
ESSEX COUNTY COUNCIL MEETING

12 July 2016

Answers to Written Questions (standing order 16.12.1)

Agenda Item 13(a)

1. **By Councillor Fisher of the Cabinet Member for Adults and Children**

'The chief inspector of Ofsted, Sir Michel Wilshaw, warns that 320,000 children in dysfunctional families across England are "at clear and present risk of harm". He says children "whose miserable young lives are so often blighted as a result of domestic violence and the abuse of drugs or alcohol by adults in the home" are safer in foster care and in children's homes. He further says that even in the 21 council areas who are rated "inadequate" this is still the case.

I am aware that fewer than half the number of children are now in care than was the case a few years ago and I know that money is scarce, but is the Portfolio holder really confident that even with reduced funds we should not be taking more children into care?'

Reply

'I thank Councillor Fisher for her question, which rightly focuses on the needs of the most vulnerable children in society and our obligations as a council and a corporate parent to make sure they are safe and can enjoy the same opportunities as any child and young person in Essex.

I am proud that Essex County Council has made significant improvements to our children's social care services over the last few years and we are now rated as one of the highest performing in the country. That is a reflection of the leadership and prioritisation we have placed on investing in children's services.

The number of children in care in Essex has come down in Essex from around 1,600 in 2013 to around 1,000 today. However, the care population is not static and we will always do what is best and right for the child and their family. We do intensive work with families to build their resilience so that more children can stay with their families or be returned to their families after a period in care. We know from our

consultations with children in care (including our most recent one held in Danbury) that so many of them want to return to their birth families or be able to see more of them. We are proud of the work we have done through our Family Solutions Team and Divisional Based Intervention Teams to help hundreds of families and help address problems earlier on before they become too acute.

But where it is not possible or safe for children to be with their families, we of course look to place children into our care to ensure they can benefit from a more stable and safe environment. We have a fantastic network of foster carers across the county that provide safe and loving care for some of the county's most vulnerable children. Our duty is then to make sure that the child or young person is safe and happy and benefits from stability and permanence. We are always looking for interest from people across Essex to apply to become foster carers or adoptive carers and we are particularly looking for those who are prepared to look after teenagers. Our network of carers provide an often hidden but immensely valuable contribution to our society and the lives of children across Essex. They are the hidden heroes in our communities.

Children's social care has often received a bad press in recent years but I am proud of the fact we are helping to protect our most vulnerable children and transform their lives. Some of these children and young people have made an inspirational video called '*I can*', showing what they can now do as a result of our care and support: children who can now read and write; children who have gone onto university or got their first job or even started their own business; children who have learnt to cope with their mental illness; and children who have learned how to cook and are now able to live independently. That is public service at its best.

The important thing is that we do the right thing for the child or young person, rather than force them into care or force them to stay with their families. The issue should never be a question of money. I am confident that we are getting the mix right in Essex.'

2. By Councillor Fisher of the Leader of the Council

'The LGA says the Government should guarantee that English councils will still receive the £5.3bn they had been allocated from the European Regional Development Fund for the period 2014-20.

Can the Leader tell us how much the County Council has received from the EU in the last 3 years and give an indication of the amount the Council anticipated receiving in the next 3-4 years?'

Reply

'In the last three years (since April 2013) Essex County Council has secured £540,000 of EU Funding.

It is difficult to predict the amount of funding ECC will access over the next 3-4 years, this is due to the competitive nature of the funding, as well as contributing factors involving project development and partnerships. Having said this, ECC is actively involved in EU projects currently (which are either submitted pending a decision or in development pending submission) amounting to £30,239,235 of which, if successful, would secure £1,874,680 directly to Essex County Council. This does not reflect any future projects which could be developed as we progress through the current programme term (2014-2020).'

3. By Councillor Mackrory of the Cabinet Member for Highways and Transport

'On 28 June and a few days thereafter, the Army & Navy flyover was closed during the daytime for maintenance works in the vicinity. There was traffic chaos over a wide area causing the travelling public to be seriously delayed, in some cases by hours.

Given that Essex Highways had stated that the Chelmsford Highways network is at 95% capacity, will the Cabinet Member ensure that the Army & Navy Flyover is only closed late at night and in the early hours for routine maintenance?'

Reply

'We acknowledge and apologise that the planned surface dressing works held on 28 June 2016 and subsequent days caused some major traffic disruption in and around Chelmsford.

Work was scheduled on 28 June 2016, so that work on both outbound lanes would be completed by 15:30, allowing the Army and Navy flyover to be re-opened for outgoing traffic by 16:00. Unfortunately, due to traffic incidents on the A12 and A138, traffic conditions in the area deteriorated and lorries delivering materials (aggregate) to the site were delayed. In addition, the works were compromised by rain delays which also impacted on the ability to re-open the flyover.

We constantly review our operations such that lessons can be learnt and any improvements identified incorporated into future works.

I can confirm that the flyover is open from 06:00 to 21:00 on a daily basis and any required routine maintenance is undertaken outside of these hours. However, on occasions, it may be necessary to close the flyover during the daytime for essential maintenance works, but this is always coordinated to happen outside peak periods.'

4. By Councillor Kendall of the Cabinet Member for Adults and Children

'Autism is a major issue facing many families across Essex and a key concern for many of them is the consistency of diagnostic service for adults. I understand there are three different diagnostic services for different parts of the county because they are commissioned by separate CCGs and provided by different NHS Trusts. There currently seems to be an inconsistency of referral route, waiting lists, and support offered all based on where you live in the county.

What steps is the Cabinet Member going to take to ensure a high quality consistent diagnostic service is made available to all residents in Essex regardless of where they may live?'

Reply

'I note that the Statutory Guidance for Local Authorities and NHS organisations to support implementation of the Adult Autism Strategy (March 2015) states:

'Clinical Commissioning Groups are expected to take the lead responsibility for commissioning of diagnostic services to identify people with autism, and work with local authorities to provide post-diagnostic support for people with autism (regardless of whether they have an accompanying learning disability, other hidden impairments or a co-occurring mental health problem).'

While lead responsibility for commissioning diagnostic services for adults rests with individual CCGs, ECC are working on common referral and diagnostic pathways in partnership with CCGs, those using the services, and service providers. Our approach is in line with the Essex Autism Strategy and our wider corporate outcomes.

Data relating to diagnostic pathways are collected via the Department of Health self-assessment framework submission provided annually by ECC (as with other authorities in England and Wales) with the latest submission presented to the Health and Wellbeing Board on 23 July 2015 where the position was reported as follows:

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- North East Essex CCG has an adult ASD-3D (diagnosis, disclosure, and direction) service, fully integrated within its Health In Mind Improving Access to Psychological Therapies (IAPT) service. Referrals are accepted through GPs, and other agencies including Supporting Asperger Families in Essex (SAFE) and Autism Anglia. The current waiting time for ASD assessment is 10 months and this continues to reduce due to additional resources/increased assessments per week.
 - South Essex provides a service for Asperger's diagnosis, through GP referral, typically for adults aged between 18 and 30 years old. Currently, the waiting time is over 2 years, but is expected to reduce over the next few months as SEPT will focus on reducing the waiting list.
 - Mid and West Essex Clinical Commissioning Groups (CCG) have an ASD Diagnostic Demonstration Project in place. Referrals are accepted through GPs for adults 18 years old, with or without an accompanying learning disability or mental health condition. The service also offers bespoke advocacy throughout the diagnostic pathway to individuals who require this additional support. Current waiting times to begin the assessment process range from 2 to 107 days, with an average of 45 days.'

5. By Councillor Kendall of the Cabinet Member for Highways and Transport

'Please could the Cabinet Member confirm how much Essex County Council spent on refurbishing Brentwood High Street a few years ago? Please could he also confirm how much the County Council has spent on repairs to the High Street following that refurbishment up to the end of May 2016? Has the County Council sought any compensation from the contractors who did the original refurbishment and if they have, how much money has the County Council received to date?'

Reply

'The total cost of the Brentwood High Street Improvement scheme completed in November 2009 was £10,995,302. This includes costs associated with scheme development and consultation, land acquisition and compulsory purchase, demolition, scheme design and construction.

Ongoing maintenance costs for the highways network, including Brentwood High Street, are met from the county-wide highways maintenance budget. As this is a county-wide budget it is not disaggregated to road level.

Essex County Council has made no claims against the contractor that delivered the scheme. The scheme was constructed to a high standard and was defect free when it was accepted as completed by Essex County Council.'

6. By Councillor Deakin of the Cabinet Member for Highways and Transport

'With heavy rain falling during these past few months it has become apparent that many urban drains are not getting cleared and maintained to adequately clear the water. I have seen many people in Chelmsford being drenched by passing vehicles that have no alternative but to drive through the ponds of water, many extending across the whole road, particularly on our housing estates.

Could the Cabinet Member please assure that these drains will be dealt with, and Members will not be fobbed off with a standard reply of 'not meeting the criteria', before we head into winter with further rainfall worsening the situation?'

Reply

'Essex Highways believes that the primary cause of the widespread flooding experienced across the county in late-June 2016 was the exceptional intensity and volume of the rainfall. The volume of rainfall that we are experiencing is well beyond the national standards for design capacity of sewers and surface water drainage systems, causing these systems to be overwhelmed in multiple locations simultaneously. This is evidenced by the water normally draining away once the rainfall stopped.

While the visible highway gullies and drains are an integral part of the drainage system, they are only one part of a complex system comprising underground pipes, sewers, ditches, watercourses and rivers. If any part of these systems is not working as designed then the water will have nowhere to go and the water will remain on the roads.

A cleansing service is in place and will respond to isolated problems with gullies and drains that are reported to the County Council through the normal channels.'

7. Councillor Bobbin of the Cabinet Member for Education and Lifelong Learning

'I'd like to recognise the success of the Basildon Excellence Panel which, under Sir Mike Tomlinson has consistently gotten our Ofsted ratings up to good and excellent.

Now that he is leaving, Will the Cabinet Member carry on the good work to make sure that any organisation that takes over continues to make progress, and does not let Basildon families down?

Will the Cabinet Member also join me in recognising the great work of governors, who do an excellent job in light of dwindling resources?'

Reply

'We are all very pleased with the success that the Basildon Excellence Panel (BEP) has had under Sir Mike Tomlinson's leadership. As you will be aware BEP, supported by Essex County Council and Basildon District Council, have been developing a new model which will come into effect in September 2016. My lead officer for education is a trustee of the new BEP and therefore we remain very committed to continuing to drive improvements in education across Basildon.

Of course I will join you in recognising the great work of governors, strong governance is a key feature in the success of schools and they play a vital role in the education system of Essex.'

8. Councillor Bobbin of the Cabinet Member for Highways and Transport

'A number of Basildon residents are deeply dissatisfied with the quality of work carried out by ECC contracted maintenance companies. Do we specify any follow up requirements when contracting work, and what sort of regulations are in place to ensure that pathway and road maintenance work is completed to an acceptable quality?'

Reply

'Essex County Council's strategic highways contract has a range of performance indicators that are assessed and monitored on a monthly basis. These indicators cover the whole range of services provided including quality of pathway and road repairs. One specific performance measure looks at the quality of repairs for defect and includes an independent audit of the repair carried out.

While Essex Highways strives to deliver a first time repair every time, this is not always possible and, in such circumstances, Highways aims to schedule a permanent repair as soon as possible.

All maintenance repairs and improvement works are undertaken in accordance with national guidelines and industry codes of practice.

Should a Councillor have a concern about the quality of work in a specific instance, these instances can be raised in writing through Member Enquiries or in person by booking a slot at my regular Members Highways Surgeries. To assist in identifying these instances, I request that Members provide as specific a description and location information as possible. I am happy to listen and take appropriate actions in response.'

9. Councillor Harris of the Cabinet Member for Highways and Transport

'Given the nature and volume of concerns regarding the quality of highways repair work, should we be more firm in our quality checks, and should we check more?'

Reply

'As indicated in response to your written question of 10 May 2016, all maintenance repairs and improvement works to the highways network are undertaken by Essex Highways in accordance with national guidelines and industry codes of practice.

Our strategic highways contract has a range of performance indicators that are assessed and monitored on a monthly basis. These indicators cover the whole range of services provided, including quality of highways repairs. One specific performance measure looks at the quality of repairs for defects and includes an

independent audit of the repair carried out. These performance indicators were also discussed at the recent Members Scrutiny Panel that both Councillor Bass and I attended.'

10. Councillor Young of the Leader of the Council

'It was recently announced by Essex University that all female teaching staff would receive a one-off pay hike to combat gender inequality and bring them in line with male colleagues. How pronounced is the gender gap here at Essex County Council, and what are we doing to combat it?'

Reply

'In advance of any requirement to undertake Gender Pay Gap analysis, over the past 5 years ECC has commissioned two Equal Pay Audits to determine the pay position of not only gender, but also race, age and disability.

Our second such audit, published in December 2015, found that our job evaluation and pay approaches had resulted in "no significant discrepancies". This is the same result as in our initial Audit published in 2013.

The recommendations made by the most recent Audit concern best practice rather than identifying any equal pay risks. An Action Plan to investigate the minimal individual issues identified has been developed and remedial action will be taken as necessary.

A report on the outcome of the Equal Pay Audit can be found on the ECC website within the Equality & Diversity pages.'

11. Councillor Henderson of the Cabinet Member for Economic Growth and Partnerships

'Essex County Council recently announced Dr Andrew Sentance as chair of the Essex Economic Commission, a group tasked with reviewing investment and growth across the county. Given the diverse nature of the Essex economy, and Dr Sentance's very urban-centric experience base, can we have assurances that all voices, including those from rural and coastal communities, will be factored into the group's work, rather than marginalised in the interest of growing the commuter belt and urban centres?'

Reply

'Firstly, I should clarify that the Greater Essex Economic Commission was not established by the County Council alone, but rather by the fifteen local authorities across Greater Essex with support of business groups, higher education partners and partnerships across the county. The Commission will operate independently from local authorities, providing insight and advice to inform investment decisions across the county.

As you rightly state Dr Andrew Sentance CBE was invited by partners to Chair the Commission. Dr Sentance has lived in Essex for over thirty years and has held a number of senior economic roles in business, academia and policy-making. His accumulated economic, business and policy experience, which I dispute being "very urban-centric", will be invaluable in unlocking future growth and securing the prosperity of all of our communities.

The commission itself comprises eleven high-profile economists, business executives and academics with broad expertise across the fields of economics; housing and planning; education and skills; infrastructure development; SME development; technology, and innovation; and rural development. Commissioners include the Managing Director of Ford UK, the Chief Operating Officer of Forth Ports, the Group Finance Director of e2v and the Vice-President of the National Farmers Union – who is himself a farmer in north East Essex.

Given the calibre and composition of the commission, all communities in Essex can feel confident that their economic interests will be reflected in its work.'

12. Councillor Smith of the Cabinet Member for Finance

'ECC are looking to enable the Homes and Community Agency to build a hotel on a plot of land (next to Basildon Golf Course) that has always been earmarked for such a project.

I understand that Essex County Council is to see a significant windfall from lifting the restrictive covenant on this land. If this transpires, will Essex County Council make a one off grant to Basildon Borough Council to the two nearest community centres/buildings (Kingswood Play Group Centre and the Lee Chapel South community centre) to use on either building or internal furniture upgrades?'

Reply

'All Capital receipts that the Council receive through disposal of land, property, or through the release of a restrictive covenant are used strategically to offset borrowing costs, or to support our Capital programme which funds improvements across the county. At a time when local authority budgets are under pressure we need to be certain that our capital investments are focussed on projects that deliver the greatest impact for residents, wherever that may be in Essex. It is therefore not possible, or practical to ring fence receipts to spend in a specific area.

As Councillor Smith will be aware we have and will continue to invest in significant capital projects in Basildon and I look forward to working with Basildon Borough Council on agreeing further investment in future.'

13. Councillor Smith of the Cabinet Member for Education and Lifelong Learning

'I have just written to the Cabinet Member of Education and Lifelong Learning about the plight of one of my constituents who has sadly just lost an apprenticeship to help him to become a teacher. Will the Cabinet Member be able to find my constituent a similar apprenticeship so that one day he can become a teacher?'

Reply

'Thank you for your question and concern for your young constituent. An Essex County Council officer, as part of our ongoing support for apprenticeships, has confirmed that the school in which the young man is attending for a level 2 qualification in *Supporting Teaching and Learning in Schools* is unable to offer the young person the opportunity to progress to a level 3 qualification.

The young man will be contacted by an Essex County Council officer who will support him in securing an alternative employer. This will include an invitation to attend one of our drop-in sessions locally.

I would be happy to provide Councillor Smith with an update on the outcome.'

14. Councillor Whitehouse of the Cabinet Member for Highways and Transport

'Please set out the criteria which determine when Essex County Council (rather than the North or South Essex Parking Partnerships) will implement parking restrictions such as limited waiting or double yellow lines.

In particular will Essex County Council consider implementing parking restrictions outside the entrance to Epping St John's Secondary School in Epping in order to address safety and congestion concerns at this location?'

Reply

'Essex County Council (ECC) will fund parking restriction schemes required for:

- a) Safety; required as part of a scheme to reduce known personal injury collisions (defined as 4 injury accidents in 5 years in a 50m radius, and applied flexibly); and
- b) Congestion; required in situations where the flow of traffic is impaired by parked vehicles (defined as the PR1 and PR2 network or a bus route).

Proposed schemes are presented to the Local Highway Panels (LHP) for consideration for funding, subject to availability of LHP funds.

Where a parking restriction scheme is required as part of a new development, the scheme will be funded via the funding contribution sought from the developer through a section 106 agreement.

All other proposed parking restriction schemes (i.e. a scheme which addresses local parking concerns or that does not otherwise meet the defined ECC criteria above) will be considered by the North and South Essex Parking Partnerships (NEPP and SEPP) for funding. These schemes include residents parking schemes, limited waiting restrictions, on-street pay and display etc. The parking partnerships consider these schemes on their merits, with the intention of ensuring that the schemes are cost neutral to implement.

The Parking Partnerships are able to implement any new parking restrictions via a Traffic Regulation Order required to address local residents concerns, either as:

- a) a self-funding scheme; or
- b) funded by the Parking Partnership or the district / borough /

parish requiring the restriction.

These arrangements are detailed in the Joint Committee Agreement agreed between ECC and the NEPP and SEPP. Each Parking Partnership has established and agreed its own criteria and prioritisation system for such requests.

A request for new waiting restrictions outside the entrance to Epping St John's Secondary School in Epping should be directed to the NEPP.'

15. By Councillor Danvers of the Cabinet Member for Highways and Transport

'Would the portfolio holder give the details of the formula for repairing roads by mileage and secondly by usage? Would he give a breakdown of expenditure on road maintenance district by district (If that is not possible then Harlow compared to Uttlesford and/or Epping Forest) for the financial year 2014/15? Will the portfolio holder consider giving more emphasis to road usage than road mileage as it is at present very unfair on urban authorities?'

Reply

'Capital funding for road repairs is allocated on the basis of road condition and required performance.

Total capital maintenance funding is determined at a network level, on the basis of a forecast of expenditure likely to be required to ensure the network meets agreed outcomes (investment requirements). (These forecasts are prepared using standard financial modelling techniques such as the Highways Maintenance Efficiency Programme (HMEP) Lifecycle Planning Toolkit for carriageways. The HMEP is an industry-led, Government-sponsored initiative to drive improved efficiency through the highway maintenance sector.)

Forecasts of total expenditure requirements are informed by annual SCANNER surveys of road conditions across the whole network. (This is a machine-based, repeatable survey which utilises electronic sensors and on-board computers to record the linear and spatial extent of specific defect characteristics of the road surface. The surveys conform to national standard methodologies, and are undertaken using nationally accredited vehicles and operatives.)

The total number of miles of road in each district assessed as defective is then calculated for each level of the roads hierarchy (PR1, PR2, local roads) and converted to a percentage of the total

miles of road in the network.

The total capital maintenance funding envelope is then allocated based on the proportion of defective length for each hierarchy against the overall modelled investment requirements. Since this approach means that those Districts which have a greater proportion of defective road sections receive a larger proportion of total capital maintenance funding, there are no plans to revise it at present.

It has not been possible to assemble the district-level data requested in the time since receiving this question; however, I can make it available to Councillor Danvers in due course.'

16. By Councillor Danvers of the Leader of the Council

'Considering the pledge made by the Leader of the Council to examine the possibility of more feasibility studies for value for money with in house contracts at the last Council meeting, could he give examples of any progress that has been made or any projects in the pipeline that will be considered for an in house tendering bid?'

Reply

'At the last Full Council I committed to reviewing our current procurement practices to ensure they were appropriate. That review is still in progress.

However, it is worth noting that as a Commissioning Organisation we make procurement decisions based on what will deliver the best outcomes for people and the best value for money from the tax payer.

I hope to be able to give a further update in 2 months' time.'