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# Essex County Council

## 12 December 2017

### Order Paper

#### Prayers

The meeting will be preceded by Prayers led by The Right Reverend Hugh Allan o.praem, the Abbot of Beeleigh and Chaplain to the Chairman of Essex County Council.

#### Public Question Time

Prior to the meeting of the Council the following questions will be asked by members of the public in accordance with Standing Order 16.12.9.

**Public Speaker 1:** Mr Dave Morgan concerning the provision of a cycle path from Clacton Pier to Holland Haven asks:

'Why is Essex County Council allowing Clacton to lag behind other seaside towns that have separate cycle lanes?'

I am referring to the Sunshine Coast or what we like to refer as the Essex Riviera! Clacton and its surrounding area has a Promenade at sea level and a Greensward Promenade at road level. For many years the latter was fit for purpose and there is indeed a sign asking users to respect one another. However it did not provide for, or take into account, the many mobility scooters, joggers, dog walkers with extendable leads, roller skaters. Nor was it designed to host the triathlon events that now take place.

This path is now part of the National Cycle Route 150 which runs from Jaywick to Frinton via Clacton and Holland on Sea. Essex and Tendring Councils are neglecting the NCR 150. People should be able to promenade or cycle: safely, comfortably and pleasurably. Something needs to be done. Essex and Tendring Councils are neglecting the NCR 150.

This has been raised with cabinet members. Indeed Councillor Sargeant raised a question at the last Council meeting; and at a Highways Surgery on 12 September. Yet despite all the agreements from the appropriate members; nothing ever materialises from the council's officers. All the many users have to share the narrow 2.6 metre wide path.

Yet immediately to the side of the existing path is the greensward grass which could easily accommodate a widening of the existing path to create separate

walking and cycling paths to match those of other seaside towns such as Southend, Brighton etc.

The Government is forever encouraging people to exercise more, and I feel a lot more people would use a separate cycle path rather than cycling on the roads and this would prevent serious accidents, and would encourage more people to exercise in safety.

For the past year I have been leading the Holland Residents' Association's 'Get Cycling' campaign for this separate cycle path. This includes a monthly Cycle Sunday ride from Holland on Sea to Clacton Pier and back – bringing attention to residents and the many visitors using the two promenades. If we had a separate cycle path (a proper NCR 150) this would encourage families to visit the Sunshine Coast and cycle safely together, exercise together, and reduce our carbon footprint. Most of us have access to a bike that has been lying around unused. I say let's get these bikes out, blow up the tyres, use a few drops of WD40 and get cycling!

**Public Speaker 2:** Mr Gerald Dickinson concerning ECC compliance with Highways Maintenance Strategy.

**Public Speaker 3:** Mr Alan Sanders concerning Essex Cycling Strategy asks

'On 11 July 2017, Cllr Colin Sargeant raised the subject, at Full Council in this chamber, of the forthcoming visit of the Tour of Britain to Clacton on 7 September, and asked for: the support of Essex Council for the visit; the need for its own Tour of Essex high profile bike race; and for the National Cycle Route 150 to be rationalised and to have an extension to Clacton Rail Station.

The response by Deputy Leader, Cllr Kevin Bentley was very favourable, and he expressed both support and belief in these sort of high profile events, quoting the Olympics, Women's Tour and Tour de France as having benefited Essex.

I was left somewhat confused after receiving previously very negative responses to our quest to elicit support for high profile cycle races in Essex from ECC. As a result, we wrote to Cllr Bentley asking for clarification. We did not receive an answer however my colleague, Brian Moran, met with Kevin on the 18 August to which he repeated his belief in such events, however reiterating funding was tight, and he requested Brian for a Business Plan. This was delivered on 29 August.

Since then, we have chased Cllr Bentley twice for a response, to no avail.

In the 10 October meeting of the Full Council, Cllr Sargeant asked a question, minute 43, on the commitment of ECC to cycling.

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A written answer was acceptable, but has not been received.

The Essex Cycle Strategy (published in November 2016) includes these statements:

‘A branded Cycle Essex website; encouraging high profile local cyclists to endorse cycling in Essex; use high profile events to encourage people to make the step from spectator to cyclist. and continue to support and be visibly prominent at regular events to encourage people to give cycling a try.’

Does Cllr Bentley believe in high profile cycle events in Essex, and does Cllr Gooding believe in fully implementing the Essex Cycle Strategy which included a Tour de France Legacy?

More to the point, what ECC resources will be offered to implement one of its key points, “a high-profile Essex bike race and festival” in the immediate future?

When will the Essex Cycling Strategy be fully implemented?’

**Summary of Procedure:**

- The person must be present to ask their question.
- The Chairman will invite the person to speak.
- The person may not speak for more than three minutes in order to ask their question or submit a petition.
- There shall be a reply from the Chairman or other nominated Member.
- Save for the Member replying to the question no other Member shall be permitted to respond.
- There is no opportunity for supplementary questions nor for debate.
- Thirty minutes overall is allocated for public questions.

**Report of the Local Government Ombudsman**

Under the Local Government Act 1974 any public report of the Ombudsman is required to be ‘laid before the Council’. This does not require the report to be considered at a meeting of the Full Council but the Ombudsman has expressed the view that the matters ought to be referred to in the papers for a meeting.

One report has been received and is noted here.

The Council has accepted the recommendations set out in the report.

Copies of the report are available by email from Andy Gribben, Senior Democratic Services Officer. [andy.gribben@essex.gov.uk](mailto:andy.gribben@essex.gov.uk)

<b>Date of report</b> 3 November 2017	<b>Reference</b> 16 014 971	<b>Subject</b> Education and Children's Services
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## **Agenda Item 11**

### **1. By Councillor Blackwell of the Cabinet Member for Highways**

'Could the Cabinet Member advise if the policy on highway trees is not to maintain but to remove them as highway trees on Canvey Island are being removed.'

### **2. By Councillor Hillier of the Cabinet Member for Highways**

'I congratulate the Cabinet Member for Highways and his predecessors for the progress made in improving the condition of the priority roads in the County over recent years. Could the Cabinet Member inform me and Council what progress can be made towards achieving similar improvements to the local road and footway network in future years?'

### **3. By Councillor Aspinell of the Cabinet Member for Economic Growth, Skills, Infrastructure and the Digital Economy**

'As the local development plan for all authorities is being rolled out, the information for local members regarding potential development sites, is that road access and transport movements has to be evidence based, before the potential sites can be rejected.

What is the Essex County Council doing in assisting the Local Districts in determining their sites?

Furthermore it is apparent that local districts are employing or commissioning outside agency consultants to deliver a model to demonstrate the viability or not of these sites. However, it is my understanding from our highways department that County Highways have to assess that model, test it and either agree or not with it. Would it not, therefore, be sensible and more cost effective for us, the County Council, to undertake this work in the first place for every district, after all, it is our road network.'

### **4. By Councillor Aspinell of the Cabinet Member for Environment and Waste**

'The Government has changed planning legislation and local authorities now no longer decide upon sewerage or drainage issues within a planning application

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The Local Water and Sewerage operators, i.e. Essex and Suffolk Water and Anglia, have written to me denying any responsibility at planning stage. The Environment Agency say they have no decision making powers either and are just used as consultees during the application procedure.

Local building control are side-lined on this matter when the NHBC (National House Building Council) are involved and we have now developments going ahead that have no sewerage or drainage plans submitted and no need for the local authority to consider whether or not the application site is sufficient in size to take any septic tanks when the application site is not connected to mains sewerage or drainage. I have at least 3 examples of this in my own division. What is the County's role within this and how can this be enforced so that run-off's of raw sewerage do not permeate into surrounding water courses.

In a time when all authorities are looking at delivering a local development plan which includes so many extra homes, this issue needs to be resolved.'

## **5. By Councillor Sargeant of the Cabinet Member for Education**

'The bus is the main form of public transport and has enormous potential to play an even greater role.

Effective bus operations: connect communities; improve productivity; reduce congestion for all road users by taking car traffic off the road; make the most efficient use of road space; give the jobless access to jobs; provide young people with access to education and opportunity; give access to health care and contribute to improved public health; and crucially, in these times, are the fastest way of providing additional public transport capacity to new housing and business developments.

The benefits of a reliable and innovative bus service are clear. But we need more people to benefit from them.

The Bus Services Act 2017 gives local authorities the wonderful opportunity to

- Strengthen arrangements for partnership working,
- Utilise bus Franchising powers.
- Introduce modernised ticketing
- Obtain data from service providers (such as timetables, fares, bus patronage and bus service performance statistics). – Previously, there was no statutory right of access to this information.
- Obtain information from service providers on commercial operations
- And vehicle specification and branding (indeed, would not it be wonderful for the three seaxes to adorn every bus vehicle operating in Essex?)

The package within the Act if implemented will improve social value by: Better Journeys, Better Places, Better Value.

New enhanced partnership and advanced quality partnership powers provide a framework for local authorities to work side by side with operators to set a shared vision for bus services in our county.

However, powers in legislation do not help anyone unless they are put into practice.

Please can you kindly provide details of how Essex County Council plans to adopt the opportunities afforded to it by the Bus Services Act of 2017?’

**6. By Councillor Smith of the Cabinet Member for Education**

‘Can the Cabinet Member provide an update on finding a new operator to operate the 104 and 106 bus services?’

**7. By Councillor Smith of the Cabinet Member for Education**

‘Will the Cabinet Member consider increasing the frequency of the bus service through London Road (Vange) from the Five Bells to the Clay Hill Road junction of London Road?’

**8. By Councillor Sargeant of the Cabinet Member for Highways**

‘I have submitted 18 Traffic Regulation Order requests in 20 months for my Division. However I have been advised that the number of TROs put forward is usually just six schemes a year per district. Eight ECC Divisions cover the Tendring District footprint.

What can the Cabinet Member do to sort out the inertia of the North Essex Parking Partnership and district councils for ensuring proper protection of road junctions on ECC’s highway by double yellow lines etc.?’

**9. By Councillor Henderson of the Cabinet Member for Highways**

‘Will the Cabinet Member provide a figure for the Council’s expected total spend on temporary repairs of footpaths and highways for this financial year, and what was the total in 2014/15 and 2015/16?’

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**10. By Councillor Henderson of the Cabinet Member for Environment and Waste**

‘In relation to the 2017/18 Financial Overview as at the Half Year stage, as presented to the Corporate Scrutiny Committee on 28 November 2017. It was noted that the Waste Reserve now totals £90.8m and will have an Estimated Closing Balance of £100.8m. Will the Cabinet Member provide the total amount held in the Waste Reserve for the annual budgets of 2014/15 and 2015/16?’

**11. By Councillor Young of the Cabinet Member for Highways**

‘Will the Cabinet Member please confirm the current Local Highways Panels budget per District?’

**12. By Councillor Young of the Cabinet Member for Education**

‘Almost all ECC supported evening and Sunday services contracts are finishing in April 2018. Will the Cabinet Member confirm when a consultation will be held about this or information provided?’

**13. By Councillor Kendall of the Cabinet Member for Highways**

‘Halo beacon lights are only used at a very small number of pedestrian crossings in Essex because of the very strict criteria. Would the Cabinet Member support a review of these criteria to try and improve pedestrian safety particularly at crossings with poor street lighting?’

**14. By Councillor Kendall of the Cabinet Member for Cabinet Member for Economic Growth, Skills, Infrastructure and the Digital Economy**

‘In the recent major statement by Chris Grayling MP about rail services, he spoke about the possibility of reopening old railway lines across the UK. With this in mind will the Cabinet Member for Highways be instructing his Officers to undertake a full review of the old railway lines in Essex to see what opportunities exist in our county?’

**15. By Councillor Deakin of the Cabinet Member for Health and Adult Social Care**

‘With the recent launch of ‘Let’s Talk Dementia’, what percentage of the Council’s public-facing staff have received Dementia Awareness training?’

**16 By Councillor Scordis of the Cabinet Member for Highways**

‘Will the Cabinet Member confirm what are the future plans for safer cycling routes in Colchester and what is the budget for this compared to 2016?’

**17. By Councillor Scordis of the Cabinet Member for Education**

‘Is the Cabinet Member aware of how many schools are still waiting on repairs and maintenance and how many schools still have single-glazed windows? What is the budget for school repairs since 2010?’

**18. By Councillor Turrell of the Cabinet Member for Highways**

‘I am sure that the Cabinet Member for Highways is aware of the Highways Act 1980 and the New Roads and Street Act 1991.

Therefore can the Cabinet Member please explain why a certain utility company keeps shutting a major road in my division, Turner Road, without notifying residents? On Turner Road is Colchester’s Walk in Centre and the General Hospital as well as being a densely populated area with schools etc. Turner Road is a Priority 2 Road near North Station Junction, Main Line Station and NAR2 and it is one of the busiest and most congested areas in Colchester yet the utility company keeps shutting Turner Road during peak periods.

Can the Cabinet Member please explain why this is being allowed to continue?’

**19. By Councillor Harris of the Cabinet Member for Health and Adult Social Care**

‘Could the Cabinet Member provide the total increase in income received from changes to Fees and Charges implemented in the 2017 budget’.

**20. By Councillor Abbott of the Cabinet Member for Highways**

‘As the Cabinet Member for Highways is aware, there is a long history of problems with HGVs accessing the narrow Oak Road in Rivenhall End and despite a number of measures introduced by ECC following local requests, the problems unfortunately continue to get worse.

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Will the Cabinet Member agree to investigate urgent solutions and in doing so meet with local representatives ?

Does the Cabinet Member agree that as soon as the A12 routing has been announced, and depending on the implications, that ECC needs to deal with the long-standing Braintree LHP request for a new section of 7.5T weight restriction to reduce the number of HGVs running down the pavements in Oak Road and to prevent the repeated damage caused to street furniture?

Will the Cabinet Member look urgently at solutions to the repeated cases where HGV drivers breach the existing section of 7.5T weight limit in Oak Road and ignore the height restriction at the mainline railway bridge ? The frequency of over-height HGVs getting stuck at the railway bridge is increasing. It can take several hours for an HGV to reverse back to Rivenhall village. This can cause traffic chaos including queuing on the A12. It can lead to bridge strikes which require the suspension of rail services on the main line in order for inspections to take place. It has caused damage to private property and danger to residents as HGVs attempt to turn in the narrow road.

Solutions to these serious problems are long overdue. Does ECC recognise that calls for action are now coming from residents, the parish council, district councillors, myself as county councillor, the MP for Witham and the police?'

## **21. By Councillor Abbott of the Cabinet Member for Environment and Waste**

'Despite alternative models being put to it, ECC embarked on a centralised model for the handling and treatment of municipal waste based on road haulage to transfer stations and then road haulage to the Basildon plant which would handle all "black bag" waste from the ECC area, to be processed by MBT technology with the end output being "Solid Recovered Fuel" (SRF).

This SRF would then need further road haulage to a final destination(s) for incineration or landfill, either of which would be at further cost to taxpayers.

Is the Cabinet Member aware that in the last full financial year 2016/17, over 127,000 tonnes of municipal waste was sent to landfill rather than the Basildon plant for processing. Is he further aware that of the material sent to Basildon, over 223,000 tonnes, only 8.7% was recycled.

In what way does the Basildon plant meet its description as the Tovi "Eco Park" given this performance?

Given poor performance against initial claims, the legal dispute over the plant and the extraordinary "waste miles" generated by the centralised model, does ECC acknowledge that it made a mistake?'

**22. By Councillor Davies of the Cabinet Member for Children and Families**

‘After an extremely disappointing Autumn Budget from the Chancellor with no additional funding for children’s services, what is the Council’s current funding gap for Children’s services in Essex?’

**23. By Councillor Davies of the Cabinet Member for Highways**

‘Could the Cabinet Member explain what steps the Council is taking to tackle the ever growing critical issue of too many parked cars on local roads, which can lead to dangerous parking or residents having to park several streets away?’

**24. By Councillor Baker of the Leader of the Council**

‘Could the Leader assure members that, with regard to the UK leaving the European Union following the triggering of Article 50, all possible implications (both positive and negative) affecting Essex are regularly reviewed and reported to Full Council, in particular as it affects:

1. The work of Essex County Council;
2. Businesses across Essex;
3. Significant organisations such as hospitals, universities and colleges of further education situated in Essex;
4. Sea ports and airports;
5. EU citizens living within the boundaries of ECC and UK citizens from Essex living in other EU countries.’

**25. By Councillor Baker of the Cabinet Member for Education**

‘According to figures published by the House of Commons Library, Essex schools on average face a real terms cut per pupil of £12 per annum. As a consequence of this cut in government funding on top of seven years of no real terms increase in school budgets – according to the National Association of Head Teachers (NAHT) – funding for education is currently at ‘breaking point’.

Could the Cabinet Member confirm that everything possible is being done to support those schools in Essex which are the responsibility of Essex County Council in relation to:

- Schools in deficit; and
- Schools with challenges with regard to the recruitment and retention of key and other staff.’

**26. By Councillor Turrell of the Cabinet Member for Resources**

‘Whilst I appreciate the cost reduction for having paperless agendas, has Essex County Council considered the implications of not being able to recycle all the hardware needed to follow this? Trees are sustainable and aid the atmosphere, metal and plastics are not.’

**27. By Councillor Mackrory of the Leader of the Council**

‘Will the Leader join with other Council Leaders of all parties, to lobby government to address the critical funding gap in Children’s Services, Adult Social Care and Public Health in the forthcoming Local Government Finance Settlement?’

**28. By Councillor Mackrory of the Cabinet Member for Cabinet Member for Economic Growth, Skills, Infrastructure and the Digital Economy**

‘Please provide the current level of grants and sources of funding coming into Essex from the European Union for this year and for the last four years.’

**29. By Councillor Reid of the Cabinet Member for Education**

‘In view of the recent report on Period Poverty it is stated that 1 in 10 girls are unable to afford sanitary products. This causes embarrassment and possible loss of education as the young person is unable to attend school or college because the family are on a low income and have to make choices how to manage their income.

Could the Cabinet Member look at the possibility of schools and colleges providing sanitary products free of charge to prevent this very sensitive situation.’