed as: Cllr Jill Reeves (Chairman), Cllr Marie Goldman, Cllr Ray Gooding, Cllr Carlo Guglielmi, Cllr Jeff Henry, Cllr Peter May and Cllr Aidan McGurran.

Members are encouraged to provide ideas and feedback to members of this Group.

The Group met three times since the last report to Council.

4. Resources

The Democracy Team keep and maintain a number of resources for you, most of these can be found online using the Member Portal that can be accessed by your personal or ECC devices and include links to the Member Development Strategy, the Member Development Steering Group Terms of Reference, personal development planning questionnaire and external nomination and evaluation forms. The Portal also includes access to E-Learning and presentations and other resources. You can also find recordings of the sessions via Teams. If members require access to the resources, please let officers know.

5. Evaluation

In accordance with the Member Development Strategy, we are committed to improving the development offer to Essex County Councillors. Following each member development session or external event, members are sent a feedback form and asked to complete this. An email is also sent after the event as a reminder. It is particularly important that members complete the quick evaluation form, this feedback is presented to members of the MDSG at each meeting and helps us seek improvements and share positive feedback.

6. The next 12 months

We have reached the halfway point of this Council; we are now looking forward to the next year to ensure that any role changes or committee commitments are supported. The work programme will focus on sessions from feedback and personal development plans and to support members on the current challenges.

If members would like a personal development discussion or have suggestions for development sessions, please let officers know.

7. Further information

Further information on Member Development at ECC can be found by reviewing our Member Development Strategy, the terms of reference of the MDSG and the Member Portal.

8. Appendices

Appendix 1: Member Development Schedule 2022/23

Date	Title	Attendees*
1 April 2022	Health and Care briefing	18
6 April 2022	Member Safety briefing	14
16 May 2022	Locality and Levelling up Funds briefing	36
26 May 2022	ECC Standards briefing	21
25 May 2022	Climate Action briefing	20
28 June 2022	Sensory awareness briefing	11
15 June 2022	Fostering briefing	15
5 July 2022	Electoral Boundary review briefing	31
18 July 2022	Short breaks briefing (children's social care)	16
5 October 2022	Military Covenant briefing	14
10 October 2022	Dementia and Public Health briefing	25
19 Oct 2022	Superfast Broadband briefing	16
23 Nov 2022	Essex Housing briefing	26
21 Nov 2022	Climate action: Green Infrastructure briefing	22
November and December 2022	The Advanced Dementia & Mobility Experience Essex	2
7 December 2022	Devolution briefing	30
9 January 2023	Police, Fire and Crime Commissioner briefing	27
12 January 2023	Climate action: transport briefing	20
20 January 2023	Short breaks briefing (children's social care)	19
6 February 2023	Climate action: buildings briefing	21
20 March 2023	Business Intermediary Forum briefing	16
10 March 2023	Questioning Skills	13
30 March 2023	Scrutiny Skills	14

*This number refers to the number of members who attended the session at the time of delivery. It does not include members who subsequently watch the recording.

Appendix 2: Summary of feedback from the Member Development evaluations 2022/23.

- For internal ECC delivered briefings during 2022/23:
 - 64% of respondents reported their overall satisfaction with individual briefings as 'excellent' and 31% as 'good'
 - 71% of respondents reported that the briefing session they attended met all their personal objectives and for 22% 'most' objectives were met.
 - 91% of respondents reported that the briefing session they attended improved their knowledge of the subject area.
- For external development opportunities attended by members during 2022/23:
 - 65% of respondents reported that the activity fully met their expectations and personal objectives and 23% reported that it met 'most' of their objectives.
 - 90% of respondents reported that the activity improved their knowledge of the subject area.
 - 97% of respondents reported that they will use the information provided in their role at an ECC Member.

Appendix 3: ECC Charter Plus assessor's comments 2022

Continuous Improvement

- Further embed and take forward partnership working and identify opportunities for shared development with partners. This could include inviting partners to facilitate specific member development session.
- Explore offering additional training for Dementia Awareness, Being an Effective Opposition Member and how to have an impact on Outside Bodies.
- For twin hatted councillors, identify how the PDP recommendations can support councillors in their district roles and, subject to a councillor's agreement, share the development priorities with district/borough council key officers. This should assist in both prioritising and avoiding the duplication of training and development across the two tiers.
- Promote the benefits of councillor development and the Charter to district and borough councils to support a more strategic and joined-up approach to councillor development across the county.
- Further develop and support councillors with overview and scrutiny with a particular focus on embedding an approach for pre-decision scrutiny, which will enable non - executive councillors to make recommendations ahead of decisions being taken by Cabinet.
- The MDSG to look at how it can strengthen the evaluation of councillor development, including increasing the return rate of evaluation forms and follow up e mails with regards how Members are applying the learning.

Special Mention

- Top political and managerial commitment to councillor development. High level commitment and support from all group leaders and Chief Executive
- High profile and dedicated officer support, with recognised expertise and having the support of Members
- Engaged MDSG which meets regularly and has a strategic focus. Effectively chaired and accountable for the design, delivery and evaluation of the member development programme
- An effective response to Covid-19, quickly transferring the member development programme to virtual learning. Now looking at a hybrid approach based on member learning styles and preferences. To be led by the MDSG
- Commitment to the Be A Councillor campaign and approach
- Member development strategy regularly reviewed by MDSG and a member development programme supports the corporate strategy 'Everyone's Essex Strategy'
- Sustainable and regularly evaluated budget
- The Personal Development Process (PDP) is embedded and has a very high take up, with 68 out of 74 councillors having a PDP meeting and plan
- Councillors see the PDP's as a valuable process and help promote them to others. "Members are selling the PDP's to each other"
- Structured role profiles are in place. Member development is well promoted and supported via Charter Plus Case Studies that evidence the impact of programme
- Dedicated and structured leadership development programme both for inner and outer cabinet. Commitment and support to LGA Leadership Programmes. Awareness of key leadership development priorities with a recent focus on strengthening overview and scrutiny and support for Deputy Cabinet Members
- ECC approach to councillor development is exemplary and there is a clear culture of development underpinning the Charter Plus award.

Assessors' Comments

Thank you to members and officers at the council for making the assessment team feel so 'virtually' welcome.

Recommendation from the Verification Team

Essex County Council continues to meet, achieve and excel in respect of the Charter Plus Standard. A review of progress against the assessment team's recommendations for continuous improvement will take place in approximately 18 months. Congratulations on your continued success! We would encourage ECC to promote and share the benefits of MD and the Councillor Development Charter to the districts and boroughs across the County area.

Appendix 4: Member Development Action Plan 2022/24

Charter Plus Criteria	Assessor comments under continuous improvement
Learning is shared with other councillors and, where appropriate, with officers and stakeholders to encourage capacity building and a culture of learning across the council and externally	Further embed and take forward partnership working and identify opportunities for shared development with partners. This could include inviting partners to facilitate specific member development session.
The council has a structured process for regularly assessing councillors' individual learning and development needs based on focused objectives	Explore offering additional training for Dementia Awareness, Being an Effective Opposition Member and how to have an impact on Outside Bodies.
Learning is shared with other councillors and, where appropriate, with officers and stakeholders to encourage capacity building and a culture of learning across the council and externally	For twin hatted councillors, identify how the PDP recommendations can support councillors in their district roles and, subject to a councillor's agreement, share the development priorities with district/borough council key officers. This should assist in both prioritising and avoiding the duplication of training and development across the two tiers.
Learning is shared with other councillors and, where appropriate, with officers and stakeholders to encourage capacity building and a culture of learning across the council and externally	Promote the benefits of councillor development and the Charter to district and borough councils to support a more strategic and joined-up approach to councillor development across the county.
The council has a structured process for regularly assessing councillors' individual learning and development needs based on focused objectives	Further develop and support councillors with overview and scrutiny with a particular focus on embedding an approach for pre-decision scrutiny, which will enable non - executive councillors to make recommendations ahead of decisions being taken by Cabinet.

<p>Investment in learning and development is regularly evaluated and improvements implemented</p>	<p>The MDSG to look at how it can strengthen the evaluation of councillor development, including increasing the return rate of evaluation forms and follow up e mails with regards how Members are applying the learning.</p>
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