

Minutes of a meeting of Essex County Council held at County Hall, Chelmsford on 22 February 2011

Present

Chairman: Councillor R L Bass

Vice-Chairman: Councillor K Twitchen

Councillors:

| | | |
|-----------------|-------------------|--------------------|
| D Abrahall | R G Gooding | Mrs M A Miller |
| J F Aldridge | C Griffiths | G Mitchinson |
| B Aspinell | Lord Hanningfield | A Naylor |
| Mrs S Barker | Mrs E M Hart | M J Page |
| L Barton | A M Hedley | R A Pearson |
| J Baugh | Mrs T M A Higgins | J W Pike |
| K Bentley | R C Howard | C C Pond |
| A Brown | A J Jackson | Mrs I Pummell |
| R G Boyce | E C Johnson | Mrs J M Reeves |
| G Butland | J G Jowers | J Roberts |
| R Callender | D J Kendall | D C F Robinson |
| S Candy | J Knapman | Mrs T L Sargent |
| R P Chambers | M C M Lager | J M Schofield |
| P Channer | D Louis | M Skeels |
| Mrs T M Chapman | J R Lucas | T C Smith-Hughes |
| W J C Dick | G W McEwen | R G Walters |
| J Dornan | M Mackrory | Mrs M J Webster |
| N D C Edey | P J Martin | Mrs J H Whitehouse |
| D M Finch | S Mayzes | B Wood |
| M D Fisher | L Mead | J A Young |
| M Garnett | Mrs V Metcalfe | |

1. Apologies for Absence

Apologies for absence were received on behalf of Councillors S C Castle, J A Deakin, Mrs S Hillier, N J Hume, Mrs M Hutchon, C G Riley, Mrs A Turrell, S M Walsh and Mrs E A Webster.

2. Declarations of Interest

Councillor G Butland declared a personal interest in agenda item 7 (Report of Cabinet Issues: Working Better Together) in that he is the Leader of Braintree District Council. (minute 9 below refers).

Councillor Mrs E M Hart declared a personal interest in agenda item 7 (Report of Cabinet Issues: Commissioning Strategy – Home to School Transport – Travel subsidy to Faith Schools) in that she has a history of personal involvement with a particular faith school. (minute 9 below refers).

Councillor M C M Lager declared a personal interest in agenda item 7 (Report of Cabinet Issues: Working Better Together) in that he is a Member of Braintree District Council (minute 9 below refers)

Councillor Mrs J Young declared a personal interest in agenda item 7 (Report of Cabinet Issues: Commissioning Strategy – Home to School Transport – Travel subsidy to Faith Schools) in that she is a parent of a child at a faith school (minute 9 below refers).

3. Minutes

Resolved:

That, subject to an amendment to Minute 97 (Questions to the Leader of the Council, Cabinet Members and Committee Chairmen) to include a question asked by Councillor C C Pond, the wording of which shall be agreed after the meeting by the Chairman in consultation with Councillor Pond, the minutes of the meeting held on 14 December 2010 be approved as a correct record and signed by the Chairman upon agreement of the amendment.

4. Recent Deaths

The Chairman informed the Council with regret of the death of;

- former Member Edgar Davis who had died on 3 February 2011. Mr Davis had represented Brentwood Central from 1990 until 2001 and in his final year with Essex County Council he held the position of Vice-Chairman;
- former Member Dennis Ramshaw who died on Monday 13 December 2010. Mr Ramshaw had represented Epping and Theydon Bois and served as Vice Chairman from 1998 to 1999; and

- Mike Sharpe, County Education Officer from 1989 until 1995, who was widely respected and known to many Members.

Members stood in silence in memory of the deceased.

5. The Institute of Credit Management Quality Award

At the invitation of the Chairman, Councillor David Finch, Cabinet Member for Finance and Transformation Programme, congratulated staff in Income Credit Collections for their achievement in obtaining The Institute of Credit Management Quality Award. Essex County Council was one of only fifteen organisations and the first Local Authority to obtain this accreditation. The Chairman received the award on behalf of the Council.

6. Presentation of petitions.

The Chairman formally received the following petitions:

- relating to a zebra crossing at New Nabbotts Way, Springfield, presented by Councillor Michael Mackrory,
- on behalf of St. Peter's Catholic Primary School, Billericay in relation to School Transport, presented by Councillor Anthony Hedley; and
- on behalf of Our Lady of Ransom School, Rayleigh concerning school transport, presented by Councillor Mrs Elizabeth Hart.

7. Councillor Robert Chambers.

The Chairman expressed on behalf of the Council thanks and good wishes to Councillor Robert Chambers upon his recent resignation as Chairman of the Essex Police Authority.

Mr Chambers thanked the Chairman for his remarks and Members of the Council for their support during his nine years of office.

8. The Budget and Corporate Plan 2011/12

The Chairman advised the Council of the procedure to be adopted during the debate on this item.

The Council received the report on the Budget and Corporate Plan 2011/12 which included supporting information set out in the accompanying document *Resourcing EssexWorks: Corporate Business Plan 2011/12 to 2013/14*. This document, of which an amended version of page 42 had been circulated in advance of the meeting, set out the Council's vision and priorities to the public, partners and staff and the financial resources applied to it of the period 2011/12. It also included high level budget figures for 2012/13 and 2013/14.

It was moved by Councillor P J Martin, Leader of the Council, and seconded by Councillor D M Finch, Cabinet Member for Finance and Transformation Programme

(a) Revenue Budget and Capital Programme 2011/12

1. That the net revenue budget requirement be set at **£864.245 million** and an indicative net budget requirement of **£858.304 million** for 2012/13.
2. That the council tax precept be set at **£1,086.75** per annum at band D, equating to a 0% increase over that for 2010/11.
3. That, based upon a final tax base of 532,492 as formally notified to the County Council by the billing authorities, the total council tax precept be set at **£578.685 million**.
4. That the schools budget be set at **£923.906 million** funded by a Dedicated Schools Grant of **£871.336 million** (the balance of £52.570 million to be met by post 16 funding made available by the Young People's Learning Agency).
5. That the General Balance be set at **£41.814 million**.
6. That the capital payments guideline be set at **£221.045 million** and indicative guidelines of **£137.817 million** for 2012/13 and **£100.098 million** for 2013/14.

(b) Corporate Business Plan 2011/12 – 2013/14

7. That the Corporate Business Plan 2011/12 – 2013/14 be approved to take effect from 1 April 2011 and the Leader of the Council authorised to agree any amendments of detail to the wording of the plan.

(c) Prudential Indicators, Treasury Management Strategy & Revenue Provision for Debt Repayment Policy

The approval be given to the following:

8. Prudential indicators and limits for 2011-12 to 2013-14, together with updated limits for 2010-11.
9. A treasury management strategy for 2011-12 to 2013-14.
10. An updated Treasury Management Policy statement.
11. Updated Treasury Management Practices.
12. A policy for making a prudent level of revenue provision for the repayment of debt in 2011-12.

Upon being put to the meeting, the Motion in the name of Councillor P J Martin was declared to be carried and accordingly it was:

Resolved:

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9. Report of Cabinet Issues

(Councillors G Butland, M C Lager, Mrs E M Hart and J Young declared a personal interest in this item (minute 2 above refers))

The report of Cabinet Issues was received and adopted.

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

Members responded to questions as follows:

- (i) Libraries consultation (Councillor D J Kendall of the Cabinet Member for Heritage and Culture)

The Cabinet member commented on the methodology for conducting the consultation on future library provision, stressing the importance of users' comments in contributing to the final decision.

- (ii) Minerals Development document - additional representations from the public (Councillor K Bentley of the Cabinet Member for Communities and Planning)

The Cabinet Member confirmed that the period for public consultation on future development in Essex had closed but this matter was of such importance to the public, especially those most affected in the village communities, that he would welcome any further representations that might be forthcoming.

- (iii) Members' car parking at County Hall (Councillor M Mackrory of the Cabinet Member for Major Projects and Commercial Services)

The Cabinet Member advised that the cost of the recently-installed automatic bollards was approximately £17,000 and that, due to the savings to accrue because of the redundancy of the car-park attendant, there would be a net saving to the council of £35,000 over a three year period. Recent accidental damage to the barrier would be repaired by the contractor in the near future.

- (iv) Street Clutter (Councillor Mrs T M A Higgins of the Leader of the Council)

The Leader advised that he would ask the Cabinet Member for Environment and Waste to respond direct to Mrs Higgins as soon as possible after the meeting.

11. Written Questions (Standing Order 17.11.3)

(1) By Councillor Mrs T M A Higgins of the Cabinet Member for Highways and Transportation

'I regularly receive updates of proposed cuts / changes to subsidised bus services that are not proving to be economic. In this regard, can you please tell me;

- Have Equality Impact Assessments been carried out?
- What provision is made for those people affected by these cuts?
- How does this tie-in with the "Access to Services" pledge?

Reply

The County Council runs a significant proportion of the bus network in Essex and as a result there are a relatively large number of changes taking place. Many of these are very small scale minor changes to times, small additions to routes following public requests and the like. It would not be practical to undertake a formal Equality Impact Assessment for all of these changes and officers therefore start by assessing each proposed change to determine whether they would have a significant impact on passengers as whole or on any particular group, requiring an Equality Impact Assessment. As an example, a proposed change to a bus service to run 5 minutes later along the route, all other things being equal, is unlikely to have a significant impact, so we would not normally produce a formal Equality Impact Assessment.

Where a change to a service is considered to be significant (where for instance a bus service is wholly or partly withdrawn, or where times are substantially changed) a formal Equality Impact Assessment will be carried out and the outcome fed into the decision making process. This includes consultation appropriate to the scale of the changes.

The County Council recognises the impact major service changes can have on passengers and decisions to withdraw or significantly reduce services are not taken lightly. When we consider making a major change to a service, we look at a number of factors. These include:

- What alternative public transport services may exist.
- Whether any nearby services can be altered to minimise the effect of the change.
- Whether timing changes will affect access to any particular key services.
- Whether there are any nearby concentrations of people from a particularly vulnerable or disadvantaged group who might be affected.
- The ability of the County's funded Community Transport Schemes to meet any needs resulting from the changes and what additional arrangements if any might be needed to allow this.

Measures are then taken to make sure residents are aware of the alternatives, including advertising the alternatives to those who are affected through our service information systems including local County and District

councillors, Parish transport representatives, bus notices and support groups. In some cases changes to other contracted services will be made to cover through withdrawals.

The County Council has allocated £100k from its Local Area Agreement performance reward grant for 2010/11 to meet its Improving Access Pledge. This has currently provided 5 shopper buses linking rural settlements identified as having poor connections to towns and arranged for a link between rural Brentwood, the town and Romford. We are expecting 4 additional services to be arranged before the financial year end.

The County Council also provides infrastructure including raised and lowered kerbs, accessible passenger shelters at bus stops, supports community transport services across the County and works with partner organisations to address issues for those with disabilities.

This said, the County Council's cannot meet every public transport need in Essex and in cases where services are poorly used difficult decisions have to be made. This is particularly the case in the current constrained financial environment.

(2) By Councillor L A Barton of the Cabinet Member for Highways and Transportation

'Would Essex be prepared to follow the example set in East Sussex, in line with "The Big Society";

- to supply and deliver hippo bags to prearranged locations in residential areas that are not priorities for gritting and
- collaborate with local residents, businesses etc. to spread the grit in cold weather to identified black-spots?'

Reply

At the end of the 2009/10 winter a review of the service we provided was undertaken. An outcome of this review was that it must be a priority to protect the precautionary network and ensure resources (staff, equipment and stock) are available to facilitate this activity. Other areas of our winter service were considered against this parameter; salt bins were one of the areas we looked at.

Our experience identified that the stock within salt bins was being miss used – either on people's personal property and not on the highway, or the whole scale theft from the bins with evidence suggesting the salt was being re-sold back to the public. Essex County Council has 700 salt bins countywide.

The Winter Service team was tasked with seeking best practice and if appropriate developing alternative ways of working that controlled stock more effectively whilst ensuring it remained available to local communities. The

model adopted by West Sussex was the one we considered most carefully and adapted their working practice to be appropriate for Essex.

A pilot project has been developed and delivered with 36 town and parish councils and neighborhood groups during this winter season.

The details of the pilot are as follows:

- Criteria was established to seek participants. Those who were applying for a salt bin were instead offered the opportunity to take part in the trial.
- 36 parish and town councils plus neighborhood groups took up the offer.
- The cut off point was the beginning of December 2010. By this time the first snowfall had taken place and the first round of deliveries made.
- The scheme was to give each parish a one tonne bag of salt at the beginning of winter and one in the middle of winter.
- The parishes were to attend a training course to advise on most effective method of clearing snow and spreading the salt.
- The parishes were then encouraged to identify areas of importance to their local community and balanced with the number of volunteers, focus on these areas, delivering a 'Big Society' solution.

Each parish delivered the scheme in slightly different ways depending on the geographical spread, topography of the area, population spread, staff available and volunteers they could engage.

A review is to be conducted in Spring 2011 to understand all the different methods deployed and to ask for feedback on what worked well and what needs to be improved. The findings will feed into a wider review, including our salt bins, of how we provide salt to local communities, success of working with volunteers and size of salt bags provided.

(3) By Councillor D Kendall of the Cabinet Member for Environment and Waste

'Many of my residents are concerned about a number of proposed changes in Thorndon Country Park, Brentwood. These include changes to the current parking arrangements, the sale of properties in the park, and possible changes to the grazing arrangements.

Would the Cabinet Member please confirm what changes are definitely being proposed, and how she intends to consult with the Thorndon Park users to ensure that their views are taken into account before any final decisions are made?'

Reply

The following changes are proposed:

1) Changes to parking

Current unofficial trackside parking at Thorndon North has been highlighted in a recent health and safety audit as posing a higher than acceptable risk to

the public as dogs, bikes and children are being unloaded onto the track which, due to its long, straight layout, is driven on at high speeds despite signs showing the 20 mile an hour advisory speed limit.

Traffic calming measures are being considered, however officers advise that that there are complicated legal issues to be resolved before these can be installed and they do not feel this will solve the whole problem. Railway sleeper edging was being introduced to separate the verge, which people informally park on, from the road. This would provide a safe haven for horse riders, cyclists and pedestrians walking from the lodge to the countryside centre. However work on this has been halted following concerns from members of the local running/walking group about access.

It could be that in the future we might need to consider extending one of the car parks, however there is no proposal to do this at present. If and when budgets allow for an extension for the car park to be considered we will of course consult with park users and apply for planning permission.

2) The sale of properties in the park

I declared 1 and 2 Keepers Cottages and Lion Lodge as surplus to the needs of the Country Parks service on 7th January 2011. Lion Lodge was the only property located within the park. These properties were vacant and not being used by the country park. It was not considered necessary to consult users on this decision as it will have no effect on their use of the park.

3) Grazing Arrangements

There are no proposals to change grazing arrangements at this time or in the future.

(4) By Councillor Janet Whitehouse of the Cabinet Member for Highways and Transportation

'I have received requests for a bus shelter at Thornwood Common to replace one that was destroyed in an accident. Highways have responded to say that, since the previous shelter was in place, the standards to which they are working have altered and there is insufficient pavement width to accommodate a new shelter.

Are these county or national standards? Is it obligatory to enforce them? It seems that regulations are often given as the reason why requests cannot be met and residents suffer.

The parish clerk has searched the web and found a shelter that appears to be satisfactory. If the standards are not statutory is there any reason why the provision of this shelter should not be pursued?'

Reply

The standards referred to are a mix of guidelines followed by the Essex County Council passenger transport team and national standards. In Autumn

2010 Essex County Council awarded a new framework contract for the supply of bus shelters based on a standard product range and selection of sizes, with the aim of promoting consistency of image and securing value for money. The pavement width at the Thornwood Common bus stop is 1450mm and the narrowest shelter in the agreed price list is 1200mm, which would only leave a clearance of 250mm to the kerb edge at this stop, compared with a minimum clearance of 450mm. This minimum clearance is taken from a national document, the Traffic Signs Manual, which states that road signs "should be placed at least 450mm from the edge of the carriageway." The passenger transport team have adopted the same requirement for bus shelters to reduce the risk of damage, for example by buses overhanging the footway as they approach and leave bus stops or by vehicles mounting the footway.

Although outside of our standard range, it is possible to provide shelters which are narrower than 1200mm and the passenger transport team have since asked our supplier to undertake a survey at Thornwood Common with a view to providing a narrow shelter. The passenger transport team will liaise with the parish clerk regarding this.

(5) By Councillor Janet Whitehouse of the Cabinet Member for Highways and Transportation

'Applications for street closures to celebrate the Royal Wedding are coming into my district council. The county council is preparing guidance to put on the web and has consulted district councils on this. However, it is not clear whether county highways will continue to deal with the TROs when these are required. I am told they have powers under the Road Traffic Act (Special Events) 1994 to close roads for such special events but district councils do not.

Will residents holding street parties in closed roads have to display the standard Road Closed signs? If so will these be provided by Highways?'

Reply

Essex County Council (ECC) has reviewed its processes for holding street parties in the light of current guidance from central government and the forthcoming Royal Wedding. We wish residents to be able to celebrate in the great tradition of British Street Parties for national holidays and have therefore identified a simplified method for granting consent to "small street parties". These are considered to be an event held on a residential street by the residents of that street:

- For residents/neighbours only
- Publicity only to residents
- No application for licences will be required so long as the music if provided is incidental and no selling is involved
- No formal risk assessment is needed
- The event is self-organised
- The roads under consideration are cul-de-sacs and minor residential roads

Road Closures for Street Parties can be undertaken by District or Borough Councils under the Town Police Clauses Act 1847.

For larger events organisers are requested to apply as early as possible to avoid disappointment if several closure request in an area conflict with our duty to protect traffic movements. If the District or Borough Council cannot undertake the closure using their own powers Essex County Council can undertake using section 16A of The Road Traffic Regulation Act 1984 in accordance with the following:

- Approval will only be given for Street Parties on Minor Roads where substantial diversion signing is not required i.e. where the diversion route is obvious or the road is a no through route.
- For any closures requiring diversion signing the agreement of the Police should be sought in the first instance before proceeding and the Council will reserve the right to refuse an application if it conflicts with an application already made.
- The bus operator has been consulted and confirmed that the closure is acceptable and will not interfere with any scheduled service.
- If no diversion signing is required
 - No Public Liability Insurance will be required
 - No press notice will be required
- The Applicant is responsible for consulting all residents/ businesses/ premises affected
- The Applicant is responsible for posting the Public Notices provided on site
- The Applicant is responsible for signing the closure – cones or barriers & 'road closed' sign (these can be arranged through ECC contractors)

Essex County Council will not be charging for processing these closures.

12. Questions to the Essex Police Authority Representative

The reports of the Authority's meetings held on 6 December 2010 and the 14 February 2010 were received. Councillor A Jackson, on behalf of the Authority, responded to matters raised.

13. Questions to the Essex Fire Authority Representative

The report of the Authority's meeting held on 8 December 2010 was received. Councillor A M Hedley, Chairman of Essex Fire Authority, responded to matters raised.

14. Extended period of absence for Councillor Mrs Margaret Hutchon

The Council received a report seeking, at the request of the Liberal Democrat Group, approval for an extended period of absence for Councillor Mrs Margaret Hutchon for reasons of ill-health.

The Chairman, on behalf of the Council, expressed good wishes for Mrs Hutchon's recovery.

Resolved:

That, in accordance with Section 85 of the Local Government Act 1972, the Council approve an extended period of absence from meetings for Councillor Mrs Margaret Hutchon for reasons of ill-health, until the Council meeting on 12 July 2011.

15. Certificates of Commendation

The Council received a report seeking its approval for the issue of certificates of commendation affixed with the Common Seal of the Council in certain specified circumstances.

Resolved:

That the issue of certificates of commendation, affixed with the Common Seal of the Council be approved in the instances specified in the report.

The meeting closed at 12:50pm

Chairman
10 May 2011