



Essex County Council

Summons

To all Members of Essex County Council

You are hereby summoned to attend the meeting of the County Council to be held as shown below to deal with the business set out in the Agenda.

10:00	Tuesday, 14 May 2019	Council Chamber, County Hall, Chelmsford, CM1 1QH
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Gavin Jones
Chief Executive

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

Public Questions A period of up to 30 minutes will be allowed for members of the public to ask questions on any business of the Council (Standing Order 16.12.10). No question shall be longer than three minutes and speakers must have registered with the clerk no later than 7 calendar days before the date of the meeting. On arrival, and before the start of the meeting, registered speakers must identify themselves to staff in order to be seated.

Pages

- 1 Election of Chairman**
- 2 Appointment of Vice-Chairman**
- 3 Apologies for Absence**

4	Declarations of Interest To note any declarations of interest to be made by Members in accordance with the Members' Code of Conduct	
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20	Oral questions to the representative of the Essex Police, Fire and Crime Panel on any matter relating to the business of that Panel	

Essex County Council and Committees Information

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

The agenda is available on the Essex County Council website, <https://www.essex.gov.uk>. From the Home Page, click on 'Your Council', then on 'Meetings and Agendas'. Finally, select the relevant committee from the calendar of meetings.

Attendance at meetings

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<http://www.essex.gov.uk/Your-Council/Local-Government-Essex/Pages/Visit-County-Hall.aspx>

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The Council Chamber and Committee Rooms are accessible by lift and are located on the first and second floors of County Hall.

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

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

Audio recording of meetings

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If you are unable to attend and wish to see if the recording is available you can visit this link <https://cmis.essexcc.gov.uk/Essexcmis5/CalendarofMeetings> any time after the meeting starts. Any audio available can be accessed via the 'On air now!' box in the centre of the page, or the links immediately below it.

Should you wish to record the meeting, please contact the officer shown on the agenda front page.

Minutes of the meeting of the Full Council, held in the Council Chamber County Hall, Chelmsford, Essex on Tuesday, 12 February 2019

Present:

Chairman: Councillor J G Jowers
Vice-Chairman: Councillor E C Johnson

J Abbott	I Grundy	J Moran
J F Aldridge	C Guglielmi	M Platt
B Aspinell	M Hardware	R Pratt
J Baker	D Harris	J M Reeves
S Barker	A M Hedley	P Reid
J Beavis	I Henderson	S Robinson
K Bentley	J Henry	C Sargeant
M Buckley	S Hillier	W Schmitt
G Butland	A Jackson	L Scordis
J Chandler	D J Kendall	A Sheldon
P Channer	S Lissimore	K Smith
T Cutmore	M Mackrory	C Souter
A Davies	R A Madden	J Spence
J Deakin	M Maddocks	M Steptoe
M Durham	B Massey	A Turrell
B Egan	M McEwen	L Wagland
A Erskine	L McKinlay	S Walsh
D Finch	V Metcalfe	C Weston
R Gadsby	R Mitchell	A Wood
A Goggin	G Mohindra	J A Young
R J Gooding	Dr R Moore	

Prayers

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

The Chairman, Councillor Jowers, formally opened the meeting

The Chairman reminded those present that the meeting would be recorded and broadcast live over the internet.

1. Apologies for Absence

Apologies for absence were received on behalf of Councillors Ball, Blackwell, Brown, Canning, Honeywood, Lumley, May, Pond and Whitbread.

2. Declarations of Interest

The Chairman reminded Members of the advice they had been given by the Monitoring Officer:

(a) concerning those who may have any arrears of Council Tax outstanding for two months or more that they must make a declaration and were not entitled to vote on the Annual Budget but were not prevented from taking part in the discussion; and

(b) on the need for declarations of interest relating to the Budget debate.

There were no declarations of interest.

3. Confirmation of the minutes of the meeting held on 11 December 2018

Resolved:

That the minutes of the ordinary meeting held on 11 December 2018 be approved as a correct record and signed by the Chairman.

4. Chairman's Announcements and Communications

Recent Deaths

Former Councillor Joan Martin

The Chairman announced the death of former Councillor Joan Martin who passed away on Monday 31 December at the age of 96.

She had been an Essex County Councillor from July 1967 to May 1989 and represented the Division of Ongar, serving on numerous committees including the Education, Police and Planning Committees, as well as being the Chairman of both the Social Services Committee and the Basildon and Thurrock Health Authority. She had been awarded an OBE in 1989 in recognition of a lifetime of public service and made an Honorary Alderman of Essex County Council in 2006.

At the invitation of the Chairman, Councillor McEwen added her condolences on behalf of the residents of the Division she had served.

Tracey Spear, Youth Service Manager

The Chairman informed members that one of our officers, Tracey Spear, Youth Service Manager had died following a short illness.

The Chairman noted that it was unusual for the death of an officer in service to be mentioned at a meeting of Council, but she had worked very closely with a number of Members through the Youth Strategy Groups and the Young Essex Assembly, and he had a request from Councillor Ray Gooding, Cabinet Member for Education, that he should say a few words.

At the invitation of the Chairman, Councillor Gooding added his condolences and reminded Members of success on both the national and local scale, her recent winning of the Essex 'You Make a Difference Award' and the good humour that Tracey Spear had brought to the role.

Members stood in remembrance.

Awards**Ofsted**

The Chairman noted that the Council's Children's Services had been inspected by Ofsted in November 2018 and had been rated 'outstanding'. The Chairman invited Councillor Madden to speak and he mentioned the inspirational leadership of Helen Lincoln, Executive Director for Children and Families and introduced Sukriti Sen, Director for Local Delivery, Children, Young People and Families who received, on behalf of the whole service, his personal thanks.

Friendship City

The Chairman received, on behalf of the Council, from Councillor Bentley, Deputy Leader and Cabinet Member for Infrastructure, an Award to Essex, Friendship City for Exchanges and Cooperation with China, from the Chinese Government (CIFCC). He paid particular tribute to Peter Manning, Head of Essex International and his teams both in the UK and in China for their excellent work.

Essex Pension Fund

The Chairman received, on behalf of the Council, from Councillor Barker, Cabinet Member for Customer and Corporate and Chairman of the Essex Pension Fund Strategy Board an award for the "Best use of Private Equity Investment" category at the 2019 at the Alternative Investment Awards organised by the publication Institutional Investor. She paid tribute to the Pensions Team.

New Year's Honours

The Chairman informed members that the New Year's Honours list had included:

- Mr Peter Manning, Head of Essex International, for services to UK/China relations, an OBE (Officer of the Order of the British Empire). At the invitation of the Chairman, Councillor Bentley, Deputy Leader and Cabinet Member for Infrastructure spoke a few words of congratulation.
- Mrs Aimee Hinton, Social Worker, Essex County Council, for services to children's social care, a BEM (British Empire Medal)

5. Receipt of petitions and deputations

The Chairman received petitions from:

- Councillor Sargeant concerning pedestrian safety on Frinton Road, Holland on Sea,
- Councillor Sargeant concerning 'Saving Holland Library',
- Councillor Gadsby concerning lorries and speeding in Upshire Road, Waltham Abbey,
- Councillor Reid concerning the proposed closure of Vange and Fryerns Libraries,
- Councillor Robinson concerning Saving Essex Libraries from various locations in Essex,
- Councillor Smith concerning outstanding highways matters; and
- Councillor Aspinell concerning Saving Essex Libraries (at the invitation of The Chairman this was presented later in the meeting)

Additionally, with the permission of the Chairman, Councillor Goggin presented four individual letters from residents concerning the libraries consultation.

6. Organisation Plan and Budget 2019/20

The Council received the Report on the Budget 2019/20 and
Appendix A – Essex Organisation Plan 2019/20
Appendix B – Equality Impact Assessment (Organisation Plan and Budget)
Appendix C – Pay Policy Statement 2019/20

It was moved by the Leader of the Council, Councillor Finch and seconded by the Cabinet Member for Finance, Commercial and Traded Services, Councillor McKinlay that the statement by the Section 151 (S151) Officer on the adequacy of reserves, robustness of the 2019/20 revenue budget and the Capital Strategy be noted and that the recommendations on the Organisation Plan and Budget 2019/20 as set out in the report be approved.

It was moved by Councillor Smith and seconded by Councillor Abbott that the recommended budget be amended as follows:

‘To remove the budget for private health care for senior managers and reallocate that sum of money (£366,000 per annum) into the Libraries Budget, for the purposes of keeping as many Tier Four libraries open as possible.’

It was moved by Councillor Mackrory and seconded by Councillor Robinson that the recommended budget be amended as follows:

‘1.0 Maximise the use of and retain the Essex Library network

- 1.1 Increase the Libraries budget (Customer and Corporate Portfolio) by **£150,000** subject to reducing the **Transformation Reserve** by an equivalent amount in 2019/20 and thereafter added to the Medium-Term Resources Strategy for action to be identified to determine a permanent funding solution. This additional funding to be used to recruit four Audience Development Officers to promote reading and the love of books and literature amongst children, young people and their families to maximise the use of libraries.
- 1.2 To increase the 2019/20 capital programme by **£1m** (to be funded from the Reserve for Future Capital Funding) to explore the opportunities to adapt, convert and extend the Library buildings for greater community use and commercial activity. This could include redevelopment into residential or commercial use with purpose built library accommodation on the ground floor for example. This could generate extra income to support revenue costs and capital receipts.

2.0 Tackling the crisis in Preventative Care

- 2.1 Increase the Public Health budget by **£2.5m** (Health and Adult Social Care portfolio), subject to reducing the **Transformation Reserve** by an equivalent amount and thereafter added to the Medium-Term Resources Strategy for action to be identified to determine a permanent funding solution. This additional funding to go some way to meet the savage cuts to this budget by the government of £4.9m since 2016/17. This will enable more vital work to prevent smoking related illness, obesity, mental health issues with young people including suicide prevention and sexual health conditions thereby reducing the financial cost of costly treatment to the NHS. We will promote the benefits of investing in match-funding this significant additional expenditure with the Clinical Commissioning Groups to provide more mental health counselling support in infant and primary schools to help identify and address mental health issues at an early age

3.0 Supporting Essex's young people

- 3.1 An increase of **£350,000** in the budget provision for Youth Services (Education and Skills portfolio) for the provision of Youth Service projects including, support, mentoring and respite for young carers, school lunchtime clubs/drop in sessions run by youth workers and outreach work, including detached working. The increase is to be funded by a withdrawal from the **Transformation Reserve** in 2019/20 and thereafter added to the Medium-Term Resources Strategy for action to be identified to determine a permanent funding solution, subject to the evaluation of the pilot.
- 3.2 An increase of **£250,000** in the budget provision for Passenger Transport (Education and Skills portfolio) to go towards helping support low income families with 16 - 18-year-old students in full time Further Education with travel costs. The increase to be financed by a withdrawal from the **Transformation Reserve** in 2019/20 and thereafter added to the Medium-Term Resources Strategy for action to be identified to determine a permanent funding solution.

4.0 Investing in our infrastructure and keeping Essex safe

- 4.1 An increase in the 2019/20 capital programme provision for **Local Highways Panels** (Infrastructure portfolio) of **£4m**. This will be allocated to individual panels, to return their total funding to the 2015/16 level (i.e. to £8m).
- 4.2 The additional **£4m** referred to above will be funded by a transfer from the Capital programme provision for Highways Infrastructure.
- 4.3 There are three council areas where bus lane and bus gate enforcement exist that are budgeted to raise **£2.4m** in 2019/20 from fines. (In 2017/18 these were Basildon £108,000, Chelmsford £847,000, Colchester £926,000). It is proposed to reduce the Roads Maintenance capital programme and further increase the Local Highways Panels budget by **£2.4m** for Basildon, Chelmsford and Colchester, pro-rata to the revenue income collected from bus lane and bus gate enforcement fines, to help fund higher cost projects in those areas.
- 4.4 To increase the street lighting budget (Infrastructure portfolio) by **£12,500** to enable 2,500 LED lights to be left on throughout the night (equivalent to a 3% increase in all night lighting in Essex) in areas to be identified by working alongside the Local Police, the Local Member and the Crime and Disorder Reduction Partnership. This increase to be funded by a withdrawal from the Transformation Reserve in 2019/20 and thereafter added to the Medium-Term Resources Strategy for action to be identified to determine a permanent funding solution.

5.0 Reducing Fly Tipping

- 5.1 An increase of **£250,000** in the budget provision for Waste Disposal (Environment and Waste portfolio) to enable all Civic Amenity Sites once again to accept residents' DIY waste. This increase is to be funded from the **Transformation Reserve** in 2019/20 and thereafter added to the Medium-Term Resources Strategy for action to be identified pending the outcome of a review of the service.
- 5.2 Commission resources to undertake a full assessment and develop a business case for a 'Clean Air Zones' scheme in our large towns and city to tackle air pollution. This could include charging heavily polluting vehicles entering those zones. The costs of the business case development (**£22,000**) to be funded from the Transformation Reserve
- 5.3 Commission resources to undertake a full assessment and develop a business case to investigate the benefits of investing in further solar energy on Essex County Council property including schools and in particular new schools. The assessment to investigate again the viability of a solar energy farm on council owned land. The costs of the business case development (**£22,000**) to be funded from the Transformation Reserve.

6.0 Summary of Proposals and Ongoing Impact

- 6.1 A number of the amendments that are proposed to be funded from reserves in 2019/20 have an ongoing impact on the MTRS from 2020/21 onwards, increasing the gap in future years by the amount shown in the table below

Description	£000
Investment in Public Health	2,500
Investment in the Youth Service	350
Investment in Post 16 Transport Provision	250
Investment in Waste Disposal	250
Investment in the Libraries Service	150
Investment in Street Lighting	13
Ongoing impact after 2019/20	3,513
Development of Clean Air Zones business case	22
Development of Solar Energy business case	22
One off cost in 2019/20	44
Total cost	3,557

It is recognised that this increases the 2020/21 budget gap from £72m to £75m

- 6.2 The impact on reserves in 2019/20 is summarised in the below table

Reserve	2019/20		
	Current estimated	Proposed	Revised estimated
	closing balance	additional usage	closing balance
	£000	£000	£000
Future Capital Funding	13,061	(1,000)	12,061
Transformation	13,493	(3,557)	9,936

- 6.3 The amendments also impact on the 2019/20 capital programme as follows

Description	Current		
	2019/20	Proposed 2019/20	Increase/
	Budget	Budget	(decrease)
	£000	£000	£000
Adaptation/conversion of Libraries premises	-	1,000	1,000
Additional funding for Local Highways Panels	4,600	11,000	6,400
Reduction to Roads Maintenance	36,750	30,350	(6,400)

It was moved by Councillor Henderson and seconded by Councillor Young that the budget be amended as follows:

- 1) 'An additional £500,000 as a one-off investment in the Library service which will be used to invest in the use of digital media with the libraries and book stocks, support the promotion of the Library as community hubs, provide digital training to the community. Subject to increasing the budget for Customer and Corporate portfolio by £500,000 and a necessary withdrawal from the earmarked Transformation Reserve being recommended to the Council.
- 2) An additional £200,000 in each of the next three years to increase the budget for Children with Disabilities. This funding will be used to for a promotion campaign for families who may be eligible for this care including hard to reach families to increase take up of support, increase awareness of the service offer and the increased demand associated with this. A reduction in the Project Management policy line by £200,000 to reflect re prioritisation of resources to Children with Disabilities. Subject to increasing the budget for Children and Families portfolio by £200,000 and reducing the budget for the Leader RSSS portfolio by £200,000 being recommended to the Council.'

Upon being put to the meeting the amendment moved by Councillor Smith and seconded by Councillor Abbott was declared to be **lost**.

Ten Members having stood in their places the amendment moved by Councillor Mackrory and seconded by Councillor Robinson was put to a named vote and was **lost** by 15 votes for, 45 against and 4 abstentions.

Those Members voting for the motion were Councillors:

B Aspinell	I Henderson	C Sargeant
J Baker	D J Kendall	L Scordis
A Davies	M Mackrory	A Turrell
J Deakin	P Reid	A Wood
D Harris	S Robinson	J A Young

Those Members voting against the motion were Councillors:

J F Aldridge	R J Gooding	R Mitchell
S Barker	I Grundy	G Mohindra
J Beavis	C Guglielmi	Dr R Moore
K Bentley	M Hardware	J Moran
M Buckley	A M Hedley	M Platt
G Butland	J Henry	R Pratt
J Chandler	S Hillier	J M Reeves
P Channer	A Jackson	W Schmitt
T Cutmore	S Lissimore	A Sheldon
M Durham	R A Madden	C Souter
B Egan	M Maddocks	J Spence
A Erskine	B Massey	M Steptoe
D Finch	M McEwen	L Wagland
R Gadsby	L McKinlay	S Walsh
A Goggin	V Metcalfe	C Weston

Those abstaining were Councillors Abbott, Johnson, Jowers and Smith.

Upon being put to the meeting the amendment moved by Councillor Henderson and seconded by Councillor Young was put to a named vote and was **lost** by 16 votes for, 45 against and 3 abstentions.

Those Members voting for the motion were Councillors:

J Abbott	I Henderson	L Scordis
B Aspinell	D J Kendall	A Turrell
J Baker	M Mackrory	A Wood
A Davies	P Reid	J A Young

J Deakin	S Robinson
D Harris	C Sargeant

Those Members voting against the motion were Councillors:

J F Aldridge	R J Gooding	R Mitchell
S Barker	I Grundy	G Mohindra
J Beavis	C Guglielmi	Dr R Moore
K Bentley	M Hardware	J Moran
M Buckley	A M Hedley	M Platt
G Butland	J Henry	R Pratt
J Chandler	S Hillier	J M Reeves
P Channer	A Jackson	W Schmitt
T Cutmore	S Lissimore	A Sheldon
M Durham	R A Madden	C Souter
B Egan	M Maddocks	J Spence
A Erskine	B Massey	M Steptoe
D Finch	M McEwen	L Wagland
R Gadsby	L McKinlay	S Walsh
A Goggin	V Metcalfe	C Weston

Those abstaining were Councillors Johnson, Jowers and Smith.

In accordance with Standing Order 16.10.2 (Voting on budget decisions) the Motion was put to a division by name and **carried** by 45 votes for, 15 against and 4 abstentions.

Those voting for the Motion were Councillors:

J F Aldridge	R J Gooding	R Mitchell
S Barker	I Grundy	G Mohindra
J Beavis	C Guglielmi	Dr R Moore
K Bentley	M Hardware	J Moran
M Buckley	A M Hedley	M Platt
G Butland	J Henry	R Pratt
J Chandler	S Hillier	J M Reeves
P Channer	A Jackson	W Schmitt
T Cutmore	S Lissimore	A Sheldon
M Durham	R A Madden	C Souter

B Egan	M Maddocks	J Spence
A Erskine	B Massey	M Steptoe
D Finch	M McEwen	L Wagland
R Gadsby	L McKinlay	S Walsh
A Goggin	V Metcalfe	C Weston

Those voting against the Motion were Councillors:

B Aspinell	I Henderson	L Scordis
J Baker	D J Kendall	K Smith
A Davies	M Mackrory	A Turrell
J Deakin	P Reid	A Wood
D Harris	S Robinson	J A Young

Those abstaining were Councillors Abbott, Johnson, Jowers and Sargeant.

Resolved:

That the statement by the Section 151 (S151) Officer's on the adequacy of reserves, robustness of the 2019/20 revenue budget and the Capital Strategy be noted and:

Revenue and Capital Budget

1. That the Organisation Plan be approved in the form appended to the report.
2. The net cost of services be set at **£939.9million (m)** for 2019/20 - Appendix A (page 28 of the report).
3. The net revenue budget requirement be set at **£878.9m** (net cost of services less general government grants) for 2019/20 – Appendix A (page 28 of the report)
4. The total council tax funding requirement be set at **£671.3m** for 2019/20 – Appendix A (page 28 of the report).
5. That a 1% social care precept be levied and a 2.99% increase to Essex County Council's element of the council tax, therefore the Essex County Council element of the council tax for charge for a Band D property in 2019/20 will be **£1,270.44**. A full list of bands is as follows:

Council Tax Band	2018/19 £	2019/20 £
Band A	814.50	846.96
Band B	950.25	988.12
Band C	1,086.00	1,129.28
Band D	1,221.75	1,270.44
Band E	1,493.25	1,552.76
Band F	1,764.75	1,835.08
Band G	2,036.25	2,117.40
Band H	2,443.50	2,540.88

6. Full Council approve the council tax for each category of dwelling and the precepts on each of the council tax billing authorities for 2019/20, together with the final tax base, as set out in the table overleaf:

Billing Authority	2019/20 Final Tax Base Band D Equivalent	2019/20 Gross precept £000
Basildon	60,924	77,400
Braintree	52,521	66,725
Brentwood	32,863	41,751
Castle Point	30,787	39,113
Chelmsford	66,672	84,703
Colchester	63,331	80,458
Epping Forest	54,159	68,806
Harlow	26,279	33,386
Maldon	24,536	31,172
Rochford	31,570	40,108
Tendring	47,455	60,289
Uttlesford	37,313	47,404
Total for ECC	528,411	671,315

7. That the proposed total schools budget be set at **£1,113.8m** for 2019/20, which will be funded by the Dedicated Schools Grant, the Pupil Premium Grant and the Universal Free School Meals Grant. The majority of this will be passed through to the maintained schools and academies.
8. That the underlying balance on the General Balance be set at **£55.7m** at as at 1 April 2019 (Appendix A, page 53).
9. That the capital payments guideline be set at **£249m** for 2019/20.

10. That for the purposes of section 52ZB of the Local Government Finance Act 1992 the Council formally determines that the increase in council tax is not such as to trigger a referendum.

Capital Strategy

11. The 2019/20 – 2021/22 Prudential Indicators and limits, together with updated limits for 2018/19 be as set out in **Annexes 3A** and **3B** of the Capital Strategy (Appendix A) be approved.
12. The Treasury Management Strategy for 2019/20 comprising the following, be approved:
 - a. Borrowing strategy, as set out in **Annex 3** of the Capital Strategy (Appendix A, Annex 3, page 64).
 - b. Treasury management investment strategy, as set out in **Annex 3** and **Annex 3D** of the Capital Strategy (Appendix A, Annex 3, page 71).
 - c. Indicative strategy for commercial investment activities, as set out in **Annex 3** of the Capital Strategy (Appendix A, Annex 3, page 75).
- a. The policy for making a prudent level of revenue provision for the repayment of debt (the Minimum Revenue Provision policy as set out in **Annex 3C** of the Capital Strategy (Appendix A, Annex 3, page 85) be approved.

Pay Policy Statement

- b. The Pay Policy Statement for 2019/20 as set out in Appendix C be approved.

13. Adjournment

With the agreement of Council, the Chairman adjourned the meeting for luncheon at 13:10. The meeting reconvened at 14:00.

14. To receive the Leader's report of Cabinet Issues

Councillor Finch, the Leader of the Council, presented a report concerning matters considered at the meetings of Cabinet held on 18 December 2018 and 22 January 2019.

It having been moved by Councillor Finch and seconded by Councillor Bentley it was

Resolved

That the report be received.

15. To receive a report of matters reserved to the Council

Councillor Finch, the Leader of the Council, presented the report of matters reserved to Council.

It having been moved by Councillor Finch and seconded by Councillor Bentley, it was

Resolved

That the Constitution be amended with immediate effect so that:

- (1) All references to the **Executive Director, Economy, Localities and Public Health** are replaced with references to the **Executive Director, Place and Public Health**.
- (2) All references to the **Director, Adult Social Care** are replaced with references to the **Executive Director, Adult Social Care**.
- (3) All references to the **County Planning Manager** are replaced with references to the **Chief Planning Officer**.

16. Written Questions

The published answers to the 17 written questions submitted in accordance with Standing Order 16.12.1 were noted.

Members sought points of clarification from the relevant Cabinet Members, details of which are available on the ECC [website via the online audio recording of the meeting](#). The written questions were:

1. By Councillor Young of the Cabinet Member for Children and Families

‘Will this council urgently reconsider proposals to reduce the number of beds in the Maples Respite Centre from 8 to 4? This proposal is based on a flawed assumption that there is less need for this vital facility, which provides support for parents of children with severe needs as well as a supportive environment for the child. In the last couple of years this council has signposted parents to alternatives, like child-minding, which do not provide this level of support.’

Reply

‘Our priority is to continue to offer a range of high quality, efficient and responsive respite services that supports children and young people to thrive. Rather than making “flawed assumptions”, we have reviewed demand for Maples as part of our wider ongoing review of short breaks and this shows that referrals to this centre have fallen over the years, as the range of short breaks available has grown. For Maples specifically, the number of children using the centre has reduced from 64 in April 2015 to 43 in September 2018, a drop of nearly one third. We have identified that it would be possible to meet the needs of existing service users by operating from one flat within the unit rather than two. This will not affect the number of nights

allocated to families, but we do need to ensure we operate our services as efficiently as possible so that council resources can be used equitably.

We will continue to work with families to meet their assessed needs and create the widest possible choice of respite options. The support offered will be tailored to individuals but may include overnight respite in a registered centre, use of specially trained foster carers and/or more creative use of direct payments to source carers chosen by the family.'

2. By Councillor Sargeant of the Cabinet Member for Customer and Corporate

'The Essex Future Libraries Strategy (Page 7) describes Tier 3 as being "locations where no library service is needed in order to have a comprehensive and efficient network, but where ECC wishes to support the provision of library services run by a community or partner organisation with ECC support."

Please could you detail what activities and functions constitute such "Support" to community organisations, that ECC will be providing to volunteers at the Tier 3 Libraries you intend to set up; but not to the Tier 4 Libraries you intend to close.'

Reply

'The precise support for Tier 3 and 4 libraries will be worked out in negotiation with each community group. Tier 3 support is likely to include some initial one-off and ongoing support from Essex County Council. However, Tier 4 support is only likely to be one-off in nature.

We are not expecting Community Groups to submit detailed bids at this stage, all we need is an in-principle expression of interest for setting up a community library. The ECC Libraries Project Team will then contact the group to support production of a more detailed proposal.

For tier 3 locations, groups will have up to 6 months after the date the strategy goes live to submit their proposals and reach agreement with the council. This 6 month period may be extended to up to 12 months if proposals have been received, but not agreed - or if we believe that deliverable proposals are likely to be forthcoming during that period.'

3. By Councillor Sargeant of the Cabinet Member for Customer and Corporate

'Holland Library is in excess of 2.1 miles walking distance from the nearest Library (Clacton) therefore scoring 30 points on the Location criterion - causing it to have an overall scoring of a Tier 3 rather than that of a Tier 4. It costs just £32,000 a year to operate the 16 hours per week it is open; serving the people of Holland on Sea and the surrounding area. For the remainder of the working week the room is available for the community to hire.

The Libraries Strategy, quite rightly, advocates use of libraries as community hubs. Could you kindly confirm if, for example, a community group hired Holland Library for 20 hours per week whether the hire income generated would be paid to ECC and help financially support the highly valued Library Service or go directly into the landlord Tendring District Council's coffers?'

Reply

'For the proposed Library Needs Assessment, the distance between libraries has been calculated using the post codes of the libraries in google maps. The walking distance from Holland Library CO15 5UR to Clacton Library CO15 1SF is 2 miles.

The libraries consultation is about the library service, not about the library buildings. Specifics regarding library property will be answered after the consultation closes on 20 Feb.

Regarding Holland Library, the lease conditions for the Holland Library building is for 24/7 use and there are covenants on the lease that restrict subletting of the property.'

4. By Councillor Abbott of the Deputy Leader and Cabinet Member for Infrastructure

'For several years we have been trying to secure 20mph limits in the village of Silver End via the Braintree LHP. The lower speed limits have the support of the parish council and many residents. But at present the scheme requests are held on "red" as not meeting policy, even for the road outside the village primary school. The policy criteria appear to be almost designed to make it very difficult to achieve 20mph limits in existing residential areas. Yet for some new estates, such as at Beaulieu Park, the county council is from the outset implementing 20mph limit zones "to reduce vehicular speeds and improve road safety for residents and pedestrians" where roads have been designed such that "vehicle speeds are 24mph or below".

The speed survey data for the 3 areas requested for 20mph limits in Silver End shows that (Braintree LHP agenda 4th Feb 2019 refers) "all the speeds were below 24mph" and yet for Silver End this is deemed against policy.

Can the Cabinet Member explain this contradictory policy approach and why the council is therefore apparently not striving, on an equal basis, to secure the same improved road safety for residents and pedestrians for all Essex communities where 20mph limits can be applied.'

Reply

'I thank the Member for Witham Northern for his question regarding speed limits in Silver End.

While it may appear that there are inconsistencies, what Councillor Abbott has identified is the varying criteria that apply in different locations. These criteria need to be applied to those locations where a 20mph speed limit is being considered and are too detailed to be explained here in the space allowed, but I would gladly meet with Councillor Abbott to explore the matters he has raised, while checking that no errors have been made in the specific locations he has mentioned, and apprise him of the complexities of such decisions.'

5. By Councillor Wood of the Cabinet Member for Environment and Waste

'Can the Cabinet Member please give Members an assurance that with the increase in fly-tipping across the County, he is doing everything he can to ensure the issue is tackled efficiently and effectively. Can the Cabinet Member also advise why fly-tipping in Essex has increased as reported in the local media?'

Reply

'Whilst I am grateful to the media for highlighting the impacts of illegal waste disposal, it is not the case that fly-tipping has increased across the County. The latest DEFRA-reported data on recorded fly-tips nationally show that the number of fly-tips in 2017/18 fell by over 1% in Essex compared to the previous year, mirroring the national picture.

I do, however, recognise that there is significant local disparity, and while the overall situation in Essex improved, the position in six districts worsened. As cleansing activity and associated enforcement is not a County Council function, I am unable to comment on the specific actions that are being taken to combat this issue at a local level. Essex County Council however, will continue to work closely with all relevant bodies and offer assistance to help tackle these issues.'

6. By Councillor Deakin of the Deputy Leader and Cabinet Member for Infrastructure

'I have been contacted by two local residents who have been affected by flooding into their properties by water drainage off of the highway. It appears that when the road was resurfaced the water ceased to flow in the highway gulley's and started flowing into their properties. Please can the Cabinet Member advise what measures are put into place for resurfacing works carried out by Ringway Jacobs.'

Reply

'I thank the Member for Chelmsford West for her question on policy regarding resurfacing works

Sites are inspected before resurfacing works take place and any preparatory works, such as low vehicle crossings or other defects which need to be repaired, are identified and completed in advance of the main resurfacing works. If there are

reports of residual drainage or other issues after our works, we will revisit the scheme and carry out necessary works as required.'

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

'I have recently been contacted by a resident who is being asked to contribute double her original monthly payment for her care package. She is in great distress, feeling threatened and bullied, as she cannot foresee how she will pay this increased amount.

Can the Cabinet Member for Health and Adult Social Care advise what measures this Council has in place to assist with cases of hardship such as this?'

Reply

'How much a person pays towards the cost of their social care is based on what they can afford. This is worked out using a statutory framework that will ensure people are always left with enough money to live on, this will be their minimum income guarantee (MIG) which is set by the Secretary of State for Health and Social Care Annually.

There are a number of reasons why the amount a person is paying for their care may change, as in the case you have mentioned. If that person or their family member wishes to challenge either the amount that is being charged or the results of the financial assessment they can speak to the financial assessment team and we can look at the charge again or complete a new assessment. If you wish to send me the details – and you have permission to do so – I'll be happy to pass this on to the relevant team.'

8. By Councillor Kendall of the Deputy Leader and Cabinet Member for Infrastructure

'Can the Cabinet Member confirm if Essex County Council is going to introduce "Clean Air Zones" in Town and City Centres across Essex in a bid to reduce air pollution?'

Reply

'I thank the Member for Brentwood South for his question regarding "Clean Air Zones".'

Air Quality is primarily the responsibility of District, Borough and City Councils who have a duty to monitor air quality levels, and take appropriate action to meet European legislated threshold levels of pollutants in the atmosphere. While the duty lies with these Councils, there is of course a lot that we can do to assist any Air Quality Management Plans which arise out of the monitoring programmes under

way. Pollutants from traffic can be a major contribution to poor air quality, especially where traffic levels are high and congested, and/or where poor air quality is trapped by physical or environmental features in the urban topography. The County Council is frequently a delivery partner already in many air quality management plans, and is contributing in the following ways:

- Traffic management systems to smooth the flow of traffic
- Bypassing areas of congestion with new highways
- Provision of alternative transport modes such as promoting walking, cycling and bus and rail usage
- Reducing the amount of traffic that reaches area of poor air quality such as with Park and Ride schemes
- Investing with bus operators in cleaner engine technology

Such measures are useful in helping to stabilise poor air quality until such time that emissions from engines are forecast to reduce through cleaner engine design which is happening all the time.

Clean Air Zones would take this approach a stage further by introducing restrictions on vehicles either through a charging scheme or by traffic regulation order to restrict and penalise certain classes of vehicle or engine design from entering a designated area – such a scheme is operational in London. These may be considered in Essex, but only where this was the only way of meeting the expected levels of air quality set by European regulations, due to the unintended consequences of such schemes on the wider transport network in terms of access and mobility or displacement of vehicles to other parts of a town or city. Air Quality zones are not the solution for every situation. However, as part of work we are undertaking with Defra and authorities in Essex, we are examining the effectiveness of Air Quality zones, to see whether this solution is needed and will be effective. We will use this experience in our plans moving forward.'

9. By Councillor Kendall of the Cabinet Member for Environment and Waste

'Can the Cabinet Member confirm when Essex County Council going to invest in solar energy and build a solar farm on County Council owned land in Essex?'

Reply

'Officers are currently investigating the feasibility of investing in renewable low carbon energy generation and energy storage on ECC owned assets. This includes opportunities to invest in solar farms on County Council owned land.

The Councillor will be aware that any such opportunities will be critically dependent upon obtaining planning consent and securing an affordable connection to the energy distribution grid. However, we are currently undertaking feasibility work on a number of sites and will have the results of that analysis by spring 2019. This is part of our work to deliver the Energy and Low Carbon Action Plan 2017/2021.

We are also currently looking at opportunities to invest in onsite generation, energy storage and energy efficiency measures in our public buildings including County

Hall and at our Park and Ride sites. We have recently been awarded funding through the European Interreg programme to undertake projects at two sites in our public estate to invest in measures that will enable those sites to generate, store and potentially sell energy back to the grid, enabling them to reduce their running costs.

You may also be aware of “Solar Together Essex,” our on-going group purchasing scheme, which offers residents the opportunity to purchase a solar panel system in a safe, knowledgeable and affordable manner. We launched the campaign in July 2018 and more than 2,000 residents have already registered their interest. As a result of this scheme, we hope to see over 1MW of solar generation installed on roof tops in Essex.’

10. By Councillor Mackrory of the Leader of the Council

‘Will the Leader give consideration to the strengthening of the scrutiny function in order to bring added value to the work of the Council? For example, will he consider the Buckinghamshire model where the main scrutiny committee (actually called a select committee) spent a whole week pre-scrutinising the budget with each Cabinet Member having to account for their individual portfolio spend?’

Reply

‘I consider the scrutiny function of the Council robust and able to fulfil the necessary duties required of it. However, the Scrutiny Committee can decide, if it so chooses, to consider the Budget in a different way. I would encourage reflection among committee members as to whether they want to change the way in which scrutiny operates.’

11. By Councillor Mackrory of the Leader of the Council

‘Will the Leader provide an update as to why this Council was unsuccessful in its bid to become a pilot area for Business Rates Retention which resulted in a loss of income of £15m?’

Reply

‘We are disappointed about the news that Essex did not qualify for Business Rates Retention pilot announced at the end of last year. The Ministry of Housing, Communities, and Local Government has not provided feedback to unsuccessful applicants to the pilot scheme, despite our strong desire to understand the process. If we do get the detail, we would be happy to share it.’

12. By Councillor Wood of the Cabinet Member for Environment and Waste

‘With the recent social media reporting that fly tipping in Essex has increased, will the Cabinet Member now allow all DIY residents with small vans into the Recycling centres to help combat this?’

Reply

‘With regard to the recycling centre changes made in 2016, these were introduced to tackle the illegal use of the sites by businesses and have been successful in dealing with this issue. These changes still allow those wishing to dispose of small amounts of DIY and construction waste, or those using a van to access the service – they are simply directed to our larger facilities.

Of our twenty-one Recycling Centres, ten permit van access and nine are able to accept small quantities of construction and demolition waste. Full details can be found on the ECC website. There is no evidence that the changes implemented at the Recycling Centres have directly impacted fly-tipping levels in Essex and I therefore see no reason to review the Recycling Centre site rules at this moment in time.’

13. By Councillor Robinson of the Deputy Leader and Cabinet Member for Infrastructure

‘Will the Cabinet Member take steps to ensure that Members can access directly information that they have submitted on highways issues, so that they can track progress and not have to chase officers for updates?’

For example, (1) access a record of requests submitted to Local Highways Panels, which should be acknowledged and allocated reference numbers for this purpose, in the same way as highway maintenance requests, and (2) be able to access a list of highway maintenance requests that they have submitted, with dates of inspections, so as to keep constituents better informed.’

Reply

‘I thank the Member for Chelmsford North for his question on policy regarding highways maintenance requests and local highways panels.

Everybody can access and track issues they have reported using our website. You can even add your email address, in which case you will be sent status updates. We are already considering how we could provide lists of issues in an area, as a future service improvement.

A system to enable online tracking of Local Highways Panel (LHP) schemes is in the process of being developed. The online tracker will show information about the scheme including which stage it is at, and which stages are next. The schemes

database required behind this has been created in the last month, following on from the previous creation for major asset types. Officer training will take place over the next month to familiarise them with the new system and to ensure the database covers the necessary information to be recorded. After these tweaks to the database have been made testing will commence, first with mapping the 19/20 programme for plotting on MapEssex. Further developments will take place over the summer to show this information in the online tracker format and include LHP schemes that are validated but yet to be allocated funding, and then scheme requests.'

14. By Councillor Harris of the Deputy Leader and Cabinet Member for Infrastructure

'Now that the Paxman Academy in Paxman Avenue in my Division (Shrub End Colchester) is nearly finished, could I ask that praise is given to workers on the build, for good local relations on the estate.

More importantly could I ask that my email request is given positive discrimination for some highways works to be done on roads and paths across Shrub End to ensure the new state-of-the-art school is served by decent roads and transport links.

Furthermore, could the Council ensure the new school trains pupils on good cycle use and a route of cycleways pointed out to all staff and pupils in the school transport plan'

Reply

'I thank the Member for Maypole for his question regarding Paxman Academy and cycling.

Paxman Avenue will be part of the Sigma Academy Trust. Your suggestion that the "new school trains pupils on good cycle use and a route of cycleways is pointed out to all staff and pupils in the school transport plan" is a helpful suggestion. While the Council cannot ensure this happens as the school is an Academy, the lead officer for Education will raise this directly with the Chief Executive Officer of the Sigma Trust.

Maintenance of our highway network is necessarily based on a process of risk assessment and repair of the worst defects first. However, if the Member would like to use their position the local highway panel to champion walking and cycling improvement schemes in this specific location, they have the ability to do so.'

15. By Councillor Harris of the Cabinet Member for Education

'With parking becoming a problem at Colchester Abbey Field doctors' surgery, and with poor transport links by bus to and from South Colchester, could serious

discussion take place with community providers to set up a “dial-a-ride hopper bus” on a circuit to get cars off the roads and ease the car parks congestion in the area.

Would you envisage a service like the Clacton Hopper Bus?’

Reply

‘Community Transport schemes are independent organisations offering excellent local services. They are grant funded by the County Council and also receive support from elsewhere. As you know the Clacton Hopper service is run very successfully by Tendring Community Transport. This is a service that Tendring CT introduced themselves some time ago.

I would therefore recommend that Councillor Harris approach Colchester Community Transport direct and open discussions with them on whether a similar service might be possible.’

16. By Councillor Reid of the Deputy Leader and Cabinet Member for Infrastructure

‘There is new technology in Northern Ireland which can recognise when a pothole or defect is going to occur. Therefore, the section of the road can be repaired before the pothole or defect manifests itself into a massive deep or dangerous area.

This project has proved a saving of 30% per defect.

This would be extremely beneficial to both cyclists and car users and would be financially a huge saving to our budget.

Would the Cabinet Member for Highways consider this to be a project that Essex County Council could look into for the future of our highway maintenance budget.’

Reply

‘I thank the Member for Pitsea for her question on policy regarding new technology and the future of highways maintenance.

Essex County Council (ECC) in collaboration with Ringway Jacobs are already undertaking research into ground breaking new technology that will push forward Vehicle Informed Asset Management.

The trial is for a fully automated system to collect data from vehicles already travelling the network, process it to identify specific maintenance issues, flag these to relevant staff and update existing Asset Management Systems. The innovative use of this technology will, over time, improve the effectiveness of our maintenance programmes and reduce the amount of revenue money spent on inspecting ECC’s highways network (which is worth £10 billion).

Previous development of this concept has developed working agreements between Jacobs and their commercial partners to utilise data that already exists ensuring anonymity in all cases.

The objectives for this proposal will be to utilise the already existing data while also capturing additional data to provide a richer data set. This data will continue to be received on a continuous basis as vehicles cover more and more of the network to provide the full picture within Essex. ECC will receive a prototype application that has been configured to enable ECC/Essex Highways staff to isolate specific road assets to obtain the necessary information.

ECC's desire is that, as more connected vehicles travel the network, the data sets become richer and will better inform maintenance issues. With the ability to identify issues either prior to or early on, the ability to intervene early (potentially, with icy roads) should lead to a better network and reduced maintenance costs.'

17. By Councillor Henderson of the Cabinet Member for Children and Families

'In the last four years, what are the changes in the assessment criteria on the provision of support for vulnerable children and families?'

Reply

'There have been no changes in the last four years in the assessment criteria on the provision of support for vulnerable children and families. The Effective Support for Children and Families in Essex document, published by the Essex Safeguarding Children's Board, sets out guidance for everyone working with children and young people and their families in Essex.

The Effective Support document supports professionals to find solutions at an early stage. By placing children and their families at the centre we can prevent problems escalating and ensuring the lowest level of appropriate intervention. This guidance provides a way of working together that ensures we use public money and staff resources more effectively to bring about positive change for children and families.

We always strive to work in partnership with children and their families to identify the most appropriate level of support at the lowest level of intervention.

We provide timely advice, information and guidance to families and professionals to ensure need is met at a community-based level when appropriate.

Our investment in the team around the Family Support Officer roles provides a coaching and mentoring service to professionals who are seeking to build an Early Help Plan to create positive change at the earliest opportunity.

The Family Solutions Service which is funded through the 'Troubled Families' programme and Whole Essex Community Budgets, work with families with multiply complex needs on a voluntary basis preventing escalation to a statutory level. The

focus on early intervention ensures that only children with the highest level of need access specialist statutory intervention from Children's Social Care.

There has been no reduction to front line statutory social work teams and we continue to develop our strengths and relationship-based approach to practice across the whole service.

We were recently judged by Ofsted to be Outstanding for our Children Social Care Service, following inspection in November 2018. This followed an inspection of our Youth Offending Service by HMIP in October 2018, which was also graded as Outstanding.

We are currently the only Local Authority in England who have been judged as Outstanding for both our Youth Offending Service and our Children Social Care Service.'

17. Oral Questions of the Leader, Cabinet Member or the chairman of a committee upon any matter relevant to the business of Council

Members asked questions of the Leader of the Council, Cabinet Members or the chairmen of committees. A recording of the questions is available on the ECC [website via the online audio recording of the meeting.](#)

The questions asked were:

From	To Cabinet Member	Topic
Councillor Guglielmi	Cabinet Member for Health and Adult Social Care	Essex Local Delivery Pilot funding.
Councillor Abbott	Deputy Leader and Cabinet Member for Infrastructure	Highway defect reporting system.
Councillor Abbott	Deputy Leader and Cabinet Member for Infrastructure	Defects in illuminated bollards
Councillor Harris	Deputy Leader and Cabinet Member for Infrastructure	Footway in Berechurch Hall Road, Colchester
Councillor Young	Leader	Advisor to the Essex Pension Fund
Councillor Davis	Deputy Leader and Cabinet Member for Infrastructure	Local Highways Panels
Councillor Buckley	Deputy Leader and Cabinet Member for Infrastructure	Member nominated pothole repair scheme.
Councillor Scordis	Deputy Leader and Cabinet Member for Infrastructure	Streetlight repairs

Councillor Aspinell	Cabinet Member for Waste and Environment	Fly tipping
Councillor Aspinell	Cabinet Deputy Leader and Cabinet Member for Infrastructure	Mobile phone reception
Councillor Beavis	Cabinet Member for Health and Adult Social Care	Health in all matters
Councillor Robinson	Cabinet Member for Customer and Corporate	Libraries consultation
Councillor Robinson	Cabinet Member for Customer and Corporate	Libraries consultation
Councillor Mackrory	Leader	Budget
Councillor Henderson	Leader	Brexit funding from central government.

18. Oral Questions of the representative of the Essex Police, Fire and Crime Panel on any matter of that Panel

There were no questions.

**Chairman
14 May 2019**

Minutes of the Extraordinary meeting of the Full Council, held in the Council Chamber County Hall, Chelmsford, Essex on Tuesday, 12 March 2019

Present:

Chairman: Councillor J G Jowers
Vice-Chairman: Councillor E C Johnson

J Abbott	A Goggin	G Mohindra
J F Aldridge	R J Gooding	Dr R Moore
B Aspinell	I Grundy	J Moran
J Baker	C Guglielmi	M Platt
T Ball	D Harris	C Pond
S Barker	A M Hedley	R Pratt
J Beavis	I Henderson	J M Reeves
K Bentley	J Henry	P Reid
A Brown	S Hillier	S Robinson
M Buckley	P Honeywood	C Sargeant
G Butland	A Jackson	L Scordis
S Canning	D J Kendall	A Sheldon
J Chandler	S Lissimore	K Smith
P Channer	D Louis	C Souter
T Cutmore	M Mackrory	J Spence
A Davies	R A Madden	M Steptoe
J Deakin	M Maddocks	A Turrell
M Durham	B Massey	L Wagland
B Egan	P May	S Walsh
A Erskine	M McEwen	C Weston
D Finch	L McKinlay	C Whitbread
R Gadsby	V Metcalfe	A Wood
M Garnett	R Mitchell	J A Young

Prayers

The meeting was preceded by prayers led by The Right Reverend Hugh Allan O. Praem, the Titular Abbot of Beeleigh and Chaplain to the Chairman of Essex County Council.

Welcome and Introduction

The Chairman of the Council, Councillor Jowers welcomed the members of the public to the meeting and reminded them to ask the question as it had been submitted to the clerk. He invited them thereafter to stay for the remainder of the meeting or leave if they so wished.

The Chairman also reminded all those present that the meeting was held in public and the debate would also be audio broadcast. He added that in a break from the usual practice he had permitted the recording and broadcasting of the public question time.

Public Questions

Speaker 1: The Chairman welcomed Ms Scott, a resident of Wivenhoe, who had submitted a question concerning the disproportionate effects on children and the elderly and the assessment of impact on women. She had asked:

‘My question is in regard to the sections of the population most disadvantaged by the planned closure of the libraries. In your own document you show that children and people over 65 are the ones who will be disproportionately affected by the closures and you offer no mitigation of the impact on those groups. In fact you offer no explanation of what the impact will be on those two groups, beyond the fact that they make up the largest proportion of library users.

43% of library users in Colchester are 19 and under, 23% are over 65. Also you admit that the number of people over 65 years old in Essex will increase by 61% by 2039 and the population will grow by at least 20%, so the damage of this attack on older people will increase.

My question is a personal question. I am not speaking on behalf of a group, but speaking in the many capacities in which I have an interest in the libraries staying open at the level of service currently offered and staffed by professional librarians.

As a woman resident, I am concerned as to how you can ignore the inequality of impact on women compared to men? Women make up the majority of users (by at least 2:1) of Tier 4 libraries such as Prettygate, Tier 3 libraries such as Wivenhoe, and of Tier 2 libraries across Essex. Men are the majority in Tier 1 hub libraries.

As a mother, teacher and grandmother, I am concerned at the fact that children will be deprived of books. It is well researched and documented that learning and the love of reading and studying will be impacted by loss of access to the library spaces, books, librarians and online services.

As a local politician I am concerned that community cohesion, public and social services are to be eroded by the loss of library safe spaces, staffed professionally.

As a volunteer running a social club for older people I am horrified by the loss of access to books, advice, online services and the consequent likely increase in social isolation and loneliness among the elderly. Volunteers will not be able to replace the current opening hours, there is only so much we can do - though we want to add value to the current offer.

So my question is, how will you repair and compensate for the admitted impact and disadvantage caused by library closures on this massive scale, at what cost - direct and indirect - social and educational - for children, women, and older people?’

The Cabinet Member for Customer and Corporate, Councillor Barker, replied that:

‘A key theme that will be repeated today is that the current version of the Future Library Strategy is a draft for consultation. We won’t know the full impacts of the proposed strategy until we’ve analysed the 21,500 responses.

However, an initial draft Equalities Impact Assessment was undertaken before the consultation launched. This is a process designed to ensure that a policy, project or scheme does not discriminate against any disadvantaged or vulnerable people.

Please be assured, before any decision is taken, a more detailed Equalities Impact Assessment will be completed after we have analysed the consultation responses and considered the way forward in terms of detailed proposals. Once we’ve completed the assessment of impact, we will make sure that each potential impact has robust measures.

The mitigations for changes to Tier 3 and Tier 4 libraries could include:
A community run library in conjunction with

- New Outreach Services
- Mobile Library Route changes
- Use of the Home Library Service
- Improving the e-library offer

There have been lots of responses from the Community to run tier 3 & 4 libraries and this additional outreach would be on top of that.

Women are actually the majority of users in all tiers of libraries across Essex, making up approximately 58% of library users. Children under nine account for 23% of active library users; over 60s account for 22% of users.

The strategy is all about modernising the library service to make it relevant for all. It envisages a ‘service without walls,’ with activities such as Rhymetimes, literacy activities or reading groups taking place in village halls, schools, community centres or older people’s settings.

I have been told that the Rhymetime session at Southminster is actually

busier now that it is run in the local school than it was when it was in the library.

Thank you also for your comments on volunteers: initial feedback received is that thousands of people have contacted us to express interest in volunteering to support the library service, which is incredibly encouraging.'

Speaker 2: The Chairman welcomed Ms Miles, a resident of Wivenhoe, who had submitted a question concerning the impact on the education of children with learning difficulties. She had asked:

'I note that the strategy has included no impact assessment on the education of children with learning disabilities or other disabilities, no impact assessment on child reluctant readers and no impact assessment on pre-nursery children and the word gap (the word gap being recently identified by the current government as a significant child literacy/communications problem). The closure of tier 4 libraries and the downgrade of tier 3 libraries will mean there will be no guaranteed easy local access for children or parents to professional librarian guidance on books and no guaranteed relaxed and safe children's reading / book-sharing library space with appropriate books – in 44 communities, if your strategy goes through.

How does Essex County Council intend to guarantee providing replacement services in the relevant towns and villages in order not to have a negative effect on children's literacy and communications skills, and has an impact assessment been made on the indirect costs of failing to ensure good, out-of-school literacy services are provided?'

The Cabinet Member for Customer and Corporate, Councillor Barker, replied that:

'We will continue to deliver Bookstart, which delivers free book packs to all children at age one, three and 4-5. All children are entitled to the packs. Tailored packs for children with Special Educational Needs are also produced, such as braille books for blind children.

We will continue to offer a range of services for children with special educational needs and disabilities. These include sensory facilities, sensory story times and the promotion of volunteering opportunities to develop confidence.

We are also one of the largest authorities delivering the Summer Reading Challenge - an activity that encourages reading over the long summer break. This year's theme is Space Chase – inspired by the 50th anniversary of the moon landing. In 2020, perhaps we will celebrate 100 years since Marconi's first broadcast or 200 years since the Beagle or 400 years since the Mayflower.

The proposed Future Library Strategy also places a strong emphasis on outreach, allowing the library service to engage with a greater number of people of all ages in community settings.

Again, I would like to reassure you, as mentioned in my answer to the previous question, detailed Equality Impact Assessments will also be undertaken once detailed proposals have been drawn up following the analysis of the consultation responses.'

Speaker 3: The Chairman welcomed Mr Marsden-Carleton, a resident of Hullbridge, and Chairman of the Hullbridge Residents Association who had submitted a question concerning library closures. He had asked:

'We respectfully request an urgent review of your decision to highlight Hullbridge library as one of the casualties in your proposed plans. Please consider our information below, before your final deliberation.

We understand the Essex County Council's Futures Report – 2019 to 2024 and thank you for the opportunity to make our Voices heard (90% support from our 7,500 village population) and provide you with the following information.

We present our demographic distribution for 2018 and from 2019 to 2034 showing a sharp increase from what was the norm of 2.5% increase in the censuses up to census 2011. Our population is likely to expand to over 16,000 by 2034, as demonstrated below, an annual population increase of some 580 over a development period of 15 years and equates to an increase of 119%. A population of 8,000+ is generally classified as a "Town" changing the classification of Hullbridge. This change will have profound implications on the Local Government requirements.

The Demographic distribution of our population will increase as follows:

<u>Age</u>	<u>Pop 2018</u>		<u>Pop 2034</u>	<u>%</u>
0 to 16	1132	to	2562	16
17 to 65	4271	to	9289	58
66 to 84+	<u>1886</u>	to	<u>4163</u>	26
	<u>7289</u>		<u>16014</u>	

Any approval of your plans will affect our community of all ages. There is the possibility of expanding the services in accordance with your "Libraries Future Plan" and applaud your perceived ambition to improve the services provided by our libraries to facilitate services for all ages, so we will welcome formal consultation, which will allow the library to flourish in the future, with which many of our residents agree.

The Public Libraries and Museums Act 1964, as amended in 2012 under the Government Bill of 2010 – 2012 stipulates that a Library service to all is a Statutory obligation in England and Wales and we understand the Law.

In the light of the above evidence does the Cabinet Member agree that Hullbridge Library should be reclassified into Tier 1?’

The Cabinet Member for Customer and Corporate, Councillor Barker, replied that:

‘Thank you for applauding our ambition and welcoming the chance to take part in the public consultation.

The statutory duty on all library authorities is to: “provide a comprehensive and efficient library service for all persons desiring to make use thereof”.

The sad fact is that the number of people desiring to make use of libraries in Essex has fallen by a third, down more than 100,000 in the last ten years. Now more than four out of five people in Essex don’t use libraries and book borrowing has more than halved. So we need to change how we deliver the service, to make it relevant and have wider appeal.

Legal guidance, published by the Government’s Libraries Taskforce, is that “comprehensive” cannot mean every resident lives close to a library but that it is accessible to residents using reasonable means, including digital.

The guidance also says an “efficient service must make the best use of the assets available within constraints on resources.”

Coming on to your point about population - population growth isn’t a reliable indicator of future demand for library services. Essex’s population grew significantly in the last 10 years and is forecast to keep growing almost everywhere. But library membership continues to decline.’

Speaker 4: The Chairman welcomed Ms Turner who had submitted a question concerning the Library Consultation, seeking evidence of engaging with core groups. She had asked:

‘In an email to me Cllr Barker stated that ECC “made every effort to engage with core user groups” regarding the consultation.

However, for example, a large residential placement for people with learning disabilities in Manningtree had no idea about the consultation or the easy read copies of the survey. Elderly residents up to this day are still commenting to campaigners that they are unaware of the threat to our libraries and also your consultation. This is only compounded by the fact that libraries did not hold paper copies of the consultation till 15/02 so there was nothing for library staff to share with users when they visited.

Whilst you held “drop ins” at the libraries, these were not widely advertised and appeared to hold little value to the process.

So going back to the point that was emailed to me, could you please explain how you made an effort to engage with core user groups, and what evidence

can you provide to prove to the public that you have reached every demographic of users within the consultation process?’

The Cabinet Member for Customer and Corporate, Councillor Barker, replied that:

‘We aimed to engage with as many groups as possible. We wrote to:

- All active library users,
- the vast majority of groups and organisations that use libraries or have a relationship with the library service,
- the 12 city, district and borough councils,
- all town and parish councils and
- all schools.

Publicity was made available to all these groups to share with their networks. The consultation was advertised in all libraries and was widely covered in all local media, including TV and radio.

Social media posts about the consultation reached 300,000 people. Notices and reminders were sent out in 17 ECC e-bulletins, reaching 128,000 subscribers.

Information drop-ins were held in libraries cross the County. Paper copies, as well as large print and Easy Read were available on request from the start of consultation to anybody who wanted them.

I am sorry the residential placement in Manningtree was unaware of the consultation, but whilst we did not and could not promise to reach everyone, I do believe we made every effort to raise awareness of the consultation, and that the channels available meant that every demographic of users had the opportunity to respond to it.

Analysis of the survey results will include demographic analysis.’

Speaker 5: The Chairman welcomed Mr Hyland, a resident of Chelmsford, who had submitted a question concerning the Library Consultation. He had asked:

‘It seems, to me, incredibly short-sighted of Essex County Council to set out on this path of destruction of Essex Libraries.

I hope the public response to the planned cuts and the library consultation, has provided you with the compelling message, of both the popularity of public libraries and their impact on wider social issues including health and wellbeing, education, poverty, loneliness and digital skills.

I hope, having undertaken this latest public consultation, it has given you a refreshing insight, to the value placed in libraries by residents.

And I hope you are now willing and able, to take this opportunity to change

direction, act in the public interest, use your duty of care to avoid perpetuating this public fear, division and discord, that has sought to set communities against each other to battle for resources.

Essex County Council must stop the Library Services cuts now and budget/move monies from contingency and turn their minds to creating a long-term sustainable funding plan for libraries.

If you thought extra funding was required, on top of the taxes we already pay for these our Library Services, you should consider raising taxes to bring a sustainable outcome, and let residents know at what cost this would be per person/per household in tax increases.

Once again, we see the out of touch Tories at Essex County Council "know the cost of everything and the value of nothing."

So, I would like to ask Essex County Council to provide to me and the residents of Essex a verifiable full cost benefit, and wider impact analysis of options, including to remain as-is?

The Cabinet Member for Customer and Corporate, Councillor Barker, replied that:

'We haven't made any decisions yet and are not going to until we've had a chance to analyse the consultation results and look in more detail at the impacts of our proposals and the opportunities they present.

The strategy we consulted on is about responding to changing demands and providing a library service that meets needs for it and is relevant and fit for the future.

This may include new Libraries in new Communities across the County as our population grows.

More information about the costs and benefits of our proposals and the options will be published to inform the Cabinet meeting in the summer.'

Speaker 6: The Chairman welcomed Ms Mawer, a resident of Thaxted, who had submitted a question concerning the Library Closures. She had asked:

'There is little or no recognition in the ECC library Proposal of the important role libraries can - and should - play in the cultural and creative life of the community. This aspect of personal and social development ranks highly in the 'Ambition for Libraries' document (Department DCMS).

Why is there no vision for libraries being centres for culture, the arts and creativity in Essex? Is it not considered important or is a natural casualty of a proposal that reduces the number of libraries?'

The Cabinet Member for Customer and Corporate, Councillor Barker, replied that:

‘Culture, the arts and creativity will remain part of our core offer. We will continue to support:

- The Essex Book Festival each March, which hosts over 100 events in over 45 venues across the county, including libraries.
- Essex Poetry Festival.
- The Summer Reading Challenge
- Theatre events and artist workshops e.g. Spinning Wheel Theatre is putting on a play at four libraries this month

The library service is also currently developing a bid with cultural partners in the Eastern Region for funding from Arts Council England to create a programme of activity co-produced with young people.

Despite all this, we’d love to hear more ideas from residents like yourself who are passionate about culture, about how we can achieve even more.’

Speaker 7: The Chairman welcomed Mr Robertson, who had submitted a question concerning the apparent lack of diligence relating to the easy read consultation and the offence caused. He had asked:

‘What due diligence was undertaken in relation to the easy read consultation on the changes to the library services and will Essex County Council be attempting to get a full refund of the cost of this consultation given the offensive nature of the material that caused great distress to the transgender community?’

The Cabinet Member for Customer and Corporate, Councillor Barker, replied that:

‘The Easy Read version of the strategy and survey were produced to enable people with learning disabilities to participate in the consultation.

It was produced by Inclusive Communication Essex (ICE), an ECC service which specialises in producing EasyRead materials and advising on how to support people with learning disabilities.

They involved people with learning disabilities throughout the development of the Easyread version to ensure it would be appropriate for the target audience.

All materials produced by the ICE team are in accordance with national government guidance from the Office for Disability Issues, as well as national human rights organisation, CHANGE.

Questions about gender identity were included in both surveys to ensure transgender people were included, not excluded

The image that caused offence came from an organisation called Inspired

Services, who work with people with learning disabilities to produce images for easy read publications.

The image was removed quickly once we were aware it had caused offence and we apologised for any offence caused. I am happy to repeat that apology and I thank those who expressed concern for their feedback.

The easy read survey was used by its target audience so no, at this time, we will not be seeking a refund.'

Speaker 8: The Chairman welcomed Ms Patten, who had submitted a question concerning groups or persons with Special Needs not taken into account. She had asked:

'I am concerned about the threatened closure of two thirds of Essex County Council Libraries.

Most libraries have twelve clubs and activity groups which can meet in the safe environment of the library, along with active library card users withdrawing books or browsing on the computers.

However, a few years ago the library opening hours were halved and the number of books available have been reduced. I know this from being a member of a Book Club. Fifteen members in the Book Club only need ONE ticket (not fifteen tickets) to withdraw fifteen books about once a month. This used to equate to nearly 200 book withdrawals per year. With less books being stocked, the library can now only manage to produce a total of 8 - 10 of the same book per month.

All these types of groups are self-motivated providing the members with social contact, education and entertainment.

Any closures will cause social isolation and depression to young mothers with babies, the elderly and the vulnerable; the unemployed and the disabled. The literacy of children and youth will be badly damaged. This will place more pressure onto the health professionals and the police. The needs of these groups and people with specific needs have not been taken into account when preparing the Strategy.

Why were these groups not included in the strategy for your consultation?

We want a public library service with trained librarians and a community hub provided from our taxes. Amongst other ideas, a coffee/tea/snacks machine could be installed which would produce some revenue for the Council.'

The Cabinet Member for Customer and Corporate, Councillor Barker, replied that:

‘All groups that use libraries, such as book clubs, coding clubs and knit and natter groups were invited to complete the consultation, where we had their contact details

As previously mentioned, the consultation on the Future Library Strategy was extensively advertised and efforts have been made to engage with a wide range of different demographic groups.

It is important to wait and see what the feedback is from these groups and also what the result of the Equality Impact Assessment is before we make any decisions.’

Speaker 9: The Chairman welcomed Dr Tayler, a resident of Thaxted who had submitted a question concerning the impact of the closure of Libraries on safeguarding issues. He had asked:

‘As someone who has been responsible for the care of people who may have safeguarding needs or are experiencing domestic abuse, has the consultation by ECC into libraries given adequate weight to the importance that libraries may offer in issues of safeguarding, and disclosure of domestic abuse, especially in rural communities and would this include the appropriate training of librarians?’

The Cabinet Member for Customer and Corporate, Councillor Barker, replied that:

‘In Thaxted and across the county there are many other community buildings and services where people can seek help and support services can be provided.

Whilst our libraries staff do a fantastic job supporting the community and offering safe spaces they are not trained to support people experiencing domestic abuse.

Our Home Library Service will continue and staff will continue to report any safeguarding issues.

We will continue to grow our outreach service and encourage communities and partners to get involved.’

Speaker 10: The Chairman welcomed Ms Vargas, a representative of SOLE Colchester, the local branch of the Save Our Libraries Essex campaign who had submitted a question concerning population growth. She had asked:

‘Assuming that every tier 3 library in Essex manages to remain open with a service comparable to that provided now, Essex will have on average just one library per 31,000 people, without taking into account the forecast population growth of 20%, compared to the national average of around 1 per 22,000.

If tier 3 close or provide only a minimal service, this could drop to 1 per 49,000, which is almost half the current lowest county provision in England, and to just 1 per 95,000 in Colchester.

What research and/or advice has ECC looked at on minimum or optimal ratios of population per library and their impact on accessibility, usage and sustainability, and was this used to work out and plan a particular level of provision for each area of Essex?’

The Cabinet Member for Customer and Corporate, Councillor Barker, replied that:

‘The national average referred to is based on 2016/17 figures for English county library authorities. Since this information was published we know that other local authorities have reviewed library services and populations have grown and will continue to grow – so this national average is now out of date.

There is no national guidance on minimal or optimal ratios of population per library.

Population growth isn’t a reliable indicator of future demand for library services. Essex’s population grew significantly in the last 10 years, and is forecast to keep growing almost everywhere. But library membership continues to tumble.

The sad fact is that the number of people desiring to make use of libraries in Essex has fallen by a third, down more than 100,000 in the last ten years. Now more than four out of five people in Essex don’t use libraries and book borrowing has more than halved.

We are currently considering the consultation survey response before proposing a final strategy so are unable to provide the library per head of population ratio at the moment.’

Speaker 11: The Chairman welcomed Councillor Caton, Chairman of Stansted Mountfitchet Parish Council, who had submitted a question concerning the new community hub in the village. She asked that:

‘Before contracts were signed by Stansted Mountfitchet Parish Council to build a new Community Hub building in the village, Essex County Council signed a Heads of Agreement to lease part of the building, as the new village Library, at an annual rental of £13,000 and an annual contribution of £7,000 contribution towards the building’s overheads for a ten-year period.

Does the County Council intend to honour this agreement?’

The Cabinet Member for Customer and Corporate, Councillor Barker, replied that:

‘As you are aware, Essex County Council has offered to take a one year lease and cover all costs to relocate Stansted Library into the parish council’s new community hub and Stansted Mountfitchet Parish Council has accepted this.

We hope this can happen by early April.

This is a temporary arrangement as we cannot make a long-term commitment until we know the outcome of the consultation and the shape of the final strategy.

We’ll be happy to continue dialogue once the final strategy is approved.

We had discussed proposed terms but no binding commitment was made before we had to put things on hold for the consultation period.’

Speaker 12: The Chairman welcomed Councillor Edwards, Toddbrook Ward, Harlow District Council, who had submitted a question concerning Health and Wellbeing Policies. He had asked:

‘Have the County Council’s Health and Wellbeing Policies been explicitly taken into account within the Strategy For Libraries and if so how?’

The Cabinet Member for Customer and Corporate, Councillor Barker, replied that:

‘Our ambition is for an inclusive and vibrant 21st century library service supports the shared vision in the Joint Health and Wellbeing Strategy - *We want everybody in Essex to live well together.*

Library services have and will continue to play a key role in enabling people in Essex to live well together...

- providing physical space where people can read, learn and come together for social and health-related activities;
- through outreach activities in communities;
- through continued access to books, reading and materials;
- through its improved digital offering;
- and through better and more frequent join up with other council services or community groups that promote the council’s health and wellbeing priorities.

We acknowledge libraries’ positive impacts on health and wellbeing in the community and fully intend, through the proposed strategy, to further enhance that.’

Speaker 13: The Chairman welcomed Ms Fletcher, a resident of Chelmsford, who had submitted a question concerning children’s education and wellbeing. She had asked:

'I was a Children's Librarian for Essex libraries for a number of years latterly on the Children's Central Team. I passionately believe that books, libraries and reading are essential for children's education, imagination, wellbeing and life prospects.

Research, some of which I was involved in, has proved that Libraries are good social spaces for women with young children; that library visits and taking part in the Summer Reading Challenge support children's literacy, which improves their educational opportunities. Also, libraries are excellent safe social spaces for children and young people as they learn and study.

Does the Cabinet Member agree that many, many children in Essex will in future be deprived of opportunities to read, learn and grow their imaginations, which will affect their future career and job prospects?'

The Cabinet Member for Customer and Corporate, Councillor Barker, replied that:

'No, the strategy is looking to widen the appeal of the library service and make it more accessible and reflective of today's society.

We will continue to provide a comprehensive and efficient library service for the people of Essex, but it is proposed that this will be delivered in a new ways, with a greater emphasis on outreach and new technologies.

The strategy proposes modernising the library service to make it relevant for all age groups. It envisages more activities taking place in village halls, schools, nurseries and community centres, run by both the library service and volunteers, such as Rhymetimes, literacy activities or reading groups.

As previously mentioned, a wide range of cultural activity that promotes children's literacy will continue to be supported and expanded throughout the course of this strategy.'

Councillor Jowers formally opened the meeting

1. Apologies for Absence

Apologies for absence were received on behalf of Councillors Blackwell, Hardware, Lumley and Schmitt.

2. Declarations of Interest

Councillor Pond declared a Code Interest as an Honorary Fellow of the Chartered Institute of Librarians and Information Practitioners.

3. Motion to Council

The future of Essex Libraries

It was moved by Councillor Mackrory and seconded by Councillor Young that

‘Council notes:

The overwhelming public and political opposition, including from MPs, to the closure or reduction in opening hours of any Essex Library.

The total number of signatures on petitions, currently 57,000, which very comfortably exceeds the threshold for debate.

This Council therefore:

calls on the Cabinet to rule out any such closures, and to commit to maintaining all 74 libraries by encouraging their better use as community hubs and to maximise the use of the buildings and sites to generate income for the Library Service.’

It was moved by Councillor Finch and seconded by Councillor Bentley that the motion be amended to read as follows:

‘Council notes:

1. The use of Essex Libraries is changing and that this change is accelerating.
2. That there is an obligation on the administration to ensure that the library service meets the current and future needs of the residents of Essex and represents good value for money for Essex taxpayers.
3. That there have been high levels of public and political engagement, including from MPs, to the consultation on the Essex Future Library Services Strategy. This includes the total number of signatures on petitions, approximately 57,000 and over 21,000 consultation responses.
4. The consultation has only just closed and that it will be some time before the evidence from the consultation is fully analysed and any decision put forward to the Cabinet.

Given the level of interest in this consultation, this Council calls on the Cabinet Member for Corporate and Customer to:

continue to explore the opportunity to use all libraries as community hubs and to maximise the use of the buildings and sites to generate income for the Library Service.’

Ten Members having stood in their places the amendment to the motion was put to a named vote and was **carried** by 50 votes for, 19 against and 2 abstentions.

Those Members voting for the amendment to the motion were Councillors:

Aldridge	Garnett	Metcalfe
Ball	Goggin	Mitchell
Barker	Gooding	Mohindra
Beavis	Grundy	Moore
Bentley	Guglielmi	Moran
Brown	Hedley	Platt
Buckley	Henry	Pratt
Butland	Hillier	Reeves
Canning	Honeywood	Sheldon
Chandler	Jackson	Souter
Channer	Lissimore	Spence
Cutmore	Louis	Steptoe
Durham	Madden	Wagland
Egan	Maddocks	Walsh
Erskine	Massey	Weston
Finch	McEwan	Whitbread
Gadsby	McKinlay	

Those Members voting against the amendment to the motion were Councillors:

Abbott	Kendall	Sargeant
Aspinell	Mackrory	Scordis
Baker	May	Smith
Davies	Pond	Turrell
Deakin	Reid	Wood
Harris	Robinson	Young
Henderson		

Councillors Johnson and Jowers abstained.

The motion as amended having become the substantive motion and ten members having stood in their places it was put to a named vote and was **carried** by 50 votes for, 19 against and 2 abstentions.

Those Members voting for the amendment to the motion were Councillors:

Aldridge	Garnett	Metcalfe
Ball	Goggin	Mitchell
Barker	Gooding	Mohindra
Beavis	Grundy	Moore
Bentley	Guglielmi	Moran
Brown	Hedley	Platt
Buckley	Henry	Pratt
Butland	Hillier	Reeves
Canning	Honeywood	Sheldon
Chandler	Jackson	Souter
Channer	Lissimore	Spence
Cutmore	Louis	Steptoe
Durham	Madden	Wagland
Egan	Maddocks	Walsh
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Baker	May	Smith
Davies	Pond	Turrell
Deakin	Reid	Wood
Harris	Robinson	Young
Henderson		

Councillors Johnson and Jowers abstained.

The meeting ended at 1.02pm.

**Chairman
14 May 2019**

The Chief Executive's Report on Political Proportionality

Review of Political Proportionality

We have been notified that Cllr Jo Beavis no longer a member of the registered Conservative Group on Essex County Council. We have not been notified that Cllr Beavis has joined any other registered Group on Essex County Council. The political composition of the Council is now as follows:

Group	Number of members
Conservative	53
Liberal Democrat	8
Labour	6
Non-aligned group	6
Independent (not in a political group)	2

The annual review of political proportionality has been undertaken in accordance with the statutory political balance rules. The law requires the Council to allocate committee seats to registered political groups in accordance with those rules. The rules are as follows:

1. The majority party must have the most seats on every committee. Where there are co-opted voting members this is a majority of all seats, not just those held by councillors.
2. The total number of ordinary committee seats must be proportionate. Where the Conservative Group has 71% of Council seats it should have 71% of the ordinary committee seats. Overview and Scrutiny Committees and joint committees do not count as 'ordinary committees'.
3. Each individual committee must be as proportionate as possible. Subject to the impact on other groups, a group with 71% of Council seats should have as close to 71% of the seats on each committee as possible.

These rules can sometimes conflict, depending on the number and size of the political groups. If this happens the first rule is the most important, then the second and then the third.

The political balance rules do not always completely determine the balance of each committee. Sometimes the Council unavoidably has some discretion as to how to apply those rules. For example, if there are committees of the same size which must be balanced differently under the rules, there is discretion as to which committee those should be applied to. Any discretion is exercised by full Council.

The changes do not on this occasion result in any changes to the political balance of the Council, which remain as determined in October 2018.

Recommended:

That the political balance and committee seat allocations to registered political groups be unchanged for the 2019/20 year and as shown in Appendix 1.

Essex County Council

Allocation of Seats on Committees as at 14 May 2019

Ordinary Committees (which must be overall proportionate and, individually, as proportionate as possible)					
Committee	Size	Conservative	Lib Dem	Labour	Non-Aligned
Development and Regulation	12	8	2	1	1
Audit, Governance and Standards	10	7	1	1	1
Investment Steering	7	5	0	1	1
Foreign Travel Committee	5	4	1	0	0
Other bodies (which must be individually proportionate)					
Committee	Size	Conservative	Lib Dem	Labour	Non-Aligned
Corporate Policy and Scrutiny	14	10	2	1	1
People and Families Policy and Scrutiny (includes 4 Co-optees)	14 + 4	10	2	1	1
Place and Economic Growth Policy and Scrutiny	14	10	2	1	1
Health Overview Policy and Scrutiny	12	9	1	1	1

Motions

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

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

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

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

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

1 Environment Improvements

Moved by Councillor Mitchell and seconded by Councillor Platt:

'This Council recognises the stance that the Cabinet Member for Environment and Waste has taken in improving the use of renewable energy across the County Council estate and ensuring well maintained country parks which have won national recognition and help improve the health and wellbeing of those that use them. The new role of clean air champion and developing the Green Infrastructure initiative which will achieve long lasting environmental improvements across Essex are also positive moves.

The Administration however is mindful that more must be done to improve air quality and protecting natural resources to help improve the environment for future generations.

Therefore this Council supports and endorses the Administration's work so far and supports the Cabinet Member for Environment and Waste in setting up a cross party group to investigate what further actions this Council can undertake across all its work with District/Borough/City Councils to reduce carbon emissions and promote the Green Infrastructure initiative to help improve the lives of all citizens in Essex.'

2 Hunting

Moved by Councillor Scordis and seconded by Councillor Davies:

‘This Council notes that the hunting of wild animals with dogs is illegal under the terms of the Hunting Act 2004, except where an exemption applies.

This Council therefore calls upon the Cabinet not to allow any future trail hunting and exercising of packs of Fox hounds on Essex County Council land.’

Report title: Scrutiny Activity		Agenda Item 15
Report to: Full Council		
Report author: Cllr Jillian Reeves, Chairman of the Scrutiny Board		
Date: 14 May 2019		For: Discussion
Enquiries to: Katie Smith, Head of Democracy and Transparency (interim) (Statutory Scrutiny Officer) katie.smith@essex.gov.uk or Emma Tombs, Democratic Services Manager emma.tombs@essex.gov.uk		

1. Introduction

- 1.1 This report provides a summary of the scrutiny activity which has taken place from February 2018 to date.
- 1.2 The Council's Policy and Scrutiny Committees have continued to be busy, with a diverse work programme across all four committees, against a backdrop of challenging budget pressures, compounded by uncertainty due to the shifting national political environment.
- 1.3 In addition to the summary below, the Appendix to this report details the key scrutiny activity undertaken, and demonstrates the positive outcomes achieved, aligned to the Organisational Strategy. Rather than detailing the work undertaken by each individual committee, a cross cutting approach has been taken to identify these outcomes, in order to demonstrate the collective delivery that has been achieved.

2. Executive Summary of Activity

Corporate Policy and Scrutiny Committee – Chairman Councillor Mike Mackrory

- 2.1 The Committee has had regular reports and presentations around the financial management of the Council, this includes reviewing the budget before it is presented to Council, the half year reports and the reserves.
- 2.2 A Task and Finish Group was established to review the procurement of the Council's Resourcing services which are currently outsourced, prior to the expiry of the current contract in September 2019. The recommendations arising from this review were well received and have accordingly been considered within the process undertaken.
- 2.3 The Committee has worked jointly with the Place Services and Economic Growth Policy and Scrutiny Committee to undertake a substantial Task and Finish Review of the Ringway Jacobs Contract. Further information about this work is detailed in paragraph 2.12.

Health Overview Policy and Scrutiny Committee – Chairman Councillor Jill Reeves

- 2.4 The Essex, Southend and Thurrock Joint Health and Overview Scrutiny Committee has responded to the public consultation undertaken by the Sustainability and

Transformation Partnership (STP). The Essex and Suffolk Joint Health and Overview Scrutiny Committee has actively engaged with its STP to discuss the final proposals for subsequent consultation.

- 2.5 The Committee has considered the recruitment and retention issues being faced in health and social care. To date discussions have been held with STP representatives, Health Education England, Essex County Council and commissioner and provider representatives, which have focussed on understanding the scale and nature of the challenges being faced.
- 2.6 The HOPSC has discussed current A&E pressures and seasonal planning with both the Ambulance Service and acute hospital trusts in Essex, insisting on operational level personnel attending so that the discussion could be at that level rather than a strategic level.

People and Families Policy and Scrutiny Committee – Chairman Councillor Malcolm Maddocks

- 2.7 In response to a referral from Full Council, the Committee has started to look at the development of a multi-agency strategy to confront drug gangs, knife crime and county lines. To date the Committee has spoken to representatives from the Youth offending Team, Essex Police and the Office of the Police, Fire, Crime Commissioner.
- 2.8 The Committee has started a review of the contract placed with Virgin Care and Barnardo's to provide pre-birth to 19 Health, Wellbeing and Family Support services, including the Healthy Child Programme, Healthy Schools Programme, Family Nurse Partnership and Sure Start Children's Centres. The Committee has also spoken to the sub-contractors under the contract.
- 2.9 The Committee has been reviewing issues around the relationships Essex County Council has with adult social care providers. Additional responsibilities imposed by the Care Act around market management and sustainability means that the quality of those relationships is critically important.

Place Services and Economic Growth Policy Scrutiny Committee – Chairman Councillor Ian Grundy

- 2.10 The Committee conducted a wide-ranging piece of task and finish work looking at air quality. Three sub-groups considered public health and technology, planning, and highways and transportation, engaging with a diverse range of sources from across the public, private and community-voluntary sector. The final report was well received by Cabinet and the recommendations were commended as being informed, constructive, and ambitious.
- 2.11 The Committee conducted a review of the Independent Property Review Commission (IPRC), scrutinising progress since the Commission published its findings in respect of the fire safety of ECC's property portfolio. The Commission outlined 14 wide ranging recommendations, all of which were accepted by the Leader and cabinet and voted through by Full Council in May 2018. As part of the review, members acted as a critical friend, conducting an in depth and informed analysis of progress against these recommendations.

2.12 As referenced in paragraph 2.3 members joint work was undertaken with members of the Corporate Policy and Scrutiny Committee to undertake a joint task and finish review of the Ringway Jacobs/Essex highways contract. The investigation looked specifically at four areas: Perception of highways performance, contract key performance indicators, the quality of repairs conducted by Ringway Jacobs and the supply chain, and benchmarking against similar arrangements in other local authorities. An in-depth report was produced, outlining twenty-two constructive recommendations.

Overview and Scrutiny

Scrutiny Activity
2018/19



Introduction

By Scrutiny Board Chairman, Councillor Jill Reeves



I am pleased to present this report on scrutiny activity at Essex County Council over the last fifteen months. We have changed our approach a little this year, presenting a summary of activity and highlighting three issues from each committee.

There has been some very good work undertaken by my scrutiny colleagues, both in full committee and through task and finish groups. Some of it reflects national concerns such as air quality and drug gangs, knife crime and county lines whilst other work has focused on local issues including the Ringway Jacobs highways contract and the Virgin Care contract. In delivering its services, the Council has to deal with ever increasing complexity. As a result, our scrutiny committees must rise to the challenge and address more cross-cutting issues. This requires greater planning and depth of understanding than ever before.

There are significant issues and cost pressures facing Essex County Council. It is important to remember that scrutiny can be a valuable extra resource in giving issues prominence and transparency whilst also helping to address these corporate challenges through delivering policy change and encouraging further partnership working. It is essential therefore that scrutiny continues to be involved early in the development of policy and has the opportunity to help shape it.

We all work in a political environment, but it is encouraging to see that when it comes to scrutiny we take the 'party political' out of the picture. Scrutiny operates at its best when it is independent and non-partisan and works constructively with decision-makers to drive the improvement in public services that we all want for our constituents.

I am proud of scrutiny's achievements this past fifteen months and would like to thank both officers and the scrutiny Members for their hard work and commitment.



Councillor Jill Reeves
Scrutiny Board Chairman

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Corporate

Policy and Scrutiny Committee

This Committee reviews the overall strategic direction, policies and priorities of the Cabinet and Council including the budget strategy, financial resources, equality and diversity issues, procurement and the Council’s transformation programme.

Full details of the Committee’s work over the period can be found on the Council’s website - [Please click here](#)



“This has been another busy and productive year for the Corporate Policy and Scrutiny Committee. Alongside the more “business as usual” responsibilities of scrutinising the budget and the Council’s financial management processes, the Committee has engaged in task and finish work designed to ensure that the Council’s processes are robust and that high quality services are provided to members of the public, and within the Council.

The first of these reviews related to the procurement of the Council’s human resources contract, which will expire in the Autumn. Clear recommendations were produced from this review, all of which were received positively by the Cabinet Member for Customer and Corporate. The second review was undertaken jointly with the Place Services and Economic Growth Policy and Scrutiny Committee and looked at the Ringway Jacobs contract. Wide ranging recommendations were produced, including setting out a clear process for ongoing scrutiny by establishing a member-led working group to provide continuity of scrutiny input.

My thanks go to the members of the Committee, and the working groups, who have shown a great deal of commitment and enthusiasm in progressing the matters falling within the Committee’s remit”.

Councillor Michael Mackrory – Chairman

Membership

Councillor Michael Mackory (Chairman)	Councillor Ivan Henderson (Vice-Chairman)
Councillor James Abbott	Councillor Jo Beavis
Councillor Malcom Buckley	Councillor Mike Garnett
Councillor Michael Hardware	Councillor Valerie Metcalfe
Councillor John Moran	Councillor Ron Pratt
Councillor Wendy Schmitt	Councillor Andrew Sheldon
Councillor Anne Turrell	Councillor Mike Steptoe

Health Overview

Policy and Scrutiny Committee

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

Full details of the Committee's work over the period can be found on the Council's website - [Please click here](#)



"Over the last year the committee has moved towards scrutinising cross cutting themes and partnership working. To illustrate this, three pieces of work have been highlighted all of which are currently ongoing.

These demonstrate that it has become increasingly difficult to separate health from social care. For example, the recruitment and retention challenge facing the health sector is difficult to separate out from those same challenges in social care.

We have established Joint Health Scrutiny Committees (JHOSCS) with neighbouring authorities (one with Southend and Thurrock and the other with Suffolk) to scrutinise proposals from Sustainability and Transformation Partnerships for geographical areas that do not align with our county council borders. Integrating these committees into our HOPSC governance processes and ensuring our work complemented that of the Joint Committees added greater complexity. The role of the JHOSCs has been to challenge the plans being developed by these partnerships, engagement arrangements, and ensuring that proposed changes are sustainable and reflect best practice. The HOPSC retains a strategic oversight across all three footprints. Partnership working always brings challenges, but I am pleased that the HOPSC has positively engaged with the work of these joint committees.

I would like to thank all my HOPSC members for their commitment over the last year and especially those that have volunteered to also serve on the Joint Committees. In addition, particular thanks go to Councillors Brown and Egan as our lead members on the JHOSCs."

Councillor Jill Reeves – Chairman

Membership

Councillor Jill Reeves
(Chairman)
Councillor Anne Brown

Councillor Ricki Gadsby

Councillor Bob Massey

Councillor Dr Richard Moore

Councillor Stephen Robinson

Councillor Dave Harris
(Vice-Chairman)
Councillor Jenny Chandler

Councillor June Lumley

Councillor Maggie McEwen

Councillor Colin Sargeant

Councillor Beverly Egan
(Vice Chairman)

District Councillors:

Councillor Tony Edwards

Councillor Neil Pudney

Councillor Vic Ranger

Councillor Peter Tattersley

People and Families

Policy and Scrutiny Committee

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

Full details of the Committee's work over the period can be found on the Council's website - [Please click here](#)



"My Committee has a challenging and wide remit which means our proactive work needs to be selective to enable it to be manageable. The last year has seen the committee undertake more detailed scrutiny work than in the previous year. In the activity update that follows three pieces of work have been highlighted, all of which have commenced but require further scrutiny. Reflecting the experience of other committees, the cross-cutting nature of issues has become increasingly apparent with, for example, the drug gangs and county lines issue needing not only discussions with those trying to disrupt the gangs but also officers considered public health, education and safeguarding factors to those at risk and most vulnerable.

One of the other issues highlighted is the relationship the County Council has with its care providers. The financial challenges being faced in providing social care to an ageing population with increasingly complex needs means that the county council's partnership working is critical. My committee has spent time challenging how these relationships are being maintained.

Finally, I would like to thank the members of my committee for their commitment to their work. I am pleased that the Committee is providing a robust challenge on some key issues."

Councillor Malcolm Maddocks - Chairman

Membership

Councillor Malcom Maddocks (Chairman)	Councillor John Baker (Vice-Chairman)
Councillor Jenny Chandler (Vice-Chairman)	Councillor Graham Butland
Councillor Jude Deakin	Councillor Beverley Egan
Councillor Mark Durham	Councillor Jeff Henry
Councillor June Lumley	Councillor Peter May
Councillor Maggie McEwen	Councillor Ron Pratt
Councillor Clive Souter	Councillor Patricia Reid
Richard Carson (Education Rep)	Lee Cromwell (Education Rep)
Marian Uzzell (Education Rep)	

Place Services and Economic Growth Policy and Scrutiny Committee

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

Full details of the Committee's work over the period can be found on the Council's website - [Please click here](#)



"Conducting effective scrutiny will always require us to move beyond simple challenge, working instead as a critical friend to the organisation. As local members we are all ambassadors for our communities, and we are uniquely placed to provide genuine insight. I'm immensely proud of how well members of my committee have drawn upon this expertise, working constructively and positively to really add value to the areas we've looked at.

As always, the wide scope of this committee has allowed us to be ambitious in our scrutiny work. We have engaged with a really diverse range of policy areas. These include nationally important and topical issues such as air quality and devolution, as well local service delivery in areas such as country parks, highways and libraries.

I'm particularly proud of the how we have balanced the work of the full committee with more detailed task and finish reviews. These pieces of work have allowed us to be more reflective in our understanding of scrutiny - working across committees, undertaking site visits and generally engaging with a broader range of stakeholders. This has required a significant commitment from a number of members and I'd like to particularly thank all those who have volunteered for their dedication.

The commitment and enthusiasm of my committee is clearly mirrored in the quality of work we've undertaken and the outcomes we've achieved. We need to ensure that this ambition is matched moving forward, and that we can build on this good work in years to come".

Councillor Ian Grundy – Chairman

Membership

Councillor Ian Grundy
(Chairman)

Councillor Chris Pond (Vice-
Chairman)

Councillor Stephen Hillier
(Vice-Chairman)

Councillor Barry Aspinell

Councillor Tony Ball

Councillor Terry Cutmore

Councillor Andrew Erskine

Councillor Paul Honeywood

Councillor David Kendall

Councillor Bob Massey

Councillor Ron Pratt

Councillor Wendy Schmitt

Councillor Carole Weston

Councillor Julie Young

Transform the Council to Achieve More with Less

Provider relationships

PAFPSC has reviewed issues around the relationships Essex County Council has with adult social care providers. Additional responsibilities imposed by the Care Act around market management and sustainability means that the quality of those relationships is critically important.

Members:



Increased their awareness of the actions being taken to improve relationships; challenged whether there is consistent engagement across sectors and the reasons behind provider aged debt; challenged the extent of the political leadership and executive oversight of the issues and actions being taken and will be reviewing a draft of the refreshed Market Strategy.

The Strategic Highways Contract

Members of both **PSEGPSC** and **CPSC** set out in January 2019 to undertake a joint task and finish review of the contract with Ringway Jacobs under which much of the Council's highways service is delivered. This was established to feed into an upcoming decision on whether or not to extend the contract. Members engaged with a wide range of partners and officers to deliver a comprehensive report, outlining a range of recommendations. These included setting out a clear process for ongoing scrutiny by establishing a member-led working group to provide continuity of scrutiny input.

Members:



Delivered the report to the cabinet member in early May 2019. It is understood that work is taking place to positively engage with the recommendations and provide a response to the committee.

Enable Inclusive Economic Growth

Budget review and financial management

CPSC receives regular reports and presentations on the financial management of the Council, to allow the review of the budget before it is presented to Council. It also undertakes, scrutiny of the half year reports and the reserves.

Members:



Have been an important part of the Council's checks and balance system which provides assurance that the Council's finances are sound and offer value for money, and that robust planning is in place to meet future financial challenges.

Procurement

CPSC established a task and finish group to consider the procurement of the Council's human resources contract, which is due to expire in September 2019. A number of recommendations were developed relating to enhancing the clarity of aims and objectives, use of technology, demonstrating value, contract duration, the tender specification and review of the draft contract by the Committee.

Members:



Produced a range of recommendations that received a positive response from the Cabinet Member for Customer and Corporate, which would be used when shaping the procurement of this specific contract ultimately improving the way the Council recruits its people.

Help Create Great Places to Grow Up, Live and Work

Drug gangs, knife crime and county lines

In response to a referral from Full Council, **PAFPSC** is looking at the development of a multi-agency strategy to confront drug gangs, knife crime and county lines. To date the PAF has spoken to representatives from the Youth offending Team, Essex Police and the Office of the Police, Fire and Crime Commissioner.

Members:



Increased their understanding of the challenge of drug gangs, knife crime and county lines being faced in Essex and some of the structures and partnerships already in place, and those also being developed, to confront the issue; established a task and finish group to continue the review and challenge of the development of the multi-agency strategy, the extent of partnership working and the contribution of prevention and early intervention to minimise the issue.

Recruitment and staffing

HOPSC has been looking at the recruitment and retention issues being faced in health and social care. To date, discussions have been held with STP representatives, Health Education England, Essex County Council and commissioner and provider representatives, which have focused on understanding the scale and nature of the challenges being faced.

Members:



Increased their understanding of the scale of the recruitment and retention challenge in the health and social care sector in Essex and sought assurance that the challenges and issues have been recognised and defined at local, sector and more strategic levels, and that planning is in place to address them.

Air Quality

PSEGPSC members conducted a wide-ranging piece of task and finish work looking at air quality and focused on: public health and technology, planning, and highways and transportation. Throughout the course of this review, members engaged with a diverse range of sources from across the public, private and community-voluntary sector. This included site visits to look at best practice, and engagement with nearby Writtle college to hear evidence around emerging technologies and techniques. The final report was well received by Cabinet and the recommendations were commended as being informed, constructive, and ambitious.



Members:

Submitted the final report to four cabinet members in early March. Positive work is currently taking place to ascertain the feasibility of the recommendations with senior officers before a response is delivered to scrutiny in May 2019.

Independent Property Review Commission (IPRC)

In April 2019, members of **PSEGPSC** conducted a review a year on from the report of the Independent Property Review Commission (IPRC) that considered fire safety following the Grenfell tragedy. The commission had produced 14 wide ranging recommendations, all of which were accepted by the Leader and Cabinet and voted through by Full Council in May 2018. As part of PSEGPSC's review, members engaged with internal ECC officers as a critical friend, conducting an in-depth analysis of progress against these recommendations.



Members:

Considered in detail the original recommendations and the progress that had been achieved and were very satisfied with the progress made against most recommendations. A number of actions were identified, and a follow up exercise has been added to the PSEGPSC work programme for six months' time.

Help People Get the Best Start and Age Well

Seasonal planning

HOPSC has discussed current A&E pressures and seasonal planning with both the Ambulance Service and acute hospital trusts in Essex. The HOPSC were keen to see operational level personnel attending in order to inform these discussions.



Members:

Sought assurances around systemic working arrangements, advance winter planning and review mechanisms, and discharge planning. They have suggested that there was a role and opportunity to deliver more prominent Public Health messages. A follow-up session is scheduled to review the success of the winter pressures planning and Essex County Council have been specifically requested to also attend to discuss its work on admission avoidance.

Virgin Care Pre-Birth to 19 contract

PAFPSC is reviewing the contract placed with Virgin Care and Barnardo's to provide Health, Wellbeing and Family Support services (incorporating previous services such as the Healthy Child Programme, Healthy Schools Programme, Family Nurse Partnership and Sure Start Children's Centres) to the pre-birth to 19 age group. PAFPS has also spoken to the sub-contractors under the contract.

Members:



Increased their understanding of the challenges faced in launching the new service and the new delivery model; considered the effectiveness of the services now being achieved and the arrangements for young adults leaving care, and will be conducting site visits of some of the new Family Hubs ahead of a follow-up session with Virgin Care and Barnardo's.

Responding to STP Consultations

In Mid and South Essex, the Sustainability and Transformation Partnership (the group that brings local health and care providers together to plan the long-term needs of local communities) launched a full public consultation on its proposals for hospital service changes. The JHOSC with Southend and Thurrock held several in-public and private sessions during the consultation period before submitting a formal response to the STP proposals highlighting several issues. **HOPSC** retained a strategic oversight during this time.

Members:



Ensured that both JHOSCs have increased transparency and accountability of the STP proposals, challenged the extent of partnership working and enhanced the opportunity for public engagement. In Mid and South Essex the JHOSC broadly supported the STP in further progressing its proposals and through its recommendations, highlighted the urgent need to develop a Joint Workforce Strategy across all sectors of the health and social care economy, the need to develop a locality based STP Primary Care Strategy and to finalise plans to mitigate the impact of the proposed relocation of certain services on staff, patient, family and carers. In response, the STP committed to continuing to work with the JHOSC in addressing these concerns.

How the Public can get Involved

Attending a meeting

Members of the public are welcome to attend any public meeting of a scrutiny committee or 'task and finish' group. Public meetings are listed on the [online meeting calendar](#).

All scrutiny committees normally allow 15 minutes for public questions at the beginning of each meeting. If you wish to ask a question, let the Chairman or clerk know in plenty of time before the meeting starts. Public meetings are usually audio recorded and streamed live on the internet. The recording can be found embedded within the web page for each individual meeting, accessed via the link above.

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

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

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

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

The Leader's Report of Cabinet Issues

This report is to receive the minutes of the Cabinet meetings held on 26 February and 19 March 2019.

The minutes of the meetings are attached as appendices to this report.

Recommendation

To receive the minutes of the Cabinet meetings held on 26 February and 19 March 2019.

Minutes of a meeting of the Cabinet held in Committee Room 1, County Hall, Chelmsford, CM1 1QH on Tuesday 26 February 2019

Present:

Councillor	Cabinet Member Responsibility
D Madden	Children and Families (Chairman)
S Barker	Customer and Corporate
R Gooding	Education and Skills
L McKinlay	Finance, Commercial and Traded Services
G Mohindra	Economic Development
J Spence	Health and Adult Social Care

Councillors T Ball, M Buckley, J Chandler, M Durham, A Hedley, I Henderson, M Mackrory, C Pond and A Turrell were also present.

1. Election of Chairman for the duration of the meeting

In the absence of the Chairman and Vice-Chairman, and upon the proposal of Cllr S Barker, duly seconded by Cllr J Spence, it was

Resolved:

That Councillor D Madden be elected Chairman for the duration of the meeting.

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

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

1. There had been no changes in membership since the last meeting.
2. Apologies for absence had been received from Councillors D Finch (Leader of the Council), K Bentley (Deputy Leader and Cabinet Member for Infrastructure) and S Walsh (Cabinet Member for Environment and Waste).
3. There were no Declarations of Interest.

3. Minutes: 22 January 2019

The minutes of the meeting held on 22 January 2019 were agreed as a correct record and signed by the Chairman.

4. Questions from the public

None.

5. Fox Free School and Hawthorn Free School (FP/330/01/19)

The Cabinet's agreement was sought to enter into contracts to facilitate the construction of two new free schools in Chelmsford.

The Cabinet Member for Health and Social Care referred to the context in which the schools were being established, commenting that they would form part of a network across the County, reducing the numbers of children with special educational needs and disabilities who had to travel to school outside the County. This would in turn improve their quality of education, enabling them to live full lives. Once completed, this major investment would represent a significant achievement. These remarks were supported by the Cabinet Member for Education.

The significant support across the Council for the proposals referred to in this report (FP/330/01/19) and that following (FP/320/12/18 – minute 6 below refers) was acknowledged.

The following information was provided in response to questions by Councillors Henderson and Mackrory:

- Decisions concerning the appointment of Academy Trusts to run free schools were the responsibility of the Department for Education (DfE). The Beckmead Trust, appointed to run the Fox Free School, was well-regarded.
- The Cabinet Member for Education undertook to liaise with Councillor Mackrory outside the meeting concerning issues relating to the residential accommodation associated with the schools.
- Decisions relating to the inclusion of features specified in Government guidance for local authority new builds would be taken as part of the ongoing detailed design process.
- Despite a number of recent free school failures nationally, the Council was confident that the robust process existing in Essex, together with the significant need for the facilities and their central location, would reduce the risk as far as possible for both schools. They would contribute considerably to what was required, with the expectation that Essex would become one of the top counties in terms of its ability to offer in-county provision to children and young people with special educational needs and disabilities.
- Although there was no legal entitlement for academy governing bodies to include local authority-appointed governors, the Council worked closely with all academies in Essex as part of the ongoing support which it offered. Given the nature of the schools' provision in this case, parents were also likely to have significant involvement.

- Numbers of children identified as having special educational needs and disabilities were increasing, meaning that further investment in this type of provision was likely to be required in future.

Resolved:

1. That the need for increased SEND provision and the DfE's intention to establish two new SEND free schools in Chelmsford, as set out in report FP/330/01/19, be noted.
2. That grant funding of £15.126m be accepted from the DfE for the construction of Fox Free School (£7.578m) and Hawthorn Free School (£7.558m) at the former St Peter's College site via self-delivery by ECC.
3. That the indicative 2020/20 capital programme budget be reduced by £349,000 from £2.407m to £2.058m in line with the DfE grant allocation.
4. That the construction project be procured through a design and build mini competition using the DfE Construction Framework using the evaluation criteria prescribed by the framework (60% quality and 40% price).
5. That authority be delegated to the Head of Infrastructure Delivery to award the contract to the successful bidder or bidders, when he is content that the following conditions have been met for both proposals:
 - Satisfactory planning permission has been granted
 - The construction costs are within the agreed budget and represent value for money
 - A funding agreement with the DfE is in place.

6. Proposed Chatten Free School, Witham (FP/320/12/18)

The Cabinet's agreement was sought to self-deliver the construction of the Chatten Free School, noting that the DfE would provide a capital grant of £7.686m to meet the full cost of construction and that the construction project would be procured via the DfE Construction Framework. Agreement was also sought to amend the indicative 2020/21 capital programme budget to reflect the DfE grant allocation from £2.477m to £2.621m, thereby bringing the total capital cost of the project to £7.686m in line with the DfE grants.

The Cabinet Member for Education responded as follows to questions by Councillors Henderson, Mackrory and Pond:

- Although the location of the school would result in some loss of outdoor space for the adjacent New Rickstones Academy (whilst still providing sufficient for their purposes), it would also offer benefits, for example in terms of sharing professional expertise to the advantage of pupils with autism who were being educated in a mainstream environment.
- Growing numbers of children were being diagnosed with autism. The increase in dedicated provision within the County would not only augment the level of expertise within the schools themselves, but also improve access to support for mainstream schools with children with autism on roll.
- A 125-year lease of the land on which the school was situated would be entered into with the Multi Academy Trust (MAT) once construction had been completed. The organisational structure supporting the MAT was sufficiently robust.

Resolved:

1. That the need for increased SEND provision and the DfE's intention to establish a SEND free school in Essex be noted.
 2. That grant funding of £7.686m be accepted from the DfE for the construction of Chatten Free School, Witham via self-delivery by ECC.
 3. That the 2020/21 capital programme budget be amended to reflect the DfE grant allocation from £2.477m to £2.621m. This addition brings the total capital cost of the project to £7.686m in line with the DfE grant.
 4. That the construction project be procured through a design and build mini competition using the DfE Construction Framework.
 5. That authority be delegated to the Head of Infrastructure Delivery to award the contact to the successful bidder, when he is content that the following conditions have been met:
 - Satisfactory planning permission has been granted
 - The construction costs are within the agreed budget and represent value for money
 - A funding agreement has been signed with the Education and Skills Funding Agency
 - ECC has control of the site and any lease has been surrendered.
- 7. Education and Community Travel Contract Extensions and Awards 2019 (FP/305/11/18)**

The Cabinet's approval was sought to the extension and procurement of education transport contracts, including the provision of travel allowance,

hired transport and public transport tickets, which are due to expire in July 2019, totalling £25.460m. Agreement was also sought for action to ensure that suitable transport arrangements are in place for September 2019 onwards, to fulfil the Council's statutory and policy-based obligations to provide transport to school for children meeting the eligibility criteria.

The Cabinet Member for Education provided responses as follows to questions by Councillors Mackrory, Pond and Turrell:

- The performance and cost of contractors were under constant review and would be taken into account in reaching decisions on suitability for contract extension. The Cabinet Member undertook to reply to Cllr Mackrory outside the meeting regarding the issue he had raised concerning a particular contractor.
- Contractors were not obliged to accept the extension of a contract if offered. If they elected not to do so, the contract would be retendered in time to assure continuity of provision in line with the Council's statutory duty.
- It was sensible to extend contracts for as long as the contractors concerned were able to offer an effective package and high-performance with no cost increase. Negotiations would proceed on the basis identified within the report.

Resolved:

1. That the Director, Highways and Transportation, be authorised to extend for one year any education transport contracts which expire in July 2019 where extension is permitted under the terms of the contract and where he considers this to be in the Council's best interests.
2. That the Director, Highways and Transportation, be authorised to procure new contracts via the Council's existing dynamic purchasing system where extension as per as per Resolution 2 above is not permitted or where extension if not considered to be in the Council's best interests. Any such new contract is to be for a period determined by the Director, Highways and Transportation initially for a maximum of three years, where relevant, on terms which give the Council the right to extend for up to a further three years.

8. Decisions taken by or in consultation with Cabinet Members (FP/366/01/19)

The report of decisions taken by or in consultation with Cabinet Members since the last meeting of the Cabinet was noted.

9. Date of Next Meeting

It was noted that the next meeting of the Cabinet would take place on Tuesday 19 March 2019 at 10.00am in Committee Room 1 at County Hall, Chelmsford.

There being no further business, the meeting closed at 10:26am.

**Chairman
19 March 2019**

Minutes of a meeting of the Cabinet held in Committee Room 1, County Hall, Chelmsford, CM1 1QH on Tuesday 19 March 2019

Present:

Councillor	Cabinet Member Responsibility
D Finch	Leader of the Council (Chairman)
K Bentley	Deputy Leader and Cabinet Member for Infrastructure
S Barker	Customer and Corporate
R Gooding	Education and Skills
L McKinlay	Finance, Commercial and Traded Services
J Spence	Health and Adult Social Care
S Walsh	Environment and Waste

Councillor A Turrell was also present.

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

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

1. There had been no changes in membership since the last meeting.
2. Apologies for absence had been received from Councillors D Madden (Cabinet Member for Children and Families) and G Mohindra (Cabinet Member for Economic Development)
3. There were no Declarations of Interest.

2. Minutes: 26 February 2019

The minutes of the meeting held on 26 February 2019 were agreed as a correct record and signed by the Chairman, subject to replacement of the word 'no' by 'not' in the second line of the second bullet point of Minute 7 (Education and Community Travel Contract Extensions and Awards 2019), such that this would now read 'If they elected not to do so...'.

3. Questions from the public

None.

4. Interim Arrangements for Better Care Fund (FP/390/03/19)

The Cabinet's agreement was sought for interim arrangements for management of the Essex Better Care Fund (BCF) Pooled Funds between the end of the existing Plan / Section 75 Arrangements on 31 March 2019 and the establishment of the new 2019/20 BCF Plan once the national planning guidance has been published.

The following information was provided in response to questions by Councillors Mackrory and Pond:

- Although no indication as to a likely date had been given, all parties were pressing for early publication of the national planning guidance.
- The term 'Protection of Social Care' in the Schedule of Invoice Payments on the third page of the report referred to funding received from the Government ringfenced for the top-up of social care budgets.
- With regard to paragraph 5.2.5 of the report, the Cabinet Member for Health and Adult Social Care clarified that the Responsible Officer of each Clinical Commissioning Group (CCG) was required to submit a letter of assurance indicating commitment to the continuation of the proposed interim arrangements on the current terms pending the agreement of a new plan and agreements. To date, three of the required five letters had been received.

Resolved:

That, subject to the receipt of letters of assurance from the Responsible Officer from each of the five Clinical Commissioning Groups operating within Essex:

1. The Council can extend section 75 agreements for up to a year and continue to raise purchase orders valued at around £7.9million per month for making payments to NHS-commissioned providers of Better Care Fund (BCF) services on behalf of the Essex Clinical Commissioning Groups (CCGs), on the basis that letters of assurance have been signed by CCGs to allow providers to be paid on time and to confirm that CCG BCF contributions to social care will continue to flow. All agreements to be on the same terms as the current arrangements.
2. Cabinet will receive a future report for approval on the 2019/20 Better Care Fund Plan, once the national guidance has been published and the details of the Plan have been negotiated and agreed with CCGs.

5. Residual Waste Disposal Award of Service Orders (FP/315/12/18)

(Information contained within a confidential appendix was taken into account in reaching a decision on this issue – minute 9 below refers.)

The Cabinet's approval was sought to award service order extensions of 12 months to all active framework providers pursuant to the Medium-Term Residual Waste Framework Agreement (0538) for the disposal for residual waste.

The Cabinet Member for Environment and Waste responded as follows to questions by Councillors Henderson, Pond and Mackrory:

- The decision to seek extension of the Service Orders had no connection with other ongoing issues in relation to waste disposal.
- The Council had received some income from energy generation at closed landfill sites.
- Lot 1 of the Service Orders related to the Council's method of disposing of Refuse Derived Fuel (RDF) and would always be required (Business as Usual). The other lots (2-5) related to contingency arrangements.
- A written response would be provided to Councillor Mackrory clarifying whether the Service Orders had been fully operational for 12 months, the evidence available to demonstrate that the Orders represented good value for money and whether any waste sent to landfill had been subject to landfill tax.

Resolved:

1. That the current service orders with six framework providers, totalling a value of up to £21.53 million, be extended for the period 1 April 2019 – 31 March 2020 in accordance with the Medium-Term Residual Framework (0538).
2. To note that the actual spend under each order will be determined by officers using delegated powers as set out in paragraphs 3.5 – 3.7 of report FP/315/12/18, to deliver optimum value for money. Total expenditure will be dependent on waste tonnage arisings over the term and the need to call on the contingency arrangements available via this framework.

6. Decisions taken by or in consultation with Cabinet Members (FP/361/02/19)

The report of decisions taken by or in consultation with Cabinet Members since the last meeting of the Cabinet was noted.

7. Date of Next Meeting

It was noted that the next meeting of the Cabinet would take place on Tuesday 16 April 2019 at 10.00am in Committee Room 1 at County Hall, Chelmsford.

8. Exclusion of the Press and Public**Resolved:**

That the press and public be excluded from the meeting during consideration of the remaining item of business on the grounds that it involves the likely disclosure of exempt information as specified in paragraph 3 of Schedule 12A

of the Local Government Act 1972 – information relating to the financial or business affairs of any particular person).

9. Confidential Appendix: Residual Waste Disposal Award of Service Orders (FP/315/12//18)
(Press and public excluded)

The Cabinet noted the Confidential Appendix to report FP/315/12/18 which contained information exempt from publication referred to in that report and in decisions taken earlier in the meeting (minute 5 above refers).

A full record of the discussion, including responses given by the Cabinet Member for Environment and Waste to questions raised by Councillors Pond, Mackrory and Henderson, is included in a confidential appendix to the minutes of the meeting.

There being no further business, the meeting closed at 10:15am.

Chairman
21 May 2019

Council Issues

1. Amendments to the Constitution

a) Scheme of Allowances for payment of Dependent Carer's Allowances

The current Members' Allowance Scheme as detailed in Appendix 2 of the Constitution was approved by Council on 13 October 2015 following the Recommendations of the Independent Remuneration Panel (IRP).

Currently, the Scheme, as shown in Appendix 2 of the Constitution includes a provision:

'Dependent Carer's Allowances

Members with care responsibilities in respect of dependent children under 16...will be reimbursed, on production of valid receipts, for actual payments to a carer while the Member is on Approved Duties.'

The following rates will be paid in respect of Care:

Childcare	£6 per hour per child'
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This rate has been in place since at least 2011. When our scheme of allowances was reviewed in 2015, the £6 figure was left unchanged. The relevant part of the report of the Independent Remuneration Panel stated:

The Dependants Carers Allowance (DCA)

129. *No representation was received suggesting that the reimbursements and levels claimable under the Dependants' Carers' Allowances needed revising.*

130. ***The Panel recommends that the current scope and level of reimbursements paid under the Dependants Carers Allowance is unaltered.***

The rate is now significantly lower than that which is paid by other local authorities.

The London authorities Independent Remuneration Panel recommends that London authorities use a rate of £10.55 per hour which is the discretionary London Living Wage. The Herts CC rate is the statutory National Living Wage for 2018/19. The National Living Wage from April 2019 is £8.21 per hour.

ECC's rate of £6 per child per hour was broadly in line with the minimum wage in 2011 and therefore seems likely to have been in line with other authorities in that time. If we increased the ECC allowance from £6 to the current statutory minimum wage for over 25s (the National Living Wage) of

£8.21 we would still pay lower than many authorities, but we would catch up with the increase in minimum wage since 2012. This would mean that childcare costs were less of an issue for potential councillors with child care needs.

Recommendation:

That the Members' Allowance Scheme in the Constitution be amended with effect from 1 May 2019 so that the maximum rate for dependent carers allowance payable for childcare per child per hour which is currently £6.00 be amended to £8.21.

b) Broadcasting of Public Questions

At present public questions at full council are not routinely broadcast as they are taken outside of the formal meeting. However, at the extraordinary meeting of Council on 12 March 2019 the Chairman permitted the broadcasting of the public questions and this did not seem to cause any difficulties.

Having considered the matter at its meeting on 9 April 2019, the Constitutional Working Group agreed to recommend to Council that public questions should become part of the business of the meeting and so be broadcast.

Recommendation:

That with effect from the close of this meeting the following amendments to the constitution take effect:

- a) paragraph 16.7.1 'Order of business at Ordinary meetings of the Council' be amended by the insertion of a new sub-paragraph (iv):

 '(iv) to deal with questions from members of the public in accordance with paragraph 16.12.9;'

and subsequent sub-paragraphs be renumbered.

- b) Paragraph 16.7.2 'Order of business at the Annual Meetings' be amended by the insertion of a new sub-paragraph (ii):

 '(ii) to deal with questions from members of the public in accordance with paragraph 16.12.9;'

and subsequent sub-paragraphs be renumbered.

- c) By the amendment of paragraph 16.12.9 sub-paragraph (i) of the constitution which currently reads:

- ‘(i) ‘Before the beginning of every meeting of the Full Council there shall be a period of up to 30 minutes to enable members of the public to ask questions.’

To read:

- ‘(i) ‘At every meeting of the Full Council there shall be a period of up to 30 minutes to enable members of the public to ask questions of which notice has been given in accordance with 16.12.9.’

c) Part 26 - Appendix 3, List of Approved Bodies

Appendix 3 of part 26 of the Constitution is a list of Approved Bodies. Members appointed as County Council representatives to Approved Bodies may claim expenses from the Council for attending meetings if they do not receive payment from any other organisation.

- The recently formed Hadleigh Country Park Forum will be seeking a representative from the council.
- The Epping Forest Locality Panel has been disbanded.

Recommendation:

- a) That the list of Approved Bodies in Appendix 3 of Part 26 of the Constitution be amended to include the newly formed Hadleigh Country Park Forum and remove Epping Forest Locality Panel.
- b) The numbering of the alphabetical list of Approved Bodies as shown in Appendix 3 of part 26 of the Constitution to be amended to take account of the changes.

3. Dates of Council

Recommendation:

That it be agreed that the meetings of the Council will be held on Tuesdays at 10am on:

9 July, 8 October and 10 December 2019;
11 February, 12 May, 14 July, 13 October and 8 December 2020.