
Essex County Council Meeting 11 July 2017

Answers to Written Questions

Agenda Item 14

1. By Councillor Pond of the Cabinet Member for Education

‘What proposals are there to make good the shortfall in bus provision caused by:

1. The withdrawal of Route 167.
2. The halving of service frequency on Route 418 serving Loughton, Theydon Bois, Abridge and Epping.
3. The incipient opening of a substantial retail park at Langston Rd Loughton without any bus service.’

Reply

‘As the member is fully aware, the County Council reviewed the payments it made to Transport for London in regard to services 20 and 167, running between Loughton and London in 2015 as part of its major review of bus services. The review suggested that the level of service being provided by TfL was significantly higher than that which could be expected by similar sized town in Essex and that the payment of £580k per year by ECC to TfL for this service was highly disproportionate. In all other large towns in Essex the daytime elements of such services are normally provided commercially, without any cost to the County Council. The County Council consulted over the future of the payments in 2015 and at this time made the decision to cease payment.

TfL subsequently made the decision to withdraw the northern part of the 167 journey. This service withdrawal was assessed in the standard way that we assess all withdrawals against our policy framework and it is important to note that there are alternative bus services that allow most of the journey, formerly covered by the 167, to be made.

The member will also be aware that the service reductions made to service 418 are the result of a commercial decision made by Galleon Travel Ltd (Trustybus). The changes were assessed against the County Council’s established criteria. This suggested that changes to service 418 were likely to have most effect on passengers travelling from Loughton to Harlow and back. They would also have an impact on residents of Abridge and Theydon

Bois. The County Council looked into the cost of replacing the services but this was considered prohibitively expensive. It would have meant withdrawing other services from communities with no alternative public transport. While the level of service had been significantly reduced, there is still a two-hourly bus service. In addition, Epping Forest Community Transport runs a shopper bus to number of areas in Abridge that has limited access to bus services. On this basis, the County Council has no plans to introduce additional services at this time.

Finally, the opening for the retail park has been noted by local commercial bus operators and officers understand that they are aware of the opportunity. We expect commercial enterprises to identify appropriate travel to their locations without using the taxpayer as the first port of call. We understand that the planning authority, Epping Forest District Council, did not feel it appropriate to require S106 funding to be provided for the support of bus services. This being the case, the County Council will continue to talk to commercial operators about the opportunities for improved transport links this development offers.'

2. By Councillor Blackwell of the Cabinet Member for Highways

'There seems to be an increase in weed growth in the streets on Canvey Island could the Cabinet Member look into getting a weed spray programme done in June instead of July in the future before weeds set seed.'

Reply

'Weed spraying was to begin in Castle Point on 19 June but, due to weather slippage in the preceding districts, the programme only started on Canvey Island on 21 and 22 June. Each year start dates vary depending on growth across the county, with the whole programme taking 10 to 12 weeks.

Unfortunately we cannot weed spray before the weeds set seed, because the only chemical we are permitted to use is most effective when the weed has begun to grow.'

3. By Councillor Kendall of the Cabinet Member for Housing, Property and Planning

'What extra powers does the Essex County Travellers Unit need from the Government to make their job and that of the Police more effective when it comes to the removal of travellers from publicly owned land?

What steps is Essex County Council taking to lobby for these powers?'

Reply

'There has been a 200%+ increase in the number of unauthorised encampments in Essex over the last two years, but the Essex Countywide Traveller Unit (ECTU) remain effective in moving on such encampments from partner land using existing legislation with 90% of encampments moved on within 7 working days and 100% within 10 days.

However, it is essential that we continue to review whether there are any more proactive approaches we could take to minimise the number and impact of encampments that occur and ensure we continue to deal effectively with those that do. I was recently appointed as Chairman of the ECTU Joint Committee and have been encouraged by the recognition from members of the need to work together on this issue that is of such great importance to our local residents and businesses.

Work is underway to build on the effectiveness of the ECTU and Police response to unauthorised encampments using existing powers including a dedicated and expanded Gypsy and Traveller team at Essex Police, the development of a single protocol setting out more clearly the responsibilities and powers available to deal with encampments.

ECC has an active campaign lobbying activity and together with partners in communities, the Police and local Councils we will seek to identify what (if any) additional powers are needed and raise them with Government.'

4. **By Councillor Kendall of the Cabinet Member for Education**

'Would it be possible for the Cabinet Member or his Deputy to attend each of the Transport Representative meetings that are held twice a year across the County?

I make this request because I know that a number of people who attend these meetings in my area are concerned that the County Council is not taking on-board the constructive input that is being put forward to maintain, develop and promote bus services in the Borough of Brentwood.

If residents and Parish, Borough and County Councillors are going to give up their time to attend these meetings, they would like those making the ultimate decisions to be in attendance to hear their views.'

Reply

'I note the concerns raised by Cllr Kendall. I greatly value the contribution made by the Transport Representatives and recognise the time and effort that this entirely voluntary group make to help shape the bus network in Essex.

There are 16 transport representatives meetings across the year and they are undertaken to promote exchanges of knowledge, information and advice about issues and developments in local bus services between council officers, (including commissioners) and service users and the representatives at a local level. Officers always listen closely to what the representatives are telling them and this information is often used to support decisions about how the county council should support bus services in their area.

For example, the representatives network was instrumental in helping design and publicise the new demand responsive transport services that have seen significant growth in passenger journeys and also played a role in examining proposed changes to services made during the recent bus reviews. It is also a useful conduit for information about persistent or long standing problems and issues for services, which often result in these being resolved.

As the Cabinet Member with responsibility for passenger transport, I already chair the Bus Board, (the Council's strategic level partnership board for bus services with operators and other stakeholders) and the Bus Forum (a wider strategic body which includes the representatives from bus user groups and local councils as well as operators and members). Given the number and regularity of the Transport Representatives meetings it would not be possible to commit to attending all of them as a statutory representative, I will however, attend them on a statistical basis but only as an ex-officio observer. The statutory attendees at these meetings will therefore remain as they are.'

5. By Councillor Robinson of the Cabinet Member for Highways

'What measures are being taken to ensure traffic flows are maintained on the approach roads to Broomfield Hospital while works are underway on Hospital Approach between now and October. Will works be phased to avoid the peak periods?'

Reply

'The majority of works for Hospital Approach will be done, without the need to close the carriageway, from mid-July until mid-September. The second phase will take place mid-September until late October. This phase will require multiway lights to be in operation on Hospital Approach during off peak times only.

Bus companies have been informed, the contractor has liaised closely with the hospital, and wherever possible traffic lights will be erected after 9am and taken down at 3pm.'

6. By Councillor Turrell of the Cabinet Member for Highways

‘Could the Cabinet Member please clarify that the current Transport Plan Consultation that is going out to 6000 residents can also be completed by any other resident? If yes, where will the paper questionnaires be held?’

Reply

‘The National Highways and Transport (NHT) public satisfaction survey is not a Transportation Plan consultation, it is a public opinion survey carried out by IPSOS MORI that is sent to 6,000 households at random across the county. To give the best balance of views and Essex County Council has no influence over who receives a copy. Residents cannot fill it out unless they receive a copy through the post.

If residents have issues, they can use our new Tell Us tool www.essex.gov.uk/highways’

7. By Councillor Robinson of the Cabinet Member for Education

‘What advice, guidance and training is given to schools, teachers and young people on dealing with the growing problem of cyber-bullying - via computers and phones? Since `phones are becoming essential, even for school pupils, it can be difficult to get away from cyber bullying.’

Reply

‘I thank the member for raising this important issue, which requires consistent and dedicated work to ensure that the schoolchildren in Essex are fully supported. Schools provide a range of support / information to parents, staff and pupils regarding cyber bullying. This is delivered through emotional well-being programmes, lessons in school, newsletters and briefings, open evenings, training for parents, staff and pupils, peer mentoring and counselling, to name a few. Training for schools on this matter is provided through the termly safeguarding forums where e-safety is discussed in one form or another at practically each session. Specific training on e-safety was delivered in Autumn 2015 and 2016 to schools (through launch of the new Keeping Children Safe in Education) and is to be revisited in the Autumn 2017.

In addition, there are resources on e-safety on the safeguarding area on Essex School Infolink and resources are published in the weekly newsletter that goes to all schools and via the termly safeguarding briefings which are

delivered by the Safeguarding Adviser to Schools. There is a dedicated 'anti-bullying' section on Essex School Infolink which contains many resources and advice / guidance for school. To keep up to date with information ECC is a member of the Stonewall Education Champions Programme, the Anti-bullying Alliance and the Bullying Information Group (BIG). Essex School Infolink is kept updated with the latest advice and guidance to schools from these groups and other key organisations who can support around all aspects of bullying.

Finally, ECC is currently part of a Department of Education funded programme that offers a 12 month trial of the Tootoot anti-bullying support tool to Essex schools. Tootoot provide a reporting mechanism and offers access to support and guidance for school staff, young people and parents / carers (just under 50 Essex schools have taken the opportunity to be part of the trial).'

8. By Councillor Turrell of the Cabinet Member for Highways

'Recently we heard that the Ombudsman upheld a complaint from a resident, supported by the majority of residents, myself included, about the shared cycle/pedestrian path on Mile End Road, Colchester.

The complaint was among other issues that Highways did not look at any other option, the shared path was dangerous because the access to private driveways crossed the shared path and the hill would mean cyclists travelling up to 25mph downhill.

The cost of the work was almost £1million.

The shared path is not used by the majority of cyclists who still use the road as it is wide enough for cars and cyclists to use; nor has it encouraged others to cycle.

Will the Cabinet Member now remove the traffic order that makes the pavement on one side of Mile End Road a shared path and ensure that in future any such schemes only proceed if backed by a proper consultation?'

Reply

'Essex County Council did consult on this scheme, and the Ombudsman's decision notes no issues with that. It also notes that the plans were amended as a result of the consultation that was conducted.

I need to make it clear that the Ombudsman only partially upheld the complaint in this case. The only actions emerging from the decision were for

Essex County Council to review and update its Cycling Design Guidance to take national best practice into consideration when designing shared-use facilities, which we will of course do.

There are certainly no actions on Essex County Council to remove the scheme and none of the concerns raised about safety were upheld. As a result we will not be removing the traffic order that allows cycling on the shared use facility and we will continue to decide on a case-by-case basis whether to consult on proposals where there is no statutory consultation duty.'

9. By Councillor Mackrory of the Cabinet Member for Health and Adult Social Care

'Will the Cabinet Member make representations to the Essex Pension Fund regarding the apparent contradiction of their doubling of investments to £9m into tobacco companies whilst the County Council is funding Health programmes encouraging people to give up this habit which costs lives and the NHS millions of pounds each year.'

Reply

'It is indeed true that Essex County Council has committed to helping and encouraging people to stop smoking, and we have committed £1.985M for lifestyle services this financial year.

It is equally true that we wish our pensioners to benefit from a really strong pension fund which is run separately, both to maximise focus on return and to minimise political interference.

In my experience of ethical investment issues, influence is maximised through engagement rather than exclusion.'

10. By Councillor Mackrory of the Cabinet Member for Environment and Waste

'In the light of the recent report from the National Audit Office into the costs of the Hinkley Point nuclear plant project, which stated that it was 'risky' and 'expensive' and the costs have increased from £6bn in 2013 to £30bn now, is the Cabinet Member confident that the Bradwell nuclear plant is a project Essex County Council should be promoting?'

Reply

‘The scale of opportunity that the development of Bradwell B nuclear power station could offer Essex is illustrated by the first new nuclear development at Hinkley Point C, Somerset, which will create c. 26,000 jobs, with supply chain contracts already amounting to over £435m. However, significant investments in infrastructure, housing and skills will be required to ensure that benefits accrue to Essex businesses and residents. In the first instance, ECC & Maldon DC, as formal consultees, are working together to ensure that Essex benefits especially by learning from other new nuclear developments, notably at Sizewell C, Suffolk, which will be developed before Bradwell.’

11. By Councillor Baker of the Leader of the Council

‘In light of the outcome of the recent General Election and the Brexit negotiations currently underway, would the Leader of the Council explore the possibility of negotiating and setting up a cross-party working group to meet on a regular basis, with senior officer input, in order to identify potential opportunities and possible threats for the County of Essex arising out of leaving the European Union.

The strategic purpose for setting up this group would be to minimise any discernibly negative outcomes and to maximise any discernibly positive outcomes for the people of Essex and for its businesses and communities.’

Reply

‘There are still a number of uncertainties relating to Brexit and the risks and opportunities it could bring. Nevertheless this is a very important issue and I would encourage our Scrutiny Chairmen to include a Brexit implication item on their work plan.’

12. By Councillor Smith of the Cabinet Member for Highways

‘Can the Cabinet Member please provide an update with regards to the re-paving of Station Way (in front of Trafford House) and the filling in of the nearby subway to enable a set of traffic lights to be installed?’

Reply

‘The works are to be carried out by a developer under a proposed Section 278 agreement. We sent the developer a draft agreement in December 2016. Despite reminders from legal services, we didn’t receive comments

until 5 June 2017. They then sent a revised agreement on 4 July 2017, which legal services are now looking at. This will be progressed as quickly as possible.'

13. By Councillor Smith of the Cabinet Member for Culture, Communities and Customer

'Has the footfall within the library at the Basildon Centre increased since the relocation of the DWP offices/front counters to the Basildon Centre? Is the library service now using this unique opportunity to actively reach out to the DWP's clients to improve literacy rates in Basildon?'

Reply

'I have personally visited the centre in recent weeks and was impressed by both the new layout and the staff.

Because the building was redesigned when the DWP offices were moved into the Centre, it has not been possible to measure footfall in the same way – the library had to remove its visit count machine because the wall was extended and the gap is now far too wide to be able to pick up footfall accurately. We estimate that footfall has increased from around 300 people per day to 500. As an indicator, participation in Baby and Toddler sessions has doubled, monthly loan figures have increased by up to 10% year on year, usage of our Public Network computers is seeing a 10-20% increase year on year and with WiFi hits on site increasing rapidly, three times larger in June than February this year.

The refurbishment has also given us the opportunity to offer spaces for tuition. Libraries are contacting colleagues in Adult Community Learning and DWP to explore this opportunity further. The Hub is also planning its first joint event in September, which will see the whole centre being used to host a 'Money Matters' event. This is where partners such as Essex Water, uSwitch and local solicitors will offer money/debt advice to residents. We are also in the process of kitting out the Maker Space in the library, offering space for residents to learn new digital, practical and technological skills.'

14. By Councillor Scordis of the Leader of the Council

'Following the Agreement between the Conservative and Unionist Party and the Democratic Unionist Party on Support for the Government in Parliament and the £1 billion extra funding going to Northern Ireland, will the Leader confirm whether he will be lobbying the government for increased funding for Essex County Council?'

Reply

‘The council has strong a track record of lobbying central government for the resources needed by Essex residents, working with the County Council Network and the Local Government Association. We saw an additional £30.7m come to the council this year as a result of changes to adult social care funding we pressed for. This month I am writing to new ministers, including to request for clarity on local government finance reform, security of funding for supported housing, and our desire to see additional investment in Essex through the Housing Infrastructure Fund’

15. By Councillor Scordis of the Cabinet Member for Education

‘In light of proposed cuts to the Education Services Grant and a plan to introduce a National Funding Formula, could the Portfolio Holder confirm what representations have been made to the Secretary of State for Education, regarding funding?’

Reply

‘I recognise the financial challenges facing schools as a result of increased costs such as rising pension and national insurance contributions, the apprenticeships levy and other increased costs, and have been making representations to Government. I wrote to the Secretary of State to lobby that the Education Services Grant should be retained as the statutory duties of local authorities would not be changing with regards to maintained schools in Essex. In addition, the Authority has continued to lobby the Department for Education as part of the national funding formula consultations stating that the ESG cut should be reversed.

For the National Funding Formula the Authority has responded in full to both consultations and further contributed to the response made by the Essex Schools Forum to both consultations.

However I am very proud of the achievements of Essex schools despite the budget pressures faced by schools and the council. More than nine in ten Essex schools are currently rated as good or outstanding by Ofsted and pupils continuing to achieve good educational outcomes, as evidenced by last week’s Key stage 2 SATs results. That said, we are not complacent and will continue to work with both schools and the Government to try and ensure the funding available is appropriate and fair.’

16. By Councillor Henderson of the Cabinet Member for Education

‘Statistics published in June 2017 by the Department for Education, show that following the upward trend between 2010 and 2015, there has been a further increase in the percentage of schools which have at least one advertised vacancy or temporarily-filled post. In Essex 11.9% of schools reported having at least one advertised vacancy or temporarily-filled post on the census day in November 2016.

What measures are Essex County Council taking to address the crisis in vacancy rates and reduce the number of teacher vacancies in Essex?’

Reply

‘We recognise the ongoing task facing schools in terms of teacher recruitment and retention and continue to work closely with them on the issue. The council leads a strategic group set up to explore and implement new teacher recruitment and retention strategies in Essex, working with representatives from EES for Schools, the Association of Secondary Headteachers in Essex (ASHE), the Essex Primary Headteachers’ Association (EPHA), Essex Special School Education Trust (ESSET) and the Diocese of Chelmsford Vine Schools Trust.

Among the latest strategies has been a highly successful Return to Teaching programme. 38 former teachers have now completed the intensive course, with seven already successful in securing teaching posts. Plans are now in place to re-run the programme for a second cohort in October and November this year. We are also continuing to explore initiatives around overseas recruitment, key worker housing, additional support for newly qualified teachers, supply agencies and retention strategies.’

17. By Councillor Henderson of the Cabinet Member for Highways

‘It is a duty of the highway authority to keep public rights of way free from obstruction by natural upgrowth [Highways Act 1980, Section 41].

Could the Cabinet Member confirm when the decision was taken to restrict public rights of way routes to one cut per year and explain why contracts do not include removal of the resulting green waste?’

Reply

‘We currently carry out two cuts per year across promoted routes. These are the highest category routes that are most heavily used by the public. Other routes receive a cutting regime that is appropriate to their usage levels.

The removal of green waste on public rights of way is not carried out unless the waste causes a significant safety or environmental issue. Generally, green waste naturally biodegrades and creates natural habitats for other

flora, fauna and creatures.’

18. By Councillor Young of the Cabinet Member for Education

‘Vacancy rates are at all-time high for school crossing patrols in Essex. Could the Cabinet Member advise if terms and conditions for the role have been altered or pay rates reduced in the last 12 months?’

Reply

‘I share the concern that the School Crossing Patrol Service is not performing in the manner that we would all require and it is for that reason that I have set up a cross party Task and Finish Group to investigate the matter. Indeed, the first meeting of that group is scheduled for 11th of July 2017 after close of the Council Meeting.

The terms and conditions of school crossing patrol officers were amended within the last year to ensure fairness and bring their holiday entitlement in line with other term-time only ECC employees. However, there is no evidence that those changes have had any impact on the recruitment and retention of SCPO’s. It is clear that a number of other factors, including both physical and verbal abuse from motorists, has deterred many people who would traditionally have taken on this role.

It is intended that the Task and Finish group will investigate all of these issues with a view to securing a service that is sustainable whilst assisting parents to ensure the safety of their children.’

19. By Councillor Young of the Cabinet Member for Health and Adult Social Care

‘Falls account for up to 40% of ambulance call-outs to homes for people aged over 65, costing £115 per callout and between 2010 and 2015 there has been a 18% rise in emergency hospital admissions for older people. Could the Cabinet Member confirm that priority will be given to falls prevention given these statistics?’

Reply

‘I can confirm prevention of falls has been and continues to be a priority for Essex County Council.

You would be aware that the Essex Health and Wellbeing Board endorsed the Essex Prevention Strategy in March 2015 – falls prevention is specifically referenced in this strategy, and monitoring outcomes is

undertaken by Essex CCGs.

This Council will continue working with partners to deliver falls prevention that is more integrated with the wider frailty approach that NHS colleagues have adopted.

Most areas of falls prevention services can be delivered in this way including: identification and risk assessment of people; assessment of home hazards and home improvements; access to equipment; vision assessment; and medicines reviews. One key area of best practice is strength and balance training, and we are working with a wide group of partners including the voluntary sector to deliver this effectively in Essex.'

20. By Councillor Davies of the Cabinet Member for Resources

'Would the Cabinet Member agree with me that the lack of mention in the Queens Speech about Business Retention Rates is deeply concerning and could lead to a shortfall in this council's financial plans?'

Reply

'The Council's current Medium Term Resourcing Strategy does not currently include any changes in our income as a result of the proposed move to 100% Business Rates Retention. Therefore there is no impact on the Council's financial plans as a result of the Queens speech.

Whilst it is disappointing that this piece of legislation was not contained within the Queens Speech, there are some elements of Business Rates Retention that could be implemented without legislation. At this stage, it is unclear how Government wish to progress. However we will continue to discuss with Government our wish for more devolution of grants, more freedoms and flexibilities, notably on charging and council tax, and incentivise for growth through greater devolution.'

21. By Councillor Harris of the Cabinet Member for Highways

'Could a 20 mph speed limit be applied as a standard measure for all new developments and a simpler retrospective application of 20mph be applied to estates with a simple access in and out of the estate?'

Reply

'Where practical we apply 20 mph speed limits to new residential developments, as our design guide and strategy states. In some cases this is not the most suitable approach, such as on higher category roads through

developments, or for example where they include bus routes.

The retrospective application of 20 mph speed limits in residential areas is assessed on a case-by-case, road-by-road basis.'

22. By Councillor Hillier of the Cabinet Member for Environment and Waste

'Could the Cabinet Member please provide an update on the current status of the MBT waste plant in my Pitsea division?'

Reply

The Cabinet Member will give a verbal response at the meeting.

23. By Councillor Butland of the Leader of the Council

'How many EU nationals currently work for Essex County Council and how many are employed in Essex schools?'

Reply

'A job applicant's nationality is immaterial as long as they can prove they are eligible to work in the UK. As such Essex County Council does not currently hold information on the number of EU nationals (excluding British Citizens who are also EU Citizens) that currently work for the Council or are employed in Essex schools.'

24. By Councillor Butland of the Cabinet Member for Highways

'How many claims have been submitted to the Council in respect of (a) personal injuries, (b) damage to motor vehicles, (c) damage to motor cycles and (d) damage to pedal cycles arising from alleged faulty road surfaces including potholes in each of the financial years 2013/14, 2014/15, 2015/16 and 2016/17?'

How many of the claims resulted in the claimant being successful and what was the total compensation paid in each the four financial years?'

Reply

The County Council has received the following number of claims for damage which relate to alleged faulty carriageway surfaces. The payments below include all costs, including legal costs. It is not possible to break down the claims between different types of vehicles without looking at every claim individually. It has not been possible to break down the figures between personal injuries and damage to property within the time available

Year	No of Claims Received	Settled Paid	Open	Amount Paid
2013/14	2661	186	15	£ 497,127
2014/15	1447	111	16	£ 195,456
2015/16	866	97	18	£ 107,783
2016/17	869	42	242	£ 17,241