

Minutes of a meeting of Essex County Council held at County Hall, Chelmsford on 12 October 2010

Present

Chairman: Councillor R L Bass

Vice-Chairman: Councillor K Twitchen

Councillors:

D Abrahall
J F Aldridge
Mrs S Barker
L Barton
J Baugh
K Bentley
A Brown
R G Boyce
R Callender
S Candy
S C Castle
R P Chambers
P Channer
Mrs T M Chapman
J A Deakin
W J C Dick
J Dornan
N D C Edey
D M Finch
M D Fisher

R G Gooding
C Griffiths
Lord Hanningfield
Mrs E M Hart
A M Hedley
Mrs T M A Higgins
R C Howard
N J Hume
E C Johnson
J G Jowers
D Kendall
J Knapman
D Louis
J R Lucas
G W McEwen
M Mackrory
P J Martin
S Mayzes
L Mead
Mrs V Metcalfe

Mrs M A Miller
G Mitchinson
A Naylor
J W Pike
C C Pond
Mrs I Pummell
C G Riley
J Roberts
Mrs T L Sargent
J Schofield
M Skeels
T C Smith-Hughes
Mrs A Turrell
S M Walsh
R G Walters
Mrs E A Webster
Mrs J H Whitehouse
J A Young

57. Opening Remarks

The Chairman, on behalf of himself and his wife Margaret, thanked Members, Officers and representatives of public bodies for their good wishes and support following the announcement of their engagement in January and their marriage on 14 August. He also thanked Father Jonathan Pearce, Vicar of St Peter's, Great Totham, who had conducted the ceremony and who was shortly to lead the Council in prayer.

58. Apologies for Absence

Apologies for absence were received on behalf of Councillors B Aspinell, G Butland, Mrs M Hutchon, A J Jackson, M C M Lager, D W Morris, M J Page, R A Pearson, Mrs J M Reeves, D C F Robinson, Mrs S Hillier and B Wood.

The Chairman, on behalf of the Council, welcomed Councillor T C Smith-Hughes on his return following a period of ill-health.

Referring to Councillor Mrs Hutchon's absence due to illness, the Chairman advised that he had written to Mrs Hutchon on behalf of the Council expressing good wishes for her recovery.

59. Declarations of Interest

Councillor J Young declared a personal interest in agenda item 7 (Report of Cabinet Issues) in that her husband is a non-executive director of North East Essex Primary Care Trust (minute 71 below refers).

Councillor C C Pond declared a personal interest in agenda item 10a) (Questions to the Leader, Cabinet Member or Chairman of a Committee) in that he is a member of Loughton Town Council (minute 74 (iii) below refers).

60. Minutes

Resolved:

That the minutes of the meeting held on 13 July 2010 be approved as a correct record and signed by the Chairman.

61. Chairman's Consort

The Chairman advised the Council that, in view of his wife's ongoing work commitments in Italy until June 2011, his sister, Mrs Julia Peel, would continue to act as his consort for most of his civic engagements for the time being.

62. Young Enterprise of the Year Competition

The Chairman on behalf of the Council congratulated 'Thirteen', the team from Colchester High School for Girls, who won silver medal at the European Final of Young Enterprise of the Year competition. The Council gave a round of applause in recognition of the team's remarkable achievement.

63. Fundraising – The Plume School

The Chairman recorded the Council's appreciation for the efforts of Carrie Mynard and fellow pupils at The Plume School, who had raised £180 which they had donated to the North Weald and Ongar RAF Association.

64. 2012 Olympic Games - Host County Status

Councillor S Castle, Cabinet Member for Education and the 2012 Games, advised the Council that Essex had become the only county in the UK to be granted 'Host County' status in recognition of its delivery of the Olympic mountain biking venue at Hadleigh Farm. He presented the 'Host County' plaque to the Chairman. The Chairman on behalf of the Council thanked Councillor Castle for his efforts to promote both Essex and the 2012 Games.

65. Award to Essex Outdoors

The Chairman on behalf of the Council congratulated the staff of Essex Outdoors, which had recently been awarded the Learning Outside the Classroom Quality Badge in recognition of providing excellent learning outside the classroom experiences.

66. Presentation of Petition – Proposed Withdrawal of Loughton to Epping Saturday Bus Service

Councillor C C Pond presented a petition from residents of his electoral division (Loughton Central) against the proposed withdrawal of the Saturday bus service between Loughton and Epping.

67. Adjournment of Meeting

On the motion of the Chairman, duly carried, it was agreed to adjourn the meeting to receive a presentation on the work of the Young Essex Assembly.

68. Presentation by Members of the Young Essex Assembly

Members welcomed Stefanie Peck and Alix Wilmore of the Young Essex Assembly (YEA). Ms Peck and Ms Wilmore gave a short presentation introducing the YEA and highlighting the main achievements of their two year term of office, due to expire shortly. The YEA worked to promote a positive image of young people and concentrated on issues of importance to them, which recently had included anti-bullying, young driver safety and the production of guidance on how to hold a safe house party. To mark Local Democracy Week (11 – 17 October 2010) an event was planned which would

examine the contribution of young people to the World and encourage others to become involved.

The Chairman thanked Ms Peck and Ms Wilmore for their interesting and informative presentation. He referred to the YEA's excellent work and encouraged Members to continue to offer their support.

Upon the motion of the Chairman, duly carried, the Council meeting was reconvened.

69. Motions

Green Energy Generation

It was moved by Councillor D J Kendall and seconded by Councillor M Mackrory:

‘Council notes the announcement in July by the Secretary of State for Energy and Climate Change that he is overturning the ban on councils selling renewable energy which will allow councils to sell energy to the National Grid. This has huge potential for councils across the country to produce their own renewable energy, e.g. wind turbines, solar panels on council buildings, bio-mass, to cut their power bills, reduce carbon emissions and raise much needed revenue at a time when they face significant financial pressures.

Council further notes that the Economic Development and Environment Policy and Scrutiny Committee is undertaking a review of the effectiveness of the County Council's current carbon reduction and energy efficiency agenda. This is in the context that the Council is failing to meet targets for key performance indicators, and in future the Council could incur financial penalties if it fails to reach carbon reduction targets.

Council believes, as a community leader, it has a responsibility to take a lead on tackling – and developing and implementing policies on – climate change.

Council therefore resolves to: look at how this Council can work towards generating green energy and, in the process, reduce its carbon footprint, along with generating revenue that will assist the Council in the future funding of its priorities. To report back to Council or Cabinet within three months with a plan of how and when this Council will start to generate green energy.’

It was moved by Councillor D Louis and seconded by Councillor G W McEwen that the Motion be amended to read as follows (divergence from the original motion shown in bold):

'Council notes the announcement in July by the Secretary of State for Energy and Climate Change that he is overturning the ban on councils selling renewable energy which will allow councils to sell energy to the National Grid. This **creates the** potential for councils across the country to produce their own renewable energy, e.g. wind turbines, solar panels on council buildings, bio-mass, to cut their power bills, reduce carbon emissions and raise much needed revenue at a time when they face significant financial pressures.

Council further notes that the Economic Development and Environment Policy Scrutiny Committee is undertaking a review of the effectiveness of the County Council's current carbon reduction and energy efficiency agenda. **This review is in the context of the potential financial penalties that may be incurred if it fails to reach carbon reduction targets.**

Council believes, as a community leader, it has a responsibility to take a lead on **developing and implementing policies for reducing energy consumption, costs, carbon and other emissions.**

Council therefore resolves to: continue to review the opportunities for generating green energy including solid recovered fuel as part of the Task and Finish Group established by the Economic Development and Environment Policy and Scrutiny Committee. To report back to Cabinet following that review having evaluated what green energy options could be actively pursued based on a sound financial business case'

Upon being put to the meeting the amendment and, subsequently, the substantive motion, were declared to be carried. Accordingly it was:

Resolved:

Council notes the announcement in July by the Secretary of State for Energy and Climate Change that he is overturning the ban on councils selling renewable energy which will allow councils to sell energy to the National Grid. This creates the potential for councils across the country to produce their own renewable energy, e.g. wind turbines, solar panels on council buildings, bio-mass, to cut their power bills, reduce carbon emissions and raise much needed revenue at a time when they face significant financial pressures.

Council further notes that the Economic Development and Environment Policy Scrutiny Committee is undertaking a review of the effectiveness of the County Council's current carbon reduction and energy efficiency agenda. This review is in the context of the potential financial penalties that may be incurred if it fails to reach carbon reduction targets.

Council believes, as a community leader, it has a responsibility to take a lead on developing and implementing policies for reducing energy consumption, costs, carbon and other emissions.

Council therefore resolves to: continue to review the opportunities for generating green energy including solid recovered fuel as part of the Task and Finish Group established by the Economic Development and Environment Policy and Scrutiny Committee. To report back to Cabinet following that review having evaluated what green energy options could be actively pursued based on a sound financial business case.

**70. Executive Statement by the Leader of the Council:
Budget Consultation and Comprehensive Spending Review**

The Leader of the Council made a statement providing an update on the progress made regarding the budget consultation and the planning for the comprehensive spending review, due to be announced on 20 October.

In accordance with the agreed procedure, Councillor T C Smith-Hughes responded as Leader of the Opposition. The Leader of the Council responded to the matters raised by Councillor Smith-Hughes and then, subsequently, to questions put by other members of the Council.

The Statement was received.

71. Report of Cabinet Issues

Councillor J Young declared a personal interest in this item (minute 59 above refers).

The report of Cabinet Issues was received and adopted.

72. Report of Overview and Scrutiny Issues

The Report of Overview and Scrutiny Issues was received and adopted.

73. Annual Report of the Essex Pension Fund Board

The Council received the first Annual Report of the Essex Pension Fund Board, covering the period since its establishment and first meeting in 2008 until the end of the Financial Year 2009/10.

In considering the report, Members noted that the figure '£3.084m' in paragraph 4.1 should read '£3,084m'.

The report was adopted.

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

Councillor C C Pond declared a personal interest in this item (minute 57 above refers).

Members responded to questions as follows:

- (i) Provision of library services to other authorities (Councillor E C Johnson of the Cabinet Member for Heritage, Culture and the Arts)

The Cabinet Member confirmed that discussions were ongoing with Suffolk and Cambridgeshire County Councils regarding the possibility of Essex providing certain aspects of their respective library services in future. An approach from a third authority was also anticipated. In his view it was unsurprising that Essex Libraries were receiving such requests, given the excellent service offered as confirmed by the outcome of a recent peer review.

- (ii) Future of the Brussels Office (Councillor J Young of the Leader of the Council)

The Leader expressed the view that the Brussels Office performed a valuable function in allowing full advantage to be taken of EU funding opportunities. Work would be undertaken with other authorities to identify more effective ways of future working, but there were no plans for the office to be closed. The lead member with responsibility for the office was Councillor Kay Twitchen, Vice-Chairman of the Council.

- (iii) Local provision of grit (Councillor C C Pond of the Cabinet Member for Highways and Transportation)

The Cabinet Member advised that there were no plans to reintroduce local grit bins. The bins had proved unsatisfactory as a result of maintenance difficulties, vandalism and theft and work was now in hand to identify a more effective means of grit provision during times of need.

- (iv) Nursery School Funding, Canvey Island (Councillor R C Howard of the Cabinet Member for Children's Services)

The Cabinet Member praised Councillor Howard's efforts in drawing attention to issues of local concern. The nursery to which he referred was one of a number of educational facilities in Essex awaiting confirmation of their funding positions, and more news was expected following the Comprehensive Spending Review on 20 October.

- (v) Consultation with cycling groups (Councillor Mrs T M A Higgins of the Cabinet Member for Highways and Transportation)

The Cabinet Member commented that he did not consider it appropriate to consult with particular groups on planned resurfacing.

He encouraged groups with road safety concerns to bring them to his attention at any time.

- (vi) Fines for overdue items (Councillor J Schofield of the Cabinet Member for Heritage, Culture and the Arts)

The Cabinet Member described the measures in place to deter library users from failing to return borrowed items and highlighted the issues taken into account in setting the level of fines. It was inevitable that a certain level of fines would be outstanding at any one time, and he did not consider the present amount to be excessive in the context of the total library service budget.

75. Written Questions (Council Procedure Rules 10 (b) and (c))

(1) By Councillor D Kendall of the Cabinet Member for Highways and Transportation

Would you please provide some answers to the following questions:

- When will a final decision be made on any future investment in the provision of future RTPI across Essex?
- How much money has been set aside to fund any future investment in RTPI?
- Does the Cabinet member support the view that there should be much greater member involvement in deciding future spending priorities on public transport in Essex?

If the answer is yes, what action is he going to take to ensure this happens?

Reply

The current Real Time Information System was introduced in 1999 and is now life expired and possible future options for its replacement are being evaluated. A business case is currently being considered to decide the way forward and this analysis will be complete by the end of October. Options include either retaining the existing system or replacing it with an automatic vehicle location system that has far greater scope for providing information. This includes measuring service punctuality, accurate concessionary fares recording as well as having the potential to offer an Oyster card type ticket across Essex. Financial comparisons for the automatic vehicle location system are being made with a similar procurement exercise for another local authority and the potential system is based upon an invest to save principle. A decision will be made on the way forward as part of the budgeting priorities for 2011/12.

(2) By Councillor D Kendall of the Leader of the Council

The Internal Audit Report 2009/10 on Banking on Essex [PCPR4] says that the original budgeted cost associated with establishing the scheme for 2009/10 was £350,000. However, the actual costs for the financial year were £418,000. As a part of this figure £372,000 was spent on consultants against a budget of £288,000. If the actual costs were £418,000, why have members been told that Banking on Essex has cost £380,000 to establish?

Could you also provide details of:
how much has been spent on marketing and promoting Banking On Essex by the County Council to date, and
the projected marketing spend for the rest of 2010 /11?

Reply

The answers to the questions are set out below:

1. The £380,000 figure (rounded up from £375,895) was the one-off cost of establishing the Banking on Essex initiative in 2009/10 and includes expenditure on IT, consultants, legal fees and other hired services. The £418,000 relates to the full-year's expenditure and includes recurring costs associated with running the initiative.
2. The cost of marketing and promotion to the end of June 2010 has been £36,586.81.
3. There is no separately identified budget for marketing and no currently committed marketing spend. Any marketing will be done through attendance at events and through working with business representative groups in the most cost effective way possible.

(3) By Councillor J Young of the Leader of the Council

Eric Pickles has called on Council Chief Executives to do their bit to cut back, specifically suggesting that any Council Chief Executive earning more than £200, 000 can afford to take a ten percent pay cut. David Cameron has agreed with him.

The Chief Executive of Essex County Council, in her dual role as Chief Executive of Essex County and Brentwood Borough Council is currently on a salary of over £200, 000.

Workers across the Public Sector will bear the brunt of the cuts in George's Osborne's budget, what I'm asking the Leader of the Council is if he agrees with Eric Pickles that the Chief Executive should take a pay cut?

Reply

I agree with the Secretary of State that the public sector needs to show pay restraint. I also agree with Lord Hutton, Chair of the Independent Public Service Pensions Commission, whose report reiterates that the public sector

performs vital functions and that 'there is therefore a compelling public policy objective in being able to recruit and retain the best possible people for these crucially important jobs'.

Joanna and I have already had discussions about the need for her salary to better reflect the economic circumstances we find ourselves in. The Chief and Deputy Chief Officer Panel agreed last month that we will set up an independent panel to look at the issue of senior pay in the Council. The panel will also include three members, including a member of the Opposition. The Chief Officer Panel will meet in December, as part of our budget activity, to finalise the agreement and it is not appropriate for me to pre-empt the outcomes of the Panel's work.

In the meantime the Chief Executive has already agreed to cut her pay by five percent.

(4) By Councillor Mrs J H Whitehouse of the Cabinet Member for Highways and Transportation

When will a decision be made on the Epping Parking Review and by whom?

Some of the proposals are safety issues e.g. junction protection. Highways insisted that all these were advertised at the same time as the parking restriction TROs so they have been waiting to be actioned for years. These safety issues need to be separated out and progressed. Will this be done?

Reply

The junction protection proposals and other safety related aspects of the parking schemes are all integral elements of the Epping Forest Parking Reviews. The parking reviews have been temporarily placed on hold by Epping Forest District Council to enable them to undertake a review of costs and we are assisting them in this process. A decision on the future of the parking reviews is due to be made by the District Council's Cabinet meeting on 25 October 2010. A number of options are under consideration, including full completion of the reviews and implementation of all proposals that are agreed as part of the statutory consultation process.

76. Questions to the Essex Fire Authority Representative

The report of the Authority's meeting held on 15 September 2010 had been included with the agenda. Councillor A M Hedley, Chairman of Essex Fire Authority, responded to matters raised.

77. Questions to the Essex Police Authority Representative

The reports of the Authority's meetings held on 15 March and 7 June 2010 had been included with the agenda. Councillor R P Chambers, Chairman of Essex Police Authority, responded to matters raised.

78. Report of Council Issues

The report was received.

In considering the report, the Council noted a change in the Conservative Group representation on the Safer and Stronger Communities Policy and Scrutiny Committee, in that Councillor J Schofield had been appointed in place of Councillor K Bentley.

With reference to item 5 (Senior Management Appointments) the Leader of the Council advised that, in the light of the recent appointment of Dave Hill as Executive Director for Schools, Children and Families, Malcolm Newsam, the Interim Director, would be leaving the Council shortly. He paid tribute to Mr Newsam's significant contribution to the work of the Council, particularly with regard to safeguarding children across Essex, and thanked him on behalf of the Council for his hard work and the difference that he had made. Members of the Council showed their appreciation.

Upon being put to the meeting, the recommendations in connection with items 1 (Essex Waste Partnership Governance Arrangements), 2 (Amendment to Delegations (Executive Director for Finance)), 3 (Appointment of Statutory Scrutiny Officer) and 6 (Dates of Future Meetings) were approved.

Accordingly it was:

Resolved:**Essex Waste Partnership Governance Arrangements**

- (1) That the dissolution of the Area Waste Management Joint Committees be approved.
- (2) That the proposal to create a Waste Member Partnership Board and IAA Member Working Group with the terms of reference as set out in Appendix 1 to the report be approved.

Amendment to Delegations (Executive Director for Finance)

- (3) That the Scheme of Delegation of Executive Functions to the Director for Finance be amended by the addition of the following:

"To exercise the executive functions delegated to the Cabinet Member for Adults, Health and Community Wellbeing in relation to Supporting People, insofar as this requires the application to become, and power to act as, a Deputy in respect of the management of the finances and property of an individual lacking capacity in accordance with the Mental Capacity Act 2005".

Appointment of Statutory Scrutiny Officer

- (4) That Council designate Colin Ismay as Essex County Council's Scrutiny Officer to be responsible for the statutory functions set out in

section 21ZA of the Local Government Act 2000 with immediate effect, and to amend the Constitution accordingly.

Dates of Future Meetings

- (5) That meetings of the Council be held on Tuesdays at 10am on 12 July, 11 October and 13 December 2011 and 7 February (Budget) and 8 May (Annual) 2012.

The report was adopted.

79. Approval for Extended Absence – Councillor Mrs Margaret Hutchon

The Council received a report seeking, on behalf of the Liberal Democrat Group, permission to approve Councillor Mrs Margaret Hutchon's absence from meetings beyond a period of six months 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, Councillor Mrs Margaret Hutchon's continued absence from meetings for reasons of ill-health be approved, with the situation to be reviewed if necessary at the Council meeting on 8 February 2011.

The meeting closed at 12.20pm.

Chairman
14 December 2010