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# ESSEX COUNTY COUNCIL MEETING

## 6 December 2016

### Answers to Written Questions

#### Agenda Item 11

**1. By Councillor Danvers of the Cabinet Member for Education and Lifelong Learning**

‘Could the Portfolio Holder make a statement about the Government’s withdrawal of grants for the finance of maintenance of local authority controlled schools and how the authority will address the £4m plus gap in funding that will result in the withdrawal of this Government funding. What representations have been made to Government about this?’

#### **Reply**

‘As from 1 September 2017 the Education Services Grant (ESG) will reduce from £10.6m per financial year to £3m. The impact of this on the 17/18 financial year is an in-year reduction of £3.2m.

The ESG provides funding for a range of statutory responsibilities including school improvement, education welfare services, finance, health and safety, premature retirement costs and national curriculum assessment.

A full review of services impacted by the reduction is currently underway, including establishing a School-led Improvement System in partnership with schools to develop a different school improvement model in Essex. No final decisions have been taken, these are due to be presented to the Delivery Board in March 2017. A letter was sent to the Rt Hon Justine Greening MP on 18 November requesting a review of the planned reduction following her announcement that the planned education reform legalisation would not be going forward at this time.’

**2. By Councillor Danvers of the Cabinet Member for Education and Lifelong Learning**

‘Would the Portfolio Holder for education please explain the plans and timetable for developing a primary school in New Hall, Harlow.’

**Reply**

‘ECC are planning to build a 420-place primary school and a 56-place early years nursery on the Newhall development in Harlow. The pre-planning public consultation closed on 18 November. The first intake of pupils is planned for September 2018.’

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

‘The new signage on the Chelmer Viaduct was put in place with directions to the Town Centre rather than the City Centre.

Please advise how much this mistake has cost the Essex taxpayers.’

**Reply**

‘As the Member is already aware following her Members Enquiry in September, this was a genuine human error caused in part by the number of years that this huge and complex project took to complete and we have apologised for this mistake. The change in Chelmsford’s status from town to city happened after the sign had been approved and before construction started on site, and was therefore overlooked in the gestation period.

The signs will be simply plated at minimal cost to the taxpayer.’

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

‘When will this Council look to install glow in the dark solar powered cycle lanes, for the benefit of our residents and visitors?’

These cycle lanes are already very popular in Poland and the Netherlands.’

**Reply**

‘Thank you for your question. As you will be aware, the County Council recently approved a new Cycling Strategy for Essex. Within the strategy there are a number of elements that we will be pursuing, one of these includes revising our guide to good practice in planning and design. This would allow the opportunity to look at the type of illuminated markings which you describe.

It is worth noting that we have already implemented some away-from-carriageway cycle tracks with illuminated edge of track lighting in Highwoods Country Park, so we have some experience already in Essex. This will assist in determining whether these measures are generally appreciated by users, and importantly are robust and reliable enough to introduce without imposing too much of an ongoing maintenance liability.’

**5. By Councillor Mackrory of the Cabinet Member for Finance, Traded Services, Housing and Planning**

‘Would the Cabinet Member give the Council an interim update on the trading position of Essex Cares (ECL).’

**Reply provided by the Leader of the Council in the absence of the Cabinet Member**

‘Going into this financial year a new ECL management team was put in place which has already delivered significant operational and financial improvements. Corporate Overheads have been significantly reduced (32%) and as at October, ECL is forecast to be in a break-even position by the year end.

A refocus on delivering savings for ECC and to help shape key markets is already bringing benefits to both organisations. Current plans are being explored for 2017/18 and opportunities for delivering savings with our social care services.’

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

‘Please could you tell me what practical and financial help Essex County Council is giving to the City, Borough and District Councils to deal with the increase in fly tipping that is now happening on a daily basis across the County? What steps have been put in place by the County Council to measure the impact that the recently introduced policy on trade waste is having on fly tipping?’

**Reply**

‘The fly-tipping which has recently made the news is as a result of organised criminal activity and is not connected to the recent operational changes at the Recycling Centres. These large scale fly-tips are commercial or industrial in origin and appear to be predominantly coming into Essex from London. The scale and frequency of such fly-tips has been increasing for a number of years as operators attempt to avoid waste disposal costs by illegally disposing of waste on public and private land. The Essex Waste Partnership is working towards a coordinated response to tackle this in partnership with Essex Police, the Environment Agency and landowners.

Whilst all the evidence from other local authorities indicates that recycling centre changes of the nature introduced in Essex do not lead to increased fly-tipping, I have assured the City, Borough and District Councils in advance that Essex County Council would cover any additional costs associated with the clearance of fly-tips directly resulting from these changes. It is important to note that Essex County Council as the waste disposal authority already meets all the costs associated with the disposal of fly-tipped waste on public land.

Fly-tipping incidents are collected and reported by all City, Borough and District Councils and these will be analysed as part of any future approach to tackle this issue. To date we have not been advised by the City, Borough and District Councils of any reports of increase in domestic fly-tipping since the changes came into effect.’

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

‘Please could you tell me what steps Essex County Council is taking to find the funding for the much needed solid island roundabout at the Devil’s Head crossroads in Warley? How much longer will my residents have to wait before action is taken to make this dangerous junction safer for all that use it?’

**Reply**

‘The scheme at Devil’s Head Junction given its estimated value has been referred to the Major Schemes Process. As such the scheme will need to adhere to the process used for all other major schemes costing more than £500,000.

It will be the area transportation board’s decision whether to progress the scheme through the development pipeline or for work to be halted. If the decision is to proceed, design work can then progress the scheme and associated business case to a state of readiness where funding can be applied for, such as through the Local Enterprise Partnership.’

**8. By Councillor Smith of the Cabinet Member for Finance, Traded Services, Housing and Planning**

‘With regards to reference FP/648/11/16 of the Forward Plan (“To provide ECC comments on Basildon BC’s Local Plan Consultation on New and Alternative Sites Nov 2016”): Will the Cabinet Member meet with the nine elected members that cover the Borough of Basildon to consider and discuss the County Council’s view/position on the draft Local Plan for the Borough of Basildon?’

**Reply**

‘Following receipt of this question all elected County Council members who represent a Division in Basildon Borough have been invited to a meeting during the week commencing 5 December to discuss Essex County Council’s response to the consultation.’

**9. By Councillor Smith of the Cabinet Member for Finance, Traded Services, Housing and Planning**

‘As Essex County Council is in full support of the 725-home Westley Green development of Dry Street, what safeguards are in place to protect the historic cottages at the give-way point in Dry Street from the rapidly increasing number of cars and building supply vehicles using this route as a rat run?’

**Reply**

‘There are considerable improvements to the highway network in the vicinity of the proposed Dry street residential development. It is proposed that the priority of Dry Street is altered to provide access direct to the new development. Dry Street to the west of the site then forms part of the minor arm of the junction. This layout is designed to discourage through traffic and subsequent impact on local residences as well as forming a part of wider speed restraint measures.

In addition, a new footway is provided along Dry Street to the junction of Nethermayne to facilitate pedestrian movement. The priority junction of Dry Street and Nethermayne is also upgraded with the provision of a new signalised layout.

Building supply vehicles are a temporary presence during the planned construction phase and are controlled by a construction management plan.’

**10. By Councillor Higgins of the Cabinet Member for Highways and Transport**

‘Two bridges in my Division have had "temporary" fencing placed on them; the bridge at the junction of Ipswich Road/Cowdray Avenue and the Bridge at East Bridge.

Please can the portfolio holder tell me when these bridges will be repaired? The first one has had "temporary" fencing for many years. Surely the bridge should be repaired before any works are done to the nearby junction?

The second bridge has had the "temporary" fencing for only a few months. In this case it is unsightly and harms the setting of the bridge and surrounding area.

I note that SELEP has provided money for other road schemes in

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Colchester. Will the Portfolio Holder be applying to them to get the capital funding required to fix these two bridges?’

### **Reply**

‘I thank the member for Colchester for her question regarding two bridges in Colchester. Both bridges have been assessed as being structurally weak and the barriers are there to keep the weight of traffic away from the bridge parapets and protect the bridge and those that use it.

### **Cowdray Bridge (Ipswich Road/ Cowdray Avenue). ECC Bridge number 1379**

During the road improvement scheme on Cowdray Avenue, the opportunity for a detailed inspection of the structure will be taken, so a formal options study for the bridge can be started. Once this is complete, a formal business case will be made. As this will be a major scheme, it is likely that opportunities for alternative funding streams will be sought. In the meantime, the structure will continue to be monitored closely.

### **East Bridge. ECC Bridge number 1411**

Barriers were erected at East Bridge to prevent vehicles from overloading the edge of the bridge where there is a structural weakness. An options study is currently being undertaken to understand the engineering options available which might allow the barriers to be removed. Until the options study work is completed and we understand the detailed design requirements, the extent and cost of work required, we cannot commit to any likely construction dates or required budget.’

### **11. By Councillor Aspinell of the Cabinet Member for Highways and Transport**

‘In reply to a question at Council by Councillor Pond, Members were informed that we would be provided with a list of how many street lights had been left unrepaired for more than a year. Why have we not been provided with this information and how many street lights are there that are still awaiting repair? In my Division I have one street light that has been left untouched for 3 years 3 months, which is not acceptable.’

### **Reply**

‘There are 266 lights across the county which have been out for more than a year. This is 0.002% of the 127,772 lights that we are responsible for. I am

pleased to confirm that a significant proportion of these will be picked up through the LED replacement programme, early in the new year.

Additionally, I am pleased to report that the street light column that you refer to in your division is scheduled to be replaced this month.

As always, I encourage members to use the new report-it tool which now contains more information on all reported defects and their status.'

**12. By Councillor Whitehouse of the Leader of the Council**

'What resources has the Council expended in relation to the so far inconclusive devolution proposals?'

**Reply**

'The work undertaken by the Council in regards to devolution has largely been undertaken using existing resources. The Director of Greater Essex Devolution is a time-limited funded post that has worked on a wide range of projects facilitating closer working with partners separate to a devolution deal.'

**13. By Councillor Goggin of the Cabinet Member for Education and Lifelong Learning**

'I must start my question with a declaration that as a current Governor of Market Field School for children with special needs - I have an interest.

With Essex County Council having just completed a multi-million pound rebuild of Market Field, I am aware of the complexity of the finances. I am also aware of the fantastic improvement to the school for the benefit of our pupils, teachers and general community alike.

In terms of value can I ask the portfolio-holder what measures are in place to ensure that as any big or small expenditure takes place that it is monitored to ensure that the works have been completed in a fit and safe manner, in line with original quotations, and representing value for money for our residents and ratepayers?'

**Reply**

'The new buildings cater for 200 children aged from four to 16 – including 60 places for those with autism.

There are a number of mechanisms that ECC puts in place to ensure

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construction works have been completed in a fit and safe manner, in line with original quotations, and representing value for money for our residents and ratepayers. These are:

- Using a project delivery approach that is in line with national best practice and Central Government recommendations.
- ECC-employed Quality Inspectors (QI) that are highly skilled and trained in all specific areas of construction. The QIs regularly visit all construction sites to inspect works and ensure that safe practices are being undertaken in line with relevant regulations and best practice. The QIs also monitor works to ensure that they are being delivered in accordance with ECC specifications and requirements.
- All construction projects are competitively tendered through an ECC-managed construction framework of quality vetted contractors.
- ECC-employed Quantity Surveyors that review all project accounts to ensure proper financial control.
- The use of industry-recognised and qualified independent Project Managers that manage and administer the NEC construction contract to ensure proper controls are in place and that works are managed effectively.

These measures, when combined create very strong and intelligent client skills that mean Members can be assured that projects are effectively managed, controlled and represent value for money. Recent recognition of this has been achieved by a number of projects winning national awards for the quality of the project management and processes utilised by ECC.'

**14. Cllr Dave Harris of the Cabinet Member for Environment and Waste**

'What are we doing to insulate workers at waste sites suffering from abuse for following guidelines? How much do current security measures cost, and does the Cabinet Member feel that they adequately support workers?'

**Reply**

'The core element of recent changes to recycling centre operations is a re-launch of rules which have always existed: that sites are purely for household waste and are not for use by businesses. The published site rules were devised in partnership with Veolia, who operates the sites and employs the site teams, to better tackle the issue of businesses illegally using the sites and to relieve the operational burden on the more constrained sites. Veolia put forward the approach to managing the new rules and safe systems of work for their staff. All incidents on sites which affect staff safety are logged and investigated, and appropriate action taken.

ECC officers have regularly been on site over the first few weeks of

implementation speaking with visitors and supporting Veolia staff during the inevitable period of adjustment as people become used to the new arrangements. Our recycling centres also currently benefit from a team of additional support staff at the gate. They are not security guards, but perform a customer service role and enable more customers to be spoken to about the site policies upon arrival, in order to minimise queuing. These operatives come at no additional cost to the Council.

Abuse of staff for following guidelines is not a regular occurrence, there are however a tiny minority of users who feel it is acceptable to behave aggressively towards those carrying out a valuable statutory duty. Since 31 October the majority of incidents logged concern issues with small business operators who feel that bullying and intimidation are an acceptable response to preventing them from illegally disposing of their waste. These incidents are being investigated and cases will be passed to the Police as appropriate.'

**15. By Councillor Henderson of the Leader.**

'Can the Leader confirm the procedure regarding accepting amendments, and assure members that it will be followed in future, ensuring that time is given to debate motions properly?'

**Reply**

'The procedure for amendments is as set out in *The Constitution*. As you know, your Chairman has the authority to make rulings as to how the Constitution is to be interpreted and to regulate the meeting in a practical common sense way. If any member has any concerns about how the Constitution is being interpreted or whether it is being followed then they should immediately raise a point of order which can be considered at the time.

Outside the meeting you can get advice on the Constitution from the Chairman or the Monitoring Officer. It can often be helpful to raise procedural matters in advance of the meeting.'

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**16. By Councillor Clempner of the Cabinet Member for Adults and Children.**

‘What plans has the administration got to increase social care charges, and by how much?’

**Reply**

‘Annual uplift of charges

Every year I review the charged costs for non-residential social care services in the light of the actual costs to the Council of providing those services. For 2017/18, this work has not yet been completed, and is planned to be added to the Council’s Forward Plan in mid-December, with a decision being considered in mid or late January 2017.

Specific changes to charging

The Cabinet will be considering some specific changes to charging at its meeting on 13 December 2016. The report will have been published on 5 December in advance of this meeting, and I refer to the information contained therein for what is proposed.

A public consultation was held during October-November on two proposed changes to charging, and a report completed. This report is also provided with the proposal to Cabinet. Proposed changes to charging have taken into account the results of the consultation.

In summary, the proposed changes in this report are planned to net the Council an additional £4.2m pa from April 2017, and include initiatives relating to:

- Expenses allowed against a service user’s income as part of the financial assessment
- Inclusion of the capital value of additional property ownership (additional to the service user’s own home) for domiciliary service users
- Charging services users for the care they receive from when care starts, not when financial assessments are fully in place
- Reduction in the maximum capital threshold permitted within assessments to the recommended Department of Health limit
- Start charging the actual costs incurred to safeguard a service user’s property and belongings

The report requests implementation costs of £721,000, which also covers additional development work towards further savings from April 2018.’

**17. By Councillor Henderson of the Cabinet Member for Highways and Transport.**

'In regards to the Local Highways Panels, how many projects have passed validation and are awaiting implementation, broken down by District?'

**Reply**

'In totality, Local Highways Panels are programmed to deliver 295 schemes in 2016/17 along with another 110 schemes being designed for future implementation.

At present the forward programme of schemes (not including the 110 above) which have been validated, approved and are awaiting future funding for design and implementation are as follows:

District	No.
Basildon	52
Braintree	68
Brentwood	55
Castle Point	27
Chelmsford	113
Colchester	74
Epping Forest	71
Harlow	45
Maldon	66
Rochford	34
Tendring	77
Uttlesford	92

It is the role of the Local Highways Panel to prioritise and allocate funding with regard to the schemes in their area.'

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**18. By Councillor Clempner of the Cabinet Member for Education and Lifelong Learning.**

‘Given that plans to increase the number of childcare hours to 30p/w, when does the Cabinet Member expect to be able to increase the childcare budget? Providers across the County are struggling and have seen no increase in funding since 2012.’

**Reply**

‘The 30-hour free childcare entitlement for eligible working parents is due to be implemented from September 2017, and ECC officers are currently working on a strategy of implementation, which will include further workshops with the early years and childcare sector.’

ECC receives Free Early Education Entitlement (FEEE) funding from the DfE, which it transfers onto the Essex early years and childcare sector providing funded places for eligible 2 year olds and all 3 and 4 year olds via the Early Years block within the Dedicated School Grant (DSG). The FEEE funding received from the DfE has not increased since 2012 and therefore, due to this, ECC has not been able to increase the rate paid to the early years and childcare sector. The DfE has recently undertaken a consultation on a new Early Years National Funding Formula (EYNFF) and has indicated that there will be an increase in funding paid to Local Authorities from April 2017. However we are still waiting for confirmation on the outcome of the consultation and what any new funding level may be. Once we know the outcome of this consultation we will communicate this to the sector.

We are aware of the impact this is having on the sector and officers have undertaken a number of workshops around the County to hear from the early years and childcare sector on this issue. This feedback was used to inform the Council’s response to the EYNFF consultation, and we are also looking at other ways to support the sector such as moving to monthly payments of the FEEE from April 2017, rather than half-termly to help improve cash flow pressures, and where we have childcare providers as tenants in ECC buildings offering subsidised lease arrangements.’

**19. By Councillor Harris of the Cabinet Member for Highways and Transport.**

‘Can the Cabinet Member outline the process by which you triage road maintenance and pothole repair? Why are some areas of the County completed before others?’

**Reply**

'All enquiries are assessed by our trained highways inspectors using a risk assessment matrix that is defined in our Highways Maintenance Strategy. The Highways Maintenance Strategy became policy in October 2013 and is published on the County Council's website. The risk assessment that is applied allows the service to target and prioritise repairs for defects that are considered to pose the greatest risk, allowing an objective allocation of resources across the County.'

Members will no doubt understand that highway defects generally occur due to wear and tear or deterioration over a long period of time and that repairs are undertaken within the resources that are available. It is simply not the case that some areas of the County are prioritised over others.'

**20. By Councillor Young of the Cabinet Member for Education and Lifelong Learning.**

'Can the Cabinet Member outline a breakdown of the budget for home to school transport over the last 5 years, and projected savings for this financial year?'

**Reply**

'The table below illustrates the budget for home to school transport for the past 5 financial years.'

Financial Year	Budget
2011-2012	£24,561,216
2012-2013	£23,204,071
2013-2014	£24,148,594
2014-2015	£22,954,562
2015-2016	£22,363,726

I confirm that the current projected final daily spend for the 2016-17 financial year is £5,219 per day less than in the 2015-16 financial year. This would represent a £1m reduction in equivalent spend.'