



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 July 2020	Online Meeting,
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Gavin Jones  
Chief Executive

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**Officer Support to the Council:**

Andy Gribben, Senior Democratic Services Officer

**Telephone:** 03330134565

**Email:** [Democratic.services@essex.gov.uk](mailto:Democratic.services@essex.gov.uk)

**Prayers** The meeting will be preceded by Prayers led by Councillor John Spence, a lay Canon in the Church of England.

### Pages

- |   |  |        |
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| 1 | <b>Apologies for Absence</b>   |        |
| 2 | <b>Declarations of interest</b><br>To note any declarations of interest to be made by Members in accordance with the Members' Code of Conduct.   |        |
| 3 | <b>Confirmation of the minutes of the meeting held on 11 February 2020</b>   | 4 - 34 |
| 4 | <b>Public Questions</b><br>A period of up to 30 minutes will be allowed for members of the public to ask questions or make representations on any matter relevant to the business of the Council. Speakers must have registered with Democratic Services by 10:30am seven days before the meeting. |        |

5	<b>Chairman's Announcements and Communications</b>	
6	<b>Receipt of Petitions</b>	
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9	<b>Cabinet Issues</b>	<b>80 - 97</b>
10	<b>Clarification of answers provided in response to written questions asked by Members of the Council</b>	
11	<b>Oral questions to the Leader, Cabinet Member, chairman of a committee or the Council's representative on the Essex Police, Fire and Crime Panel</b>	

## **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](#) and by then following the links from [Running the Council](#) or you can go directly to the [Meetings Calendar](#) to see what is happening this month.

In accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, this meeting will be held via online video conferencing.

Members of the public will be able to view and listen to any items on the agenda unless the Committee has resolved to exclude the press and public from the meeting as a result of the likely disclosure of exempt information as defined by Schedule 12A to the Local Government Act 1972.

### **How to take part in/watch the meeting:**

**Participants:** (Officers and Members) will have received a personal email with their login details for the meeting. Contact the Democratic Services Officer if you have not received your login.

### **Members of the public:**

#### **Public Questions:**

A period of up to 30 minutes will be allowed for members of the public to ask questions or make representations on any matter of Council business. Speakers must be registered with the officer in support of the meeting at least one week in

advance of the meeting. For full details please email [Democratic.services@essex.gov.uk](mailto:Democratic.services@essex.gov.uk)

### **Online:**

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### **By phone**

Telephone from the United Kingdom: 0203 481 5237 or 0203 481 5240 or 0208 080 6591 or 0208 080 6592 or +44 330 088 5830

You will be asked for a Webinar ID and Password, these will be published as a Meeting Document, on the Meeting Details page of the Council's website (scroll to the bottom of the page) at least two days prior to the meeting date. The document will be called "Public Access Details".

### **Accessing Documents**

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### **Audio recording of meetings**

Please note that in the interests of improving access to the Council's meetings, a sound recording is made of the public parts of many of the Council's Committees. The Chairman will make an announcement at the start of the meeting if it is being recorded.

If you are unable to join the virtual meeting and wish to see if the recording is available, you can find out by checking the [Calendar of Meetings](#) 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.

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## Minutes of the meeting of the Full Council, held in the Council Chamber County Hall, Chelmsford, Essex on Tuesday, 11 February 2020

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

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

### 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. The Chairman also made announcements concerning microphone use and Health and Safety.

**1. Apologies for Absence**

Apologies for absence were received on behalf of Councillors Blackwell, Durham, Garnett, Hillier, Maddocks, Mohindra and Wood.

**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 8 October 2019****Resolved:**

That the minutes of the meeting held on 8 October 2019 be approved as a correct record and signed by the Chairman subject to an amendment to item 10, Motion 2, Supporting Policing in Essex, that erroneously showed Councillor Ball voting both for and against the Labour Group amendment whereas he had voted against the amendment only.

**4. Public Questions**

The Chairman welcomed Mr Fowler, representing the Chelmsford, Brentwood and South Woodham Ferrers Green Party to ask a question concerning the Essex Climate Change Commission. He asked:

‘At the last full council meeting, 8th October, in his surprise speech on the climate and ecological crisis, the Leader of Essex County Council emphasised the importance of actions over words. So, Councillor David Finch announced the setting up an Essex Climate Change Commission to look at what Essex County Council could do to mitigate the effects of climate and global change in Essex and a sum of £250,000 to fund initiatives to achieve this.

‘Bearing in mind the £250000 is Essex rate payers’ contribution to the running of Essex services by the county council, and the need for residents

to hold Essex CC to account for what it says and does (its actions and words): what are the terms of reference for this committee?

'The concept of 'terms of reference' is a complex one and is better answered by looking at its components, which could include:

- What precisely is its function?
- At what intervals of time should this committee meet?
- Exactly how long has the committee to procure its outcomes?
- What is and isn't included in the remit of the committee?
- What will be the outcome of the committee?
- Will the committee truly be cross-party?
- Who are the experts the committee will consult?'

Councillor Walsh, the Cabinet Member for Environment and Climate Change Action replied:

'Thank you for the question. I want to make it very clear that this Council recognises that climate change is the greatest threat to humanity that we have ever faced. We need to take long term consistent action in order to do our part to mitigate the effects for the residents of Essex.

'Whilst the specific terms of reference will need to be approved by the Commission at their first meeting in the coming months, the purpose of the Essex Climate Action Commission is to:

- Identify ways in which ECC can mitigate the effects of climate change, improve air quality, reduce waste across Essex and increase the amount of green infrastructure and biodiversity in the county by drawing on in-house expertise, commissioning research and forming new external partnerships.
- Monitor the actions/outcomes taken by ECC and its partners following the recommendations made by the Commission

'The Commission itself will be independent and truly cross party, comprising members from the Conservatives, Lib Dems, Labour and the Non-Aligned Independent Groups.

'The meeting will be held in public.

'We would expect the commission to engage with local communities and residents – e.g. the Commission may want to commission research about the views of Essex residents or explore the creation of a Citizen's Assembly.

'The Commission will initially last for 2 years, but we see it continuing on long beyond this, as Climate Change is an issue that requires ongoing change. They are expected to meet 9 times in the first year.

'The Commission will produce a number of reports to ECC in year one, which will feature a set of recommendations.

'In the second year, the Commission will monitor the implementation of the recommendations and provide further advice and guidance.

'I want to be clear that Climate Action is taking place currently and will continue to take place. We will not be waiting for a report to be published by the Commission before changes are made and policies enacted.

'The Leader's Executive Statement, which will take place in just a moment, will provide further information of the membership and detail how we have confirmed millions of additional pounds in this budget to put towards climate action.'

## **5. Chairman's Announcements and Communications**

### **Deaths**

#### **Former Councillor Tom Edward Dale, D.L.**

The Chairman announced the death of former Councillor Thomas Edward Dale, who passed away on Monday 11 November 2019 at the age of 88.

He had been first elected to be an Essex County Councillor in March 1965 to represent the Division of Brightlingsea and served on many committees including those for Highways and Transportation, Fire and Public Protection as well as Estates and Archaeological, Heritage and Culture and the Enterprise Board.

He had been Chairman of the Council from 1994 to 1995 and for many years served on Tendring District Council and had also been Town Mayor of Brightlingsea. He had also been appointed as a Deputy Lieutenant of Essex.

At the invitation of the Chairman, Councillors Goggin and Robinson paid tribute to former Councillor Dale and then members stood in remembrance.

## **6. Receipt of petitions and deputations**

The Chairman received a petition from Councillor Brown concerning the effects of recent commercial planning consents, HGV traffic and the condition of local roads.

## 7. Organisation Plan and Budget 2020/21

The Council received the Report on the Budget 2020/21 that was in two parts:

- Part 1 being the Section 151 Officer's report and
- Part 2 being the Organisational Plan and Budget 2020/21.

There were also appendices:

- Appendix A – Essex Organisation Plan 2020/21
- Appendix B – Equality Impact Assessment (Organisation Plan and Budget) and
- Appendix C – Pay Policy Statement 2020/21.

It was noted that there had been an Addendum Report and Replacement Recommendations document circulated to all Members as the financial settlement has been received from the Ministry of Housing, Communities and Local Government since the publication of the original report. It was further noted that the changes to the recommendations did not affect the recommended level of council tax.

It was moved by the Leader of the Council, Councillor Finch and seconded by the Deputy Leader and Cabinet Member for Infrastructure, Councillor Bentley that the statement by the Section 151 (S151) Officer on the adequacy of reserves, robustness of the 2020/21 revenue budget and the Capital Strategy be noted and that the recommendations on the Organisation Plan and Budget 2020/21 as set out in the list of recommendations circulated to members before the meeting be approved.

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

'That the net effect of the budget resolution be amended as set out for the reasons and purposes set out below:

### 1.0 Recognising the enormity of the Climate Change Emergency

1.1 The setting up of the Essex Climate Change Commission is a welcome development but the initial budget of £1.5m for 2020/21 does not recognise the urgency to tackle what is truly an emergency. An additional **£1.0m** funding is proposed to:

- Promote a sustainable approach to growth, development and a low carbon future.
- Implement measures to improve the green infrastructure of Essex and increase biodiversity.
- Improve the environmental quality, attractiveness and recreational potential of public spaces in ECC ownership.



- Implement measures to reduce waste, lower energy consumption and improve air quality in identified hot spots and introduce Clean Air Zones.

- 1.2 This to be funded by drawing down an additional **£1.0m** from the £5m Essex Climate Change Commission Reserve.

## **2.0 Maximise the use of and retain the Essex Library network**

- 2.1 Increase the Libraries budget (Customer, Communities, Culture and Corporate) by **£200,000 in 2020/21, £150,000 in 2021/22 and £100,000 in 2022/23** (for the period of the libraries strategy) subject to reducing the **Transformation Reserve** by an equivalent amount in 2020/21, specifically to come from the £3m earmarked for the Library Strategy and Modernisation.

This additional funding to be added to that described in the July 2019 Cabinet report and to be used to support Community-run Libraries in the first three years to promote reading and the love of books and literature amongst children, young people and their families to maximise the use of libraries.

## **3.0 Supporting the needs of children, young people and adults with mental health issues**

- 3.1 Whilst welcoming the additional £1m funding in last year's budget the pace of improvement is too slow to meet the demand. Therefore, it is proposed to Increase the Public Health budget by **£1.5m** (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 enable more vital work with children, young people and adults with mental health issues. Measures to tackle suicide prevention and sexual health conditions will also reduce 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 with the intention of reducing demand on services in the future.

## **4.0 Supporting Essex's young people**

- 4.1 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 2020/21 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.

## **5.0 Investing in our infrastructure and keeping Essex safe**

- 5.1 An increase in the 2020/21 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).
- 5.2 The additional **£4m** referred to above will be funded by a transfer from the Capital programme provision for Road Maintenance.
- 5.3 There are three council areas where bus lane and bus gate enforcement exist that are budgeted to raise **£3.2m** in 2020/21 from penalty charges. (In 2018/19 these were Basildon £91,000, Chelmsford £878,000, Colchester £1.292m). It is proposed to reduce the Roads Maintenance capital programme by **£3.2m** and further increase the Local Highways Panels budget by **£3.2m** 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.

## **6.0 Reducing Fly Tipping**

- 6.1 An increase of **£250,000** in the budget provision for Waste Disposal (Environment and Waste portfolio) to tackle the scourge of fly tipping which is blighting the countryside. This increase is to be funded from the **Waste Reserve** in 2020/21.'

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

'That the net effect of the budget resolution be amended for the reasons and purposes set out below:

- 1) An increase to the Library service budget by **£500,000** on a one-off basis to invest in service improvement through new and additional physical book stock for libraries.

This would require an increase in the budget for Customer, Communities, Culture and Corporate portfolio by **£500,000** and a reduction of the same sum in the Service Improvement Reserve.

- 2) An increase to the Local Highways Panels capital programme by **£2m** on a one-off basis to invest in service improvement. The additional funding allocated across the districts will support outstanding local devolved capital schemes.

This would require an increase the Infrastructure portfolio budget by **£2m** and a reduction of the same sum in the Service Improvement Reserve.

- 3) An increase to the Youth Service revenue budget by **£500,000** to enable the setup of a dedicated team to target specific areas of high deprivation and mental health in young people. This will fund one Senior Targeted Youth Advisor, ten Targeted Youth Advisors and ancillary costs.

This would require an increase the Education portfolio budget by **£500,000** and a reduction of the same sum in the Transformation Reserve.

- 4) An increase in the Cycling Infrastructure capital programme by **£750,000** to ensure cycling routes are developed, protected and safe and help encourage residents to take up more active means of transportation.

This would require an increase in the Infrastructure portfolio capital programme by **£750,000**, funded by borrowing, the revenue servicing of which will be funded through a withdrawal from the earmarked Transformation Reserve.

- 5) Increase the Environment and Climate Change Action capital programme by **£500,000** to support an air pollution reduction initiative. This will target highly polluted towns with introduction of road signs design to discourage use of cars and engine idling.

This will increase the capital programme by **£500,000**, funded by borrowing, the revenue servicing of which will be funded through a withdrawal from the earmarked Transformation Reserve.'

In accordance with Standing Order 16.10.2 (Voting on budget decisions) the Motion was put to a division by name and **carried** by 50 votes for, 8 against and 9 abstentions.

Those voting for the Motion were Councillors:

J F Aldridge

R J Gooding

R Mitchell

T Ball

I Grundy

Dr R Moore

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S Barker	C Guglielmi	J Moran
J Beavis	M Hardware	M Platt
K Bentley	A M Hedley	R Pratt
A Brown	J Henry	J M Reeves
M Buckley	P Honeywood	W Schmitt
G Butland	A Jackson	A Sheldon
S Canning	S Lissimore	C Souter
J Chandler	D Louis	J Spence
P Channer	J Lumley	M Stephenson
T Cutmore	R A Madden	M Steptoe
B Egan	B Massey	L Wagland
A Erskine	P May	S Walsh
D Finch	M McEwen	C Weston
R Gadsby	L McKinlay	C Whitbread
A Goggin	V Metcalfe	

Those voting against the Motion were Councillors:

B Aspinell	D J Kendall	K Smith
J Baker	M Mackrory	A Turrell
J Deakin	S Robinson	

Those abstaining were Councillors Abbott, Davies, Harris, Henderson, Johnson, Jowers, Reid, Scordis and Young.

### **Resolved:**

1. That the statement by the Section 151 (S151) Officer's on the adequacy of reserves, robustness of the 2020/21 revenue budget and the Capital Strategy be noted and:

### **Revenue and Capital Budget**

2. That the Organisation Plan be approved in the form appended to the report.
3. The net cost of services to be set at **£992.7million (m)** for 2020/21 – Appendix A (page 34 of the report).

4. The net revenue budget requirement to be set at **£913.6m** (net cost of services less general government grants) for 2020/21 – Appendix A (page 34 of the report).
5. The total council tax funding requirement be set at **£707.9m** for 2020/21 – Appendix A (page 34 of the report).
6. That Essex County Council's element of the council tax be increased by 1.99% plus a 2% social care precept, therefore the Essex County Council element of the council tax charge for a Band D property in 2020/21 will be **£1,321.11**. A full list of bands is as follows:

Council Tax Band	2019/20	2020/21
	£	£
Band A	846.96	880.74
Band B	988.12	1,027.53
Band C	1,129.28	1,174.32
Band D	<b>1,270.44</b>	<b>1,321.11</b>
Band E	1,552.76	1,614.69
Band F	1,835.08	1,908.27
Band G	2,117.40	2,201.85
Band H	2,540.88	2,642.22

7. Full Council approve the Essex County Council element of the council tax for each category of dwelling and the precepts on each of the council tax billing authorities for 2020/21, together with the final tax base, as set out in the table below:

Billing Authority	2020/21 Final Tax Base Band D Equivalent	2020/21 Gross precept £000
Basildon	61,287	(80,967)
Braintree	53,373	(70,512)
Brentwood	32,968	(43,554)
Castle Point	30,969	(40,913)
Chelmsford	68,252	(90,168)
Colchester	63,933	(84,462)
Epping Forest	54,638	(72,183)
Harlow	26,943	(35,595)
Maldon	25,091	(33,148)
Rochford	31,928	(42,180)
Tendring	48,392	(63,931)
Uttlesford	38,036	(50,250)
<b>Total for ECC</b>	<b>535,809</b>	<b>(707,863)</b>

8. That the proposed total schools' budget be set at **£534.3m** for 2020/21 which will be funded by the Dedicated Schools Grant, Pupil Premium Grant, Teachers Pay Grant, Teachers Pension Grant and the Universal Free School Meals Grant. The majority of this will be passed through to maintained schools.
9. That the underlying balance on the General Balance be set at **£56.6m** as at 1 April 2020 (Appendix A, Annex 1, page 60 of the report).
10. That the capital payments guideline be set at **£235m** for 2020/21.
11. 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

12. That the 2020/21 to 2023/24 Prudential Indicators and limits, together with updated limits for 2019/20 as set out in Annexes 3A and 3B of the Capital Strategy (Appendix A) be approved.
13. That the Treasury Management Strategy for 2020/21 be approved, comprising:
  - a. Borrowing strategy, as set out in Annex 3 of the Capital Strategy (Appendix A, Annex 3, page 85 of the report).
  - b. Treasury management investments strategy, as set out in Annex 3 and Annex 3D of the Capital Strategy (Appendix A, Annex 3, page 94 of the report).

- c. Indicative strategy for commercial investment activities, as set out in Annex 3 of the Capital Strategy (Appendix A, Annex 3, page 97 of the report).

14. That 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 106 of the report), be approved.

### **Pay Policy Statement**

15. The Pay Policy Statement for 2020/21 as set out in Appendix C to the report be approved.

### **Changes**

16. That the following figures be amended to the Organisation Plan which forms Appendix A to the report (which starts at page 53 of the published agenda pack) as shown on the replacement pages annexed to the addendum report.

- (a) Where the net cost of service that currently shows **£992,652,808** (page 86 of the agenda pack), this will be amended to **£992,669,097**
- (b) Where the Transformation Reserve shows **£22.743m** total net expenditure (page 108 of the agenda pack), this will be amended to **£22.760m**
- (c) Where the Service Improvement Reserve shows **£4.000m** total net expenditure (page 108 of the agenda pack), this will be amended to **£2.750m**
- (d) Where the Children's and Families portfolio shows **£128.541m** total net expenditure budget (page 95 of the agenda pack), this will be amended to **£129.041m**
- (e) Where the Leader portfolio shows **£6.801m** total net expenditure budget (page 104 of the agenda pack), this will be amended to **£7.551m**.
- (f) Where the Other Operating costs portfolio shows **£104.106m** total net expenditure budget (starts at page 107 of the agenda pack), this will be amended to **£102.872m**.

17. That the Section 151 Officer be authorised to amend other figures other figures in the Organisation Plan which need to change as a result of the mathematical changes of the above consequences.'

## 8. 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 of the Health and Wellbeing Board as shown in paragraph 8.1.8 of the Constitution be amended to read:

### Quorum

The quorum for the Health and Wellbeing Board will be one quarter of the voting membership and will include:

- at least one Essex County Council Elected Member
- at least one Clinical Commissioning Group Representative
- Essex County Council *either* Director of Adult Social Care, Director of Children's Services or Director for Public Health.

### Membership

<b>Voting Members</b>	
<b>Statutory Members</b>	<b>How Nominated or Appointed</b>
3 County Councillors*	As nominated by the Leader of the County Council
Essex County Council Director of Adult Social Care (DASS)	By appointment to post
Essex County Council Director of Children's Services (DCS)	By appointment to post
Essex County Council Director of Public Health (DPH)	By appointment to post
Representative of Health Watch Essex	Appointed by Health Watch Essex
Representative of North East Essex CCG	Appointed by North East Essex CCG
Representative of Mid Essex CCG	Appointed by Mid Essex CCG
Representative of West Essex CCG	Appointed by West Essex CCG
Representative of Basildon & Brentwood CCG	Appointed by Basildon & Brentwood CCG
Representative of Castle Point and Rochford CCG	Appointed by Castle Point and Rochford CCG
<b>Other Members</b>	<b>How Nominated or Appointed</b>
Chief Executive of Essex County Council	By appointment to post
Independent Chair, Suffolk and North-East Essex STP/ICS	Appointed by the Board on the nomination of the STP/ICS
Independent Chair, Hertfordshire and West Essex STP/ICS	Appointed by the Board on the nomination of the STP/ICS



Independent Chair, Mid and South Essex STP/ICS	Appointed by the Board on the nomination of the STP/ICS
4 Borough/City/District Council Representatives	Appointed by the Board on the nomination of the Borough/City/District Council Leaders and Chief Executives Group
3 Voluntary Sector representatives	Appointed by the Board on the nomination of Borough/City/District Council Leaders and Chief Executives Group
Representative of NHS Commissioning Board (NHS England)	Nominated by Regional Director, NHS England
3 Representatives of Essex Acute Hospital Trusts	Appointed by the Board on the nomination of the Trusts
2 Representatives from Essex mental health and non-acute providers	Appointed by the Board on the nomination of the Trusts
1 Representative from Mid and South Essex Clinical Commissioning Groups in common	Appointed by the Board on the nomination of Mid and South Essex Clinical Commissioning Groups Joint Committee in Common
<b>Non-Voting Members</b>	
Essex Police, Fire and Crime Commissioner	By election to post
Independent Chair of the Essex Safeguarding Children's and Adults Boards	By appointment to posts

## 9. 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 22 October, 26 November and 17 December 2019 and 21 January 2020.

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

### **Resolved**

That the report be received.

## 10. Written Questions

The published answers to the 16 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 Beavis of the Cabinet Member for Children and Families**

‘I am concerned about the waiting times of our young children seeking mental health services. There is a national growing trend of young people requiring mental health services and I fear that a backlog is/or could be building up.

Could the Cabinet Member please provide an update so that we may understand the position in Essex.’

**Reply**

Councillor Beavis may be aware of the recent Children’s Society report ‘Waiting in Line’ which was published last week. This paper highlights national issues in relation to wait times for mental health services. As Councillor Beavis alludes in her question, it is not acceptable for those with mental health issues needing to wait for long periods of time for help and in Essex we are doing a great deal to address these concerns.

To be clear, the national waiting time target is 18 weeks. In the financial year up to November 2019, the Essex provider, NELFT, achieved 90.29% of children and young people clinically assessed and starting treatment within 18 weeks. Whilst performance is beneath the target of 95%, this represents an improvement from a low of 85% earlier in the year. Out of the 1,112 children and young people accepted into the service, 108 waited over 18 weeks to be seen. This is less than previous months and we are not currently seeing a growth in backlogs, however we continue to explore ways to reduce this further.

In order to mitigate pressure on the service, Essex commissioners have been investing in the wider children’s mental health landscape through services such as; Kooth (online counselling service), Progressions (16-25yrs service for young people with mental health needs entering adulthood) and the Infant mental health service. Whilst these provisions achieve good individual outcomes, as is the case in other areas, statutory provision has yet to see a reduction in demand.

The Leader also announced last year £1m of investment into Mental health in Essex. As part of this funding we have develop a project on children with autism including training to ensure that skills sets are in place to work with Children and Young People with Autism, backed up with a clinician to run ‘surgeries’ in each office so staff can talk through their complex cases. We have also developed a Project to embed Trauma Perceptive Practice culture in two schools and their feeder primaries, so that we support schools to access appropriate

interventions where needed. I can further update on these later in the year.

In the longer term, local authority and health commissioners across Essex are working on re-modelling children's mental health services and a reduction in waiting times is a priority for us both locally and nationally. NHS England will begin supporting CCG's to trail 4 week waits for CYP mental health services and Essex have begun piloting this with the Progressions service. In addition, the training and roll-out of the Mental Health Support Teams for schools will support early access to lower level intervention which may positively impact the waiting times and help mitigate demand upstream.

**2. By Councillor Young of the Cabinet Member for Environment and Climate Change Action**

'What actions has the council put in place to reduce the amount of waste being sent abroad that is detrimental to the environment and how are we going to hold ourselves accountable?'

**Reply**

Recyclable waste placed at the kerbside is collected by local waste collection authorities (city, district and borough councils) and it is they who make the necessary arrangements for this material to be recycled. Essex County Council has no control over how this recyclable waste is disposed of. It is the duty of the waste collection authorities to conduct due diligence on any recycling companies they use to ensure waste material is disposed of in an appropriate and lawful way.

The vast majority of waste collected by local councils in Essex is managed in the UK, however, a small proportion of separated waste material is exported to reprocessing facilities outside of the UK. Waste materials for reprocessing are a globally marketed commodity and export markets are generally utilised to supplement the lack of viable reprocessing capacity in the UK. The export process is undertaken in accordance with all relevant UK and EU legislation. This requires the materials that are being exported to meet a quality specification, and for exporters, importers and those responsible for reprocessing to all be registered with the appropriate national regulator.

ECC is working hard to promote waste minimisation so that there is less of this type of waste to be disposed of in the first place.

ECC, under the Love Essex brand and working in partnership with city, district and borough councils in Essex, launched in January this

year a new campaign to reduce this type of waste. 'Love Essex, Not Plastic' encourages Essex residents, educational establishments and businesses to pledge to reduce the amount of single-use plastics they use. The campaign will continue throughout 2020.

**3. By Councillor Harris of the Deputy Leader and Cabinet Member for Environment and Climate Change Action**

'I am prompted to ask this question over the Colchester Shrub End recycling centre, after residents have raised with me plastic recycling arrangements at Shrub End. I have been told by staff on site to throw plastic recycling into household rubbish containers.

Can the contract at Shrub End be revised to ensure plastic recycling is not thrown in "general waste" bins, but recycled instead?

A lot of plastic ends up being taken in by Colchester residents, and it is a great source of frustration to see Colchester Council doing its bit to reuse, and recycle, when the Essex County recycling centre is not geared up for climate change in this way.'

**Reply**

The Recycling Centres are for large household waste – recycling plastic should be done at the kerbside.

The primary role of the twenty-one Recycling Centres for Household waste (RCHW) operated by Essex County Council is to provide users with a facility to dispose of their bulky household waste.

Although the Shrub End RCHW facility is not intended to duplicate kerbside collection services, we do recognise that some residents of Colchester choose to use this the site for the disposal of general non-bulky waste, rather than use the kerbside service provided by the Borough Council. Essex County Council therefore makes every effort to provide the fullest range of recycling opportunities at the site. However, this has to be balanced against the physical constraints of the site, demand, as influenced by the composition of waste entering the site, and the general market for waste materials collected for recycling.

With respect to plastic, I can confirm that all of the RCHW operated by Essex County Council, including Shrub End, provide facilities for users to deposit plastic bottles for recycling. Users will be asked to separate any plastic waste brought into the site so the bottles can be recycled; other plastic items will be directed into the general waste containers for disposal. The recycling service currently provided via the RCHW does not extend to plastic film, pots, trays or hard plastic for two key reasons:

- The amount of plastic material coming into the sites is small compared to other materials, however, to make it viable to capture this material on site for recycling would require additional bulk containers for plastic to allow the different types to be segregated. The physical constraints of our sites would therefore require a reduction in the number of containers for core high demand materials, which are not collected from the kerbside, such as white goods, wood, hardcore, bulky items etc. This would lead to increased site closure for servicing and increased on site queuing, adversely impacting the user.
- The UK market for plastic bottles is strong, whereas other plastics are predominately exported for reprocessing. At a time of uncertainty in the market and greater awareness of the impacts of exporting waste abroad for recycling we have, together with our contractor, decided to predominately focus on the UK market for recycling at this moment in time.

Although we keep the range of materials separated for recycling at the RCHW under continual review there are no plans currently to extend the recycling offer at the sites to include other plastic types, and replicate a service already provided by the borough council.

As a Council we remain committed to providing high quality services and would strongly encourage all our residents to minimise the waste they produce and utilise the kerbside collection recycling service provided by their local council in combination with the RCHW service.'

#### **4. By Councillor Aspinell of the Leader of the Council**

'In 2019 I met with both Cllr Barker and Cllr Mohindra, with Cllr McKinlay also being in attendance, to discuss the future of the Shenfield library site. I was told by Cllr Mohindra that ECC does not need to seek planning permission from Brentwood Borough Council (BBC), as they have the right over their own property to give permission, and that they only needed to advise BBC of their intentions as statutory consultees.

I questioned this information at the time but was assured that this was the position. However, after speaking to planning officers and the Chief Executive at Brentwood they assure me that this is certainly not the case, and that ECC would have to submit a planning application to BBC in the normal fashion.

Please could you confirm what the correct position is?'

#### **Reply**

Both Essex County Council and Brentwood Borough Council are planning authorities. Because this development involves the retention of ECC uses (in this case a new library), we have been advised that regulation 3 of the Town and Country Planning (General) Regulations 1992 as amended requires ECC to determine the application. As always, ECC and BBC planning departments will work together and we will conform with Brentwood's Local Plan.

There is a statutory requirement as part of the planning process to consult the public and we strongly value their views to help develop our plans to best meet community need.

**5. By Councillor Pratt of the Cabinet Member for Health and Adult Social Care**

'Can the Cabinet Member please explain what actions were undertaken following the recent liquidation of Dial-a-Care and what implications this has for the wider system?'

**Reply**

Dial-a-Care was a domiciliary provider who supported individuals with a variety of needs, predominately in mid Essex. They were supporting 76 individuals (including self-funders), many of these are based in rural areas. They have been a provider for a number of years and on the whole, we have been happy with the provider.

Adult Social Care were alerted on 20 January 2020 that Dial-a-Care had a cash flow problem and were struggling to pay staff this week. Appropriate action was taken, and a hardship payment was organised.

On 22 January Dial-a-Care contacted us to confirm that the company would go into liquidation at 4pm that day, giving us only a few hours' notice.

A joint team of Social Workers, Contracts Staff, placement team and other support staff was set up to ensure safe transfer of care for people affected. By 6pm on 22 January another provider had been identified and we worked with the new provider to secure the services of Dial-a-Carer staff and ensuring visits were being undertaken that night. All staff worked through until late in the evening calling service users and families to ensure there was a care visit in place or a contact point was available.

The outcome was that all 76 services users were supported and safe in the space of 6 hours. All those involved showed absolute

dedication and commitment to ensuring that service users were disrupted as little as possible.

Over the following days, the weekend and into the next week work continued to support the new provider and ensure care was being delivered safely.

This provider failure was purely down to quality issues which were being addressed and not related to the cost of care in the market, however the implications of losing a medium sized provider in the domiciliary market has an impact and we are taking steps to assess providers and their sustainability.

I would like to commend the staff across Adult Social Care and its supporting functions, who displayed at short notice outstanding professionalism and compassion to ensure vulnerable people continued to receive their care.

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

‘With this council rightly putting a lot of emphasis on health and well-being, by encouraging walking and cycling amongst other things. Could the Cabinet Member explain how residents, particularly the more elderly, are expected to participate on very poorly maintained footpaths and incomplete, unsafe cycleways across the county?’

Real improvements, would encourage more use of cycleways and footpaths, increase health and well-being and in turn save significant sums of money for the NHS, social care and other services.

When will he ensure real investment and real improvements in these areas?’

**Reply**

I thank the member for Chelmsford West for her question on the link between health, well-being, and active travel.

Essex Highways has very nearly completed a whole programme of additional footway improvements, the Footway Member-led Programme, where Essex Highways has repaired footway defects at over 300 locations right across the County, with some of these sites having multiple defects at one location. This programme is additional investment that ECC has made in footways in order to encourage cycling and walking right across the County.

In addition, we have decided to make additional £750k capital money available specifically for cycling facilities from 20/21, increasing in future financial years. This demonstrates the support for the wellbeing of our residents and highway users.

Furthermore, ECC has been part of a Department for Transport programme to develop Local Walking and Cycling Infrastructure Plans (LCWIPs), initially with Braintree, Chelmsford and Colchester, the plans consider how best to develop walking and routes and infrastructure to encourage active travel. A consultation on a proposed network of routes is being prepared and will commence shortly. LCWIPs will enable ECC to plan for the longer term and develop a pipeline of improvements which can be funded through a mixture of local contributions and developer and government funding.

A draft Walking Strategy was consulted upon in Autumn 2019, in response to which over 800 responses were received. Officers are currently preparing a report to me to enable the adoption of the strategy. It aims to get more people in Essex walking, in particular for shorter trips. If more people were to walk to their local shops, schools or parks, they would not only get the health and wellbeing benefits of being active, it would also help to keep the traffic moving, as approximately 40% of car journeys are around a mile. Officers are working with communities and partners on an Action Plan to deliver the Strategy.

We already have a Cycling Strategy and delivery programme which is encouraging more people to cycle which includes Bike Training for adults and led rides. Officers are currently exploring bike share opportunities with the next generation of Bike Share operators and social enterprises. In Chelmsford we are delivering the Chelmsford Growth Package, the next stage of which will include new cycle infrastructure on Broomfield Road and will provide more choice for how people move around the city.

**7. By Councillor Mackrory of the Cabinet Member for Customer, Corporate, Culture and Communities**

‘What is the current position regarding the proposed Community-run Libraries scheme? In particular, how many libraries subject to this proposal are involved in detailed discussions? Are there any other Libraries where there has been no or few genuine expressions of interest? What progress has been made with the investment programme as referred to in the July 2019 Cabinet report and when is the further report to cabinet also referred to expected?’



## Reply

In November 2019 the Community Run Libraries Team published an information pack to those groups/community organisations that have expressed interest in running a community library. This was followed up by telephone calls and face to face meetings.

In December four engagement events were offered to groups, to come and talk through the content of the pack and discuss their ideas further with the team. Many of these events were also attended by other local voluntary organisations (including Community Volunteering Service and Citizens Advice) and existing library volunteers, who gave really helpful input based on their own experiences.

The team have stayed in regular contact with all of those organisations who wish to take the lead on a community library and those who are still deciding, and have now met with the majority of these groups in person now to hear their ideas and talk more about how the library service would support them if they chose to proceed with a proposal. It is early days in this work and it is too early to say how many of these early EOIs will turn into detailed proposals. I can say though that most of these discussions relate to smaller libraries in villages, small towns or suburbs

Investment in libraries, promised in the future library services strategy, has already started. We have upgraded the public computers in all 74 libraries to improve customers' experience and ensure the computers are secure and compatible with new software. We are also in the process of upgrading the self-service facilities in libraries.

Energy-saving LED lighting has recently been installed at Billericay, Braintree, Clacton, Chelmsford and Rayleigh libraries to improve the library environment for customers and help tackle climate change. We plan to install LED lighting in over 20 more libraries in the coming year.

We are investing £1.9m in library refurbishments. Refurbishment will include clear signage, modern and flexible furniture, meeting rooms/pods, and other improvements that will make libraries more accessible and inclusive.

The report on refurbishments is currently being drafted by the Libraries Team and will be published in the near future. We expect this programme of work will begin later this year.'

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

‘Will the Cabinet Member give the background as to why Essex County Council is owed £11.9m in deferred payments, the second highest in the country, and what safeguards are in place for the future of the scheme given the Prime Minister’s pledge that no one should have to sell their home to pay for their care?’

**Reply**

The council is statutorily obliged to offer Deferred Payment Agreements (DPAs) under conditions which are set out in chapter nine of the statutory Care and Support Guidance (CSG) issued by the Department of Health and Social Care. The CSG applies to all councils with social care responsibilities across England.

DPAs are designed to prevent people from being forced to sell their home in their lifetime to meet the cost of their care in a residential care home.

A condition of the scheme is that adequate security must be provided by the person requesting the DPA. In most cases this takes the form of a legal charge on the adult’s house. This is our default position in Essex, thus ensuring the debt is secured. The level of debt and the value of the asset is monitored to ensure the person concerned can repay their debt when the DPA comes to an end.

The DPA scheme is intended to be run on a cost-neutral basis, with local authorities able to recoup the costs associated with deferring fees by charging interest on them. Local authorities can also recoup the administrative costs associated with DPAs.

It is ultimately the choice of an individual whether or not to enter into a DPA. Councils have an obligation to offer them to those who fulfil the conditions. The size of the DPA position in Essex is proportional to the size of the local authority, relative to others, and the history of offering DPAs before it became a statutory obligation. ECC remain committed to the most appropriate outcome, wherever able supporting people to remain at home. Because of our historical position in offering DPAs before it became a statutory requirement, we are well versed in mechanisms and financial planning and do not believe there is a long-term sustainability issue following the Prime Minister’s pledge.

**9. By Councillor Davies of the Leader of the Council**

‘Now that the UK has left the European Union, we will no longer receive billions in EU structural funding which was used to support businesses, employment and agriculture.

The Conservative Government has pledged to set up a Shared Prosperity Fund, in order to replace this funding.

Can the Cabinet Member give an update on the Prosperity Fund and how Essex will benefit?’

**Reply**

EU funding has been important for developing Essex Infrastructure. Under the current EU 2014-2020 Multiannual Financial Framework, The South East LEP which covers Essex, Kent and East Sussex has been able to fund £74m from the European Regional Development fund to support business growth, £71m from the European Social Fund to promote inclusion and skills and £14m from the European Agricultural Fund for Rural Development. At ECC we have also directly participated in EU funded projects including skills for young people, promotion of tourism and climate adaptation for urban areas.

Although the UK has left the EU, EU funding does not immediately stop. The current EU Multiannual Framework has not yet completed and under the terms of the EU Withdrawal Agreement, the UK will continue to participate in programmes until their closure. UK organisations can continue to bid for new grant funding under the current MFF until the end of 2020 and programmes will continue to receive EU funding across the programme’s lifetime. In many cases, funding for programmes will continue after the end of 2020. The EU itself has not announced its plans for its own replacement Multiannual Framework to begin in 2021. However, the Political Declaration does identify that the EU and UK will negotiate principles for the UK’s future participation in EU programmes. Within the UK, central government proposed the Shared Prosperity Fund in place of EU funding. Cllr Bentley in his role as Chair of the LGA’s Brexit taskforce has continued to represent Local Government in discussions on the Shared Prosperity Fund covering the important issues of size of the fund, its distribution by region and vitally local control and decisions on how funds are invested. Central Government has not yet published proposals and we will continue to work with partners through the LGA to identify and consult on how the Fund can best be designed.

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

‘When was the last time the County Council’s criteria for repairing potholes was formally reviewed with input from members? Will the Cabinet Member for Highways support a full review into the criteria for repairing potholes being undertaken by the relevant scrutiny committee?’

**Reply**

I thank the member for Brentwood South for his question on potholes.

As part of the considerations for contract extension with Ringway Jacobs, the relevant Scrutiny Committee, of which you are a member, undertook a full review and had detailed discussions on the County’s criteria for repairing potholes, and the criteria used to assess defects by the Essex Highways safety Inspectors. This review was undertaken very recently, completed in 2019, so is current.

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

‘What action is the Council taking to secure Government funding to ensure that research is undertaken into re-opening railway lines and stations across Essex that were closed under the Beeching review?’

**Reply**

I thank the member for Brentwood South for his question on railways.

I have already asked our officers at Essex County Council (ECC) to contact the Department for Transport (DfT). They have indeed written to the dedicated DfT email contact address and ECC contacts within the DfT rail team seeking additional information and guidance with respect to the fund.

Officers have also undertaken a review of projects thought to be seeking funding and an initial review of closed lines in Essex to consider scope for re-opening.

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

‘What is the Essex Highways policy for cutting back vegetation overhanging the highway (in particular, blocking footways) from adjacent, non-highway land?’

**Reply**

I thank the member for Chelmsford North for his question on vegetation overhanging the highway from privately owned land.

Landowners are responsible for trees and hedges on their land and should ensure that their trees and hedges are not overhanging or causing a problem on the highway. Where overhanging vegetation is a problem Essex Highways would encourage local Parish, City, District, and Borough Councils to inform the landowner, as they will know who that is.

Where a problem is long-standing then Essex Highways is able to write to the landowner if they are known but it is better that it is dealt with at the local level.

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

‘Over the last 12 months how many press releases have been issued by Essex County Council about the Army and Navy roundabout in Chelmsford and also of the threat of a congestion charge/clean air charging zone on the A127 in Basildon?’

**Reply**

I thank the member for Basildon Westley Heights for his question on communications regarding the Army and Navy Roundabout in Chelmsford and the A127 in Basildon.

Given the obvious difference in terms of the immediate impact of the two issues – one an emergency closure of a key junction, followed by a permanent closure and the forming of a task force to decide future options, the other a consultation on the introduction of a speed limited on a congested road to improve air quality over a much longer timescale, the level of communication relating to each has been entirely appropriate and proportionate.

During 2019 and to date in 2020, 24 press releases or statements concerning the Army and Navy roundabout have been issued. This included all communication relating to the emergency closure of the

flyover during the summer of 2019, it's permanent closure later in the year, and the formation of the Army and Navy taskforce and its subsequent work, as well as associated issues including public transport options.

A further 18 media enquiries have been responded to by Essex County Council over the same time period.

In the past year Essex County Council has issued two press releases/statements, one of them with Basildon Council on the introduction of a 50mph speed limit on the A127 over to improve air quality and the accompanying consultation. We have responded to seven media enquiries to date on the issue.

Basildon Council, over the same time period, has itself published two reports on the press release section of its website, both reporting on committee meetings at the Council which have discussed the A127 and air quality. The latest of these was published on Friday 28 June 2019.

**14. By Councillor Smith of the Cabinet Member for Education and Skills**

‘Has the Council got any plans to create a new secondary school between now and 2035 within the Divisions of either Westley Heights or the Laindon Park and Fryerns?’

If not, where will be the nearest secondary schools that can take the extra pupils that will come as a result of the new Local Plan once approved by the Government for Basildon Borough Council?’

**Reply**

For secondary pupil planning purposes, the Borough of Basildon is split into three areas: Basildon, Billericay and Wickford.

Westley Heights and the Laindon Park and Fryerns Divisions make up the Basildon area along with Pitsea.

Overall, there is currently an appropriate number of unfilled places at secondary schools in this area with the forecasts, set out in the Essex School Organisation Service's Ten Year Plan, suggesting there will be sufficient places until the 2023/24 academic year. Essex County Council have been working closely with Basildon Council on their emerging Local Development Plan.

The long-term housing scenario that has been tested suggests that there may be a need for a new school by 2035. Under policy H11 of the emerging Plan, land for a new school has been earmarked for

the East of Basildon. Limited expansion of other schools may also be required to establish a suitable balance between more local need and overall capacity. These decisions will need to be made as detail regarding the dwelling mix and timing of particular developments become known.

As always, as well as looking at the closest school to new homes, other factors including parental preference and school performance will be considered.

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

‘With budgets being squeezed, do we as a County Council need to re-evaluate how and what materials we use to repair our road surfaces and our potholes? We have had a mild winter with hardly any hard frost and yet potholes which were repaired last year have reappeared and are as deep as they were previously.

It cannot be cost-effective to continue to use the current method that is not fixing problems but just covering the surface for a short period of time.’

**Reply**

I thank the member for Pitsea for her question on materials used in highways.

Essex Highways delivers carriageway repairs using techniques and materials that are widely used across the country by local authorities and utility companies. The service also has a technical working group where new materials, techniques and innovation can be tested and evaluated to ensure that they are appropriate for wider use. As the cabinet member, I continue to encourage our highways team to look for new sustainable materials to use on the county’s roads.

Potholes are created by water seeping through the road surface via cracks caused by traffic. As temperatures plummet, the water freezes and expands as ice, which pushes the road surface upwards like a bubble and ruptures the surface.

When the ice melts, it then leaves a void below the surface, which yields in under the stress of vehicles and gradually forms a pothole. Snow and ice are the worst conditions for exacerbating existing road defects, due to the repetition of this freeze-thaw process.

Rainfall and water on our roads also cause potholes to form as cracks in the road allow water to seep into the asphalt and the roadbed layer underneath. Traffic makes this problem worse, as the weight from vehicles forces water downward into the road and this has a similar effect in the formation of a pothole.

Formation of potholes in our roads can also be used to indicate that the overall surface condition is nearing end of design life. In these circumstances we can find that new potholes can appear near or immediately adjacent the older repairs.

While the overall impression is that we have had a mild winter, the 2019/20 winter service season is in fact looking like it will be an average season. So far, 33 countywide equivalent actions have been delivered. The average is around 58 and we are about two thirds of the way through the season.

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

‘What plans are the County Council putting in place to provide the infrastructure for more electric charging points in view of the news today (4 February) that the government has announced the phasing out of petrol and diesel cars by 2035.’

**Reply**

I thank the member for Pitsea for her question on electric charging points.

It should be noted that Government policy is for new petrol and diesel cars to be phased out by 2035 (not that all petrol and diesel vehicles would be removed by this date). This is to enable a largely electric (or other alternative fuel) fleet by 2050 to reflect vehicle lifespans. Essex County Council does not currently have an electric vehicle (EV) charging infrastructure strategy or plan, as we are developing a strategic approach to low carbon in Essex and are working with industry and other key stakeholders to understand how best to enable new infrastructure. An example of this, is that we are working with Gridserve to develop the first EV Charging Forecourt near Braintree, this will open in Summer 2020 and will provide rapid charging infrastructure which is ready for the anticipated launch of a significant number of new EV models available from manufacturers in 2020/21. In addition, we are running a small pilot to install on street charging points in Chelmsford and Colchester which will be completed by May 2020.

Enabling EV charging infrastructure can be complex and at this stage we need further insight into future demand and consumption



patterns, including optimising the use of existing capacity and creating additional capacity for energy generation. This of course needs to be fully evidence based in line with industry and public expectations. This will require knowledge resources and will take time to develop. That said, we are committed to progressing a comprehensive strategy and action plan in a timely fashion, that will support decarbonisation of transport across the county. We have already engaged with initiatives that will help us refine our thinking and ensure that any charging infrastructure we put in place is fit for purpose and responds to future demand.

We would expect the new Essex climate action commission to also consider Electric Vehicle Infrastructure.

**11. Oral Questions of the Leader, Cabinet Member, chairman of a committee or the council's representative on the Essex Police, Fire and Crime Panel.**

Members asked questions of the Leader of the Council, Cabinet Members, chairmen of committees or the council's representative on the Essex Police, Fire and Crime Panel.

A recording of the questions is available [on the ECC website via the online audio recording of the meeting.](#)

The questions asked were:

<b>From:</b>	<b>To the:</b>	<b>Concerning:</b>
Cllr Deakin	Deputy Leader and Cabinet Member for Infrastructure	Replacement of shrubs and trees removed from highway
Cllr Wagland	Cabinet Member for Health and Adult Social Care	Preparations for possibility of coronavirus outbreak
Cllr Abbott	Deputy Leader and Cabinet Member for Infrastructure	Availability of match funding for Local Highways Panel schemes
Cllr Abbott	Cabinet Member for Planning	Proposed incinerator at Rivenhall.
Cllr Aspinell	Deputy Leader and Cabinet Member for Infrastructure	Crossrail
Cllr Aspinell	Deputy Leader and Cabinet Member for Infrastructure	Measures to prevent speeding on Farnbridge bends in Brentwood
Cllr Pond	Deputy Leader and Cabinet Member for Infrastructure	Scrutiny of reopening of railway lines

<b>From:</b>	<b>To the:</b>	<b>Concerning:</b>
Cllr Pond	Deputy Leader and Cabinet Member for Infrastructure	Bus route 87
Cllr Turrell	Leader	Tree planting
Cllr Beavis	Leader	Strategic road freight routes. Halstead to Sudbury.
Cllr Scordis	Deputy Leader and Cabinet Member for Infrastructure	Pavements in Colchester town centre
Cllr Scordis	Cabinet Member for Customer, Corporate, Culture and Communities	Maps in Colchester libraries
Cllr Young	Cabinet Member for Planning	What control the Council maintains over approval of infrastructure projects
Cllr Young	Deputy Leader and Cabinet Member for Infrastructure	Works to roundabout at Ipswich Road and Harwich Road Colchester.

**Chairman**  
**14 July 2020**

## **Agenda item 7**

### **Council Issues**

#### **Part 1: Approval of Reasons for Absence**

##### **1. Coronavirus Outbreak - Inability to attend meetings**

Section 85 of the Local Government Act 1972 states that any councillor who does not attend a meeting during any continuous period of six months automatically ceases to be a councillor.

When a councillor loses office under section 85 the Council is required to immediately declare their office vacant and declare a vacancy. Any two electors can then require a by election to be held, although by-elections are currently suspended under the emergency legislation relating to COVID-19.

However, section 85 also says that this does not apply if a councillor's absence is for a reason approved by a resolution of the full council before the six months is up. Under our constitution that decision can only be approved by full Council.

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 allow meetings to be held remotely but they do not suspend the operation of the six-month rule.

Although the Council has kept meetings going as far as possible and many meetings have been successfully held via zoom, meetings are being held less frequently. This means that it is not as easy for members to ensure that they are able to attend a meeting, particularly when it is possible that they may become unwell.

The infrequency with which full council meets means that it may not be possible for any member's reasons for absence to be individually considered at a meeting of the full council before their six months expires. This could result in a member losing their seat. If that happened, then the law is clear that it is not now possible to hold a by-election until May 2021.

In order to avoid the risk that a councillor may lose their seat or be tempted to attend a meeting if they are unwell it is proposed that Council approves the absence of any member for any reason connected with the coronavirus outbreak.

#### **Recommendation**

That under section 85(1) of the Local Government Act 1972 the Council approves the following as reasons for non-attendance at meetings until the next annual meeting of the County Council:

- a. Being unable to attend a meeting as a result of illness;
- b. Being unable to attend a meeting as a result of failure of an internet connection or electronic device failing to operate correctly;
- c. Cancellation or non-convening of meetings;
- d. Any other reason which is reasonably connected with the outbreak of coronavirus in the United Kingdom.

## **Part 2: Changes to the Constitution**

### **2. Coronavirus Outbreak: Virtual Meetings**

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 allow the Council to meet remotely provided there is public access. This suspends the law and the constitution insofar as it is necessary to do so to allow virtual meetings.

Members of the Council have responded very positively to the changes and to date we have had a good experience of using online meetings. Sixty nine Members of the Council have participated in an ECC virtual meeting or training on zoom.

The current regulations do not allow virtual meetings to continue beyond May 2021.

The constitution has worked well for Members at virtual committee meetings. The rules at full Council are a little more prescriptive. There are two areas where it is recommended that change could usefully be made. These are:

- standing to speak
- voting

#### **Standing to Speak**

Clearly it is not necessary or helpful for members to stand when they are present at a meeting via remote access. The constitution currently states:

##### **‘16.9.7 Only one Member to stand at a time**

A Member when speaking shall stand and address the Chairman. If two or more Members indicate, the Chairman shall call on one to speak; the other or others shall then sit. While a Member is speaking, other Members shall remain seated, unless rising to a point of order or in personal explanation.’

It is proposed that paragraph 16.9.7 be amended to make it clear that members will normally stand but allow flexibility to disapply this. The paragraph then to read:

##### **‘16.9.7 Only one Member to speak at time**

Only one Member may speak at a time. Members wishing to speak shall indicate to the Chairman. Members may only speak when called upon to do so by the Chairman or if they wish to raise a point of order or personal explanation or to propose a motion of a type which may be moved during a debate. While a member is speaking, they shall stand unless the Chairman directs or agrees otherwise.'

## **Voting**

The constitution includes provision about voting being by show of hands, which is ambiguous in the context of virtual meeting as it could mean raising your physical hand or using the 'raise hand' function, and neither of those work if a member is only able to join the meeting by telephone. Similarly, the requirement for ten members to stand to give effect to a requirement for a named vote is not particularly helpful in the context of a virtual meeting. It is therefore proposed to allow the Chairman flexibility as to the manner of voting and in the way that members indicate support for a recorded vote.

The constitution currently states:

### **'16.10.1 General provisions about voting**

- (1) On a division (except as otherwise provided in these Standing Orders) the voting shall be by show of hands or, at the discretion of the Chairman, by members standing in their places.
- (2) Before a vote is taken, any ten Members may demand a division by name by standing in their places, in which event the Chief Executive shall call on each Member of the Council to state whether he votes for, against or abstains from the motion. The votes shall be recorded and the Chairman shall declare the result.
- (3) In a division by name, the names of Members voting for and against the proposition shall be recorded in the minutes.
- (4) Where immediately after a vote is taken any Member so requires, there shall be recorded in the minutes of the proceedings of the meeting whether that Member voted for or against the question or whether that Member abstained from voting.'

It is proposed that paragraph 16.10.1 be amended to permit the Chairman to exercise discretion. The paragraph then to read:

### **'16.10.1 General provisions about voting**

- (1) On a division (except as otherwise provided in these Standing Orders) the voting shall be by show of hands or in such manner as the Chairman may direct.

(2) Before a vote is taken, any Member may request a division by name. Upon receiving such a request, the Chairman shall allow members an opportunity to indicate their support for this request by standing in their place or in such other manner as the Chairman may direct. If ten members support the request, the Chief Executive shall call on each Member of the Council to individually vote for, against or abstain on the motion. The votes shall be recorded, and the Chairman shall declare the result.

(3) Where there has been a division by name, the names of Members voting for and against the proposition or abstaining shall be recorded in the minutes.

(4) At the request of any Member there shall be recorded in the minutes of the proceedings of the meeting whether that Member voted for or against the question or whether that Member abstained from voting. Any such request must be made immediately after a vote is taken.'

**Recommendation:**

To approve the amendments to the constitution as detailed above and that they be implemented with immediate effect.

**3. Electronic Seal**

Council is asked to agree changes to the constitution to allow the sealing of documents by electronic means. Sealing is how local authorities 'sign' key documents such as deeds and statutory orders to show that they have been approved by the authority.

The Electronic Communications Act 2000 allows sealing to take place by electronic means.

ECC's constitution does not currently allow electronic sealing. This has meant that throughout the COVID-19 outbreak officers have had to continue to visit County Hall to enter documents in the book, affix the seal and sign the book.

As a result of the outbreak many local authorities have investigated electronic sealing. The lack of a full council meeting has meant that we have not previously been able to seek approval to adopt electronic sealing during the pandemic.

Electronic sealing has the following advantages:

- No need to produce paper documents - nowadays many of the contracts we sign are huge and there is a lot of time involved in checking the

documents have been printed and bound correctly as well as time spent printing.

- An electronic document is the authenticated final version. Nowadays most lawyers work electronically rather than from the paper documents and having an electronic version which is the authenticated final version is helpful.
- No need to physically transport documents for sealing transporting the documents has a significant resource implication alongside the risks of loss.
- Faster process - sealing means that everyone can seal quickly, regardless of where they are in the world and there is no critical order of sealing. Electronic sealing software reports on the date and time of sealing. This means the documents can be signed quickly. When there are large volumes of documents it is easy to manage and keep track of signatures – we have piloted electronic signing during the pandemic and there has been a significant efficiency gain.

At the same time there are a number of risks:

- It is important to keep the security details securely. ECC operates a secure network and we believe that these risks are manageable if we follow ECC information security policies.
- A process will be needed to record those documents that are sealed electronically in the same way that we would for paper sealing including a process for the affixing and attesting of the electronic seal.
- The fact that we will no longer have any printed document to check means we lose this inherent opportunity to review the document after a 'cooling off period'. This risk is inherent with any electronic document production. The solution is to ensure that lawyers properly proofread documents before issue.

There are a number of providers of electronic signature software, most of whom operate via the internet. In order to maintain flexibility, it is proposed that the Monitoring Officer is authorised to select the provider from time to time and set requirements for the use of such seals after consulting the Chairman.

The constitution currently states:

### **'12.5 Common Seal of the Council**

The Common Seal of the Council will be kept in a safe place in the custody of the Chairman of the Council.

A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision.

The Common Seal will be affixed to those documents which in the opinion of the Monitoring Officer or the Director, Legal and Assurance should be sealed.

The affixing of the Common Seal will be attested by the Monitoring Officer or the Director, Legal and Assurance or some other person authorised by either of them, or by the Chairman or in his absence the Vice-Chairman or in his absence a past Chairman of the Council.'

**Recommendation:**

That paragraph 12.5 of the constitution be amended as set out below:

**'12.5 Common Seal of the Council**

The Monitoring Officer may from time to time adopt such means of sealing as from time to time considered appropriate after consulting the Chairman. This may include allowing electronic sealing in accordance with section 7A(1) of the Electronic Communications Act 2000. Affixing of an electronic seal approved in this way shall be of the same legal effect as affixing the Common Seal of the Council.

The Common Seal will be kept in a safe place in the custody of the Chairman of the Council.

A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision.

The Common Seal will be affixed to documents which in the opinion of the Monitoring Officer or the Director, Legal and Assurance should be sealed.

The affixing of the Common Seal will be attested by or affixed and attested by the Monitoring Officer or the Director, Legal and Assurance or some other person authorised by either of them, or by the Chairman or in his absence the Vice-Chairman or in his absence a past Chairman of the Council.'

**4. Oral questions**

The constitution at paragraph **16.12.6 Other oral questions** states that a Member may ask an oral question at a meeting of Council '...on any matter in relation to which the Council has powers or duties or which affects the area...'

It has been noted that the words '...affects the area' lack clarity and so it is proposed that they be replaced with '...affects Essex...'

Therefore, it is proposed that paragraph 16.12.6 be amended to read:

**16.12.6 Other oral questions**

'A Member may ask any oral question of:



- (i) the Chairman
- (ii) the Leader
- (iii) a Member of the Cabinet
- (iv) the Chairman of any Committee or Sub-Committee or
- (v) the Member appointed by Essex County Council as its representative on the Essex Police, Fire and Crime Panel,

on any matter in relation to which the Council has powers or duties or which affects Essex, but which is not capable of being dealt with under paragraph 16.12.5.

The time allotted at each meeting for the putting and answering of questions under this paragraph shall not exceed 20 minutes, without the leave of the Chairman of the Council.'

However, it has been also noted that the word 'Essex' appears frequently in the constitution and its meaning can vary according to context.

The second sentence of paragraph **1.9 Interpretation** of the constitution currently states

'Within this Constitution, except where the context otherwise requires the masculine includes the feminine and vice versa.'

It is proposed, for the avoidance of doubt, that the second paragraph be amended to read:

'Within this Constitution, except where the context otherwise requires:

- the masculine includes the feminine and vice versa, and
- any reference to 'Essex' shall be the Administrative County of Essex.'

### **Recommendation**

That the amendments to paragraphs 1.9 and 16.12.6 of the constitution as detailed above be approved.

## **5. Review of Delegations Relating to Senior Management Employment Matters**

A review of the relevant parts of the constitution has identified that the provisions should be clarified as to when officers may make a temporary appointment of a chief or deputy chief officer. It is proposed that the constitution is amended to make it clear say that all chief officer appointments should go to the committee, except that deputy chief officers – normally directors - may be appointed for up to a year by officers, subject to prior notification to the Leader who may require a decision to be referred to the Committee.

It is also proposed to rename the 'Committee to Determine the Pay and Conditions of Employment of Chief Officers and Deputy Chief Officers' to the 'Senior Management Employment Committee' which is shorter and more accurately describes the work of the committee.

The Senior Management Employment Committee will continue to be politically balanced, but with no standing membership. Relevant members will be appointed to the Committee based on the wishes expressed by leaders of political groups, having regard to the decisions to be taken and availability.

## **Recommendations**

- (1) To replace paragraph 8.1.3 of the constitution with the following:

### **8.1.3 Senior Management Employment Committee**

Membership: Five Members of the Council to include the appropriate Cabinet Member.

- (i) subject to (iv) below, to be responsible for the appointment and dismissal of Chief/Deputy Chief Officers and appeals against dismissal of such persons with the power:
  - (a) to appoint sub-committees of three Members to deal with particular appointments, dismissals or appeals; and
  - (b) to authorise the Chief Executive or his nominee to deal with a particular appointment or dismissal;
- (ii) to make decisions relating to the terms or conditions of employment of Chief/Deputy Chief Officers not already covered by the Council's Officer Employment Procedure Rules; and
- (iii) to decide the level of performance pay to be awarded to the Chief Executive and members of the Corporate Leadership Team and any proposal to make any payment to any such person above the assessed 'rate for the job' for any such role.
- (iv) The Committee is not authorised to dismiss the Head of the Paid Service, the Monitoring Officer or the Section 151 Officer.

### **Senior Management Employment Sub-Committee – Terms of Reference**

Membership: Three Members of the Council to include the appropriate Cabinet Member.

1. To exercise any of the Committee's powers with respect to any particular Deputy Chief Officer (but not changes affecting more than one such post).

- (2) To add new sub-paragraphs (k)-(n) to paragraph 15.1.4 of the constitution (limits on delegations to officers):

- (k) Nothing in this Scheme of Delegation allows any officer to make the decision to appoint or dismiss a chief officer or deputy chief officer other than
- (i) to make a temporary or interim appointment of a deputy chief officer for up to one year (with any decision to re-appoint or extend a temporary post beyond a year being referred to the Senior Management Employment Committee);
  - (ii) to dismiss a person appointed under (i) or
  - (iii) to make decisions relating to a Head of Service reporting to a Director.
- (l) Any proposal for an officer to make a temporary or interim appointment of a deputy chief officer in accordance with (k) must be notified to the Leader and the decision referred to the Senior Management Employment Committee if the Leader so requires.
- (m) Nothing in this Scheme of Delegation allows any officer to make any decision about the pay or any other remuneration of a chief officer or deputy chief officer other than one falling under (k), other than to adjust their pay to the assessed 'rate for the job' for their pay grade.
- (n) Nothing in this Scheme of Delegation allows any officer to alter any aspect of pay grades A or B.

## **6. Membership of the Health and Wellbeing Board**

The Health and Wellbeing Board is a committee of the council established in accordance with Section 194 of the Health and Social Care Act 2012. In this way, the Act makes some statutory requirements about membership and the council can add to that statutory membership in order to meet local needs.

The principal strategic bodies in the NHS that cover the Essex area are the Sustainability and Transformation Partnerships (STPs). Essex is unique in having three STPs covering the county area: Hertfordshire and West Essex STP, Suffolk and North-East Essex STP, and Mid and South Essex STP. In all three cases Essex County Council is not the only local government partner.

Having the Independent Chairs of the three STPs sitting round the table will help secure NHS buy-in to the needs and ambitions of the people of Essex.

Council is asked to agree that the Board's composition be amended to include, as full voting members of the Essex Health and Wellbeing Board the Independent Chairs of:

- Suffolk and North-East Essex STP
- Hertfordshire and West Essex STP
- Mid and South Essex STP.

It is expected that STPs will transition into Integrated Care Systems (ICSs) and the proposed changes to the constitution will enable this to happen without further changes to the constitution being required.

Additionally, the constitution currently allocates a place to the 'NHS Commissioning Board Essex LAT Director', a position and job title that no longer exists and requires replacing with 'Representative of NHS England', a change that will permit the current appointee to continue.

While these recommendations would increase the size of the Board from 30 to 33, the on-going changes to the structure of the NHS in the Essex area mean there will be an opportunity to bring the number of HWB members down again. It is understood that the NHS intends that all Clinical Commissioning Groups within each of the STP areas will be merging. This means the number of CCGs will reduce from seven to three by April 2021. This in turn will allow the membership of the HWB to be rationalised accordingly once those changes are in place

### **Recommendation:**

That the constitution of the Board as shown in paragraph 8.1.8 of the Constitution be amended to read:

### **'Quorum**

The quorum for the Health and Wellbeing Board will be one quarter of the voting membership and will include:

- at least one Essex County Council Elected Member
- at least one Clinical Commissioning Group Representative
- Essex County Council *either* Director of Adult Social Care, Director of Children's Services or Director for Public Health.

### **Membership**

<b>Voting Members</b>	
<b>Statutory Members</b>	<b>How Nominated or Appointed</b>
3 County Councillors*	As nominated by the Leader of the County Council
Essex County Council Director of Adult Social Care (DASS)	By appointment to post
Essex County Council Director of Children's Services (DCS)	By appointment to post
Essex County Council Director of Public Health (DPH)	By appointment to post
Representative of Health Watch Essex	Appointed by Health Watch Essex
Representative of North East Essex CCG	Appointed by North East Essex CCG
Representative of Mid Essex CCG	Appointed by Mid Essex CCG
Representative of West Essex CCG	Appointed by West Essex CCG

Representative of Basildon & Brentwood CCG	Appointed by Basildon & Brentwood CCG
Representative of Castle Point and Rochford CCG	Appointed by Castle Point and Rochford CCG
<b>Other Members</b>	<b>How Nominated or Appointed</b>
Chief Executive of Essex County Council	By appointment to post
Independent Chair, Suffolk and North-East Essex STP/ICS	Appointed by the Board on the nomination of the STP/ICS
Independent Chair, Hertfordshire and West Essex STP/ICS	Appointed by the Board on the nomination of the STP/ICS
Independent Chair, Mid and South Essex STP/ICS	Appointed by the Board on the nomination of the STP/ICS
4 Borough/City/District Council Representatives	Appointed by the Board on the nomination of the Borough/City/District Council Leaders and Chief Executives Group
3 Voluntary Sector representatives	Appointed by the Board on the nomination of Borough/City/District Council Leaders and Chief Executives Group
Representative of NHS Commissioning Board (NHS England)	Nominated by Regional Director, NHS England
3 Representatives of Essex Acute Hospital Trusts	Appointed by the Board on the nomination of the Trusts
2 Representatives from Essex mental health and non-acute providers	Appointed by the Board on the nomination of the Trusts
1 Representative from Mid and South Essex Clinical Commissioning Groups in common	Appointed by the Board on the nomination of Mid and South Essex Clinical Commissioning Groups Joint Committee in Common
<b>Non-Voting Members</b>	
Essex Police, Fire and Crime Commissioner	By election to post
Independent Chair of the Essex Safeguarding Children's and Adults Boards	By appointment to posts

## **7. Membership of the Audit, Governance and Standards Committee**

The Audit, Governance and Standards Committee undertook an effectiveness review in early 2020 on 9 March 2020. One outcome of the review is that the composition of the committee be amended to include a co-opted independent member to be recruited by the committee.

The constitution currently states:

### **‘8.1.2 Audit, Governance and Standards Committee**

Membership: Ten Members.’

#### **Recommendation:**

That the membership of the committee as shown in paragraph 8.1.2 of the constitution be amended to read:

### **‘8.1.2 Audit, Governance and Standards Committee**

Membership: Ten Members of the Council and one non-voting co-opted Member.

The co-opted Member shall be appointed the committee for a term of not exceeding four years and shall be selected by the Committee following public advertisement. At the expiry of the term of appointment the vacancy shall be advertised and a further selection process undertaken. The sitting member shall be eligible for reappointment.

## **8. Outside 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.

A new body, the Mid and South Essex NHS Foundation Trust has been created by merging the Southend University Hospital NHS Trust and the Basildon and Thurrock University Hospitals NHS Foundation Trust both of which are shown in the constitution and to which we could make appointments.

#### **Recommendations:**

1. That the list of Approved Bodies in Appendix 3 of Part 26 of the Constitution be amended to include the newly formed Mid and South Essex NHS Foundation Trust and remove the Basildon and Thurrock

University Hospitals NHS Foundation Trust and the Southend University Hospital NHS Foundation Trust.

2. 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.

### **Part 3: Dates of Future Meetings**

#### **9. Dates of Future meetings of the Council**

The dates of the forthcoming meetings of Council are usually noted at the annual meeting of Council. However, as the annual meeting of Council has been postponed it is proposed that they be noted at this meeting.

#### **Recommendation:**

That it be agreed that the meetings of the Council will be held on Tuesdays at 10am on 13 October and 8 December 2020 and 16 February, 11 May, 13 July, 12 October and 7 December 2021

<b>Report title: The County Council's Response to Covid-19</b>	
<b>Report to:</b> Full Council	
<b>Report author:</b> Cllr David Finch, Leader of the Council	
<b>Date:</b> 14 July 2020	<b>For:</b> Discussion
<b>Enquiries to:</b> Gavin Jones, Chief Executive	

## **1. Introduction**

- 1.1 COVID-19 is a global pandemic which started in China in late 2019 and has now affected 188 countries with over 10 million reported cases and in excess of 500,000 deaths.
- 1.2 The first reported cases of COVID-19 in England appeared in York on 31 January 2020. The first case in Essex was reported on 28 February. The first death in Essex was on 5 March. Since then, and up to 1 July, there have been over 4,000 confirmed cases across Essex, Southend and Thurrock and more than 1,200 people have died in Essex Hospitals as a result of contracting the disease. They number amongst them from the County Council – Cllr Terry Cutmore and one member of our staff. First and foremost this is a human tragedy, a global crisis on a scale unseen since the Second World War, that has affected all of us and that has changed our way of life forever.
- 1.3 The purpose of this paper is to set out what we have done during the crisis and our current position and understanding of the implications. We set this out in the knowledge that we are still in the midst of the emergency and today's lessons may be different from those we derive with more perspective.
- 1.4 And we present this report to Council with deep humility and gratitude for the commitment of public servants across the county who have worked tirelessly to save lives; to our communities who have supported one another through the toughest of times; and to our businesses who have stepped up to the plate and made their resources available for the greater public good.

## **2. Recommendation**

- 2.1 It is recommended that Council notes and discusses the Report.

## **3. Covid-19: The Context**

### **3.1 Context: Health**

- 3.1.1 The current Covid-19 outbreak is the result of a new coronavirus from animals. It first came to light in China in late 2019. The first cases appeared



in the UK in January 2020. In March 2020 the World Health Organisation declared a global pandemic. As of 1<sup>st</sup> July, there have been more than 280,000 lab-confirmed cases in the UK and over 43,000 deaths.

- 3.1.2 For most people the symptoms of coronavirus disease (COVID -19) will be mild, and people will recover in around two weeks. However, the individuals at highest risk for severe disease are those over 70 years and those with certain underlying health conditions where symptoms could require hospitalisation. It is difficult to accurately estimate the mortality rate because not all cases are identified. However, data from around the world suggests it is likely to be less than 1%.
- 3.1.3 Due to the lack of immunity in the population the disease can easily spread between people causing a large outbreak and 'peak' in cases. If allowed to spread without intervention the resulting level of disease risks overwhelming health and social care services due to the extreme volume of those requiring specialist care and support.
- 3.1.4 As the pandemic has developed and confidence has grown in the management of pressure on the health and social care system there has been a gradual relaxation of social distancing measures. However, in the absence of an effective vaccine, as long as there are cases of infection in the community, the likelihood of a resurgence of spread remains. As we have seen recently in Leicester, any subsequent waves of the disease will need to be managed in a similar way to the current measures.
- 3.1.5 In managing a return to 'normality' whilst the disease is still with us, greater emphasis is being placed on testing and tracing community cases. This involves tracing those who have been in contact with a case and supporting people to self-isolate with symptoms and NHS care where needed. Essex, with Southend, was one of the first places in the country to launch a local contact tracing system (in the week commencing 29<sup>th</sup> June). The local contact service is responsible for identifying, containing, and reducing the spread of COVID-19 at the local level. The service will also be responsible for 'complex cases' – supporting tracing in schools, care homes, work places and amongst vulnerable groups.
- 3.1.6 A vaccine is being researched which would enable society to gain population immunity, preventing the spread of disease and protecting the vulnerable from illness. However, there is no guarantee that an effective vaccine will be found and any such vaccine is unlikely to be available in whole population quantities before 2021.
- 3.2 *Government Context – Support to Communities, Social Distancing and Shielding*
  - 3.2.1 From the end of January the Government began to develop a series of policy responses and announcements in respect of addressing the spread of COVID-19. Some of the key announcements are set out below. On 18<sup>th</sup> March, the Government announced that all schools would close from the

afternoon of Friday 20 March – except for the children of key workers and vulnerable children. On 20 March the closure of cafes, pubs, and restaurants was announced with nightclubs, theatres, gyms, cinemas, and leisure centres to follow. The same day, the Government tasked Councils with supporting 1.1 million Clinically Extremely Vulnerable (CEV) people as identified by NHS England, to stay at home and protect themselves ('Shield') from the high risk of severe illness from COVID-19.

3.2.2 On 23 March, the Government announced a UK-wide partial lockdown to contain the spread of the virus – the public was required to stay at home except for certain 'very limited purposes' such as shopping for basic necessities; for one form of exercise a day; for any medical need; and to travel to and from work when "absolutely necessary".

3.2.3 On 16 April, the Government announced the extension of the social distancing and isolation measures introduced in March for a further three weeks. It set out the five requirements the Government would need to see satisfied before it would consider lifting any of the current measures:

- i. The NHS must be able to provide sufficient critical care and specialist treatment across the UK.
- ii. There must be a sustained and consistent fall in the daily death rates from COVID-19.
- iii. There must be reliable data to prove that the rate of infection is decreasing to manageable levels across the country.
- iv. There must be confidence in government that it can respond to any future operational challenges.
- v. There must be confidence that any future adjustments will not lead to a second peak of infections from COVID-19 and overwhelm the NHS.

3.2.4 On 10 May a new alert scale was announced ranging from Green (Level 1) to Red (Level 5). The initial risk level was set at 4. This announcement was accompanied by the publication of the Government's 50 page roadmap: Our Plan to Rebuild: The UK Government's COVID-19 Recovery Strategy setting out the approach to the progressive easing of the lockdown restrictions. On 28 May, the Prime Minister announced that the five tests had been met enabling the loosening of social distancing restrictions from 1 June, leading to the partial reopening of schools and signalling the reopening of non-essential shops from the 15 June and pubs and restaurants from 4 July.

### 3.3 *Government – Support to Businesses*

3.3.1 At the same time as the Government was introducing measures to safeguard the health of citizens through social distancing, it also introduced policies designed to protect businesses from the worst effects of what we now know

to be one of the most acute economic slowdowns in history – the worst for three hundred years, according to the Office of Budget Responsibility (OBR).

3.3.2 The main measure put in place by the Government to support the economy was the Coronavirus Job Retention Scheme. The scheme makes provision to enable employers to furlough staff on 80% of pay with businesses able to claim up to £2,500/month per employee towards these costs. The scheme went live on 20 April (backdated to 1 March 2020) and more than 140,000 companies, employing a total of about a million workers, applied for the scheme on the first day of operation. By 31 May 2020, 1.07m companies had used the scheme, furloughing 8.7m workers (9.1m at 14 June) at an estimated cost of £60bn.

3.3.3 Alongside the Coronavirus Job Retention Scheme, a number of other interventions have been put in place to support the self-employed and other parts of the economy. Coronavirus Business Interruption Loan Schemes were introduced to support viable businesses affected by the coronavirus pandemic and UK businesses driving innovation and development have been helped through the coronavirus outbreak with a £12.6 billion government support package (21 June 2020). The Government also introduced a £500m Future Fund to invest in high-growth start-up companies impacted by the crisis. The loans available range from £125,000 and £5 million, subject to at least equal match funding from private investors.

#### 3.4 *Government – support to Councils*

3.4.1 In March, the Ministry of Housing, Communities and Local Government (MHCLG) announced that councils across England will receive an initial £1.6 billion of un-ringfenced COVID-19 funding. An additional allocation of £1.6bn was announced on 18 April. The funding will support local councils as they continue their efforts to support and deliver the Government's shielding programme for vulnerable communities, assist the public health workforce and provide additional support across a range of vital services. In addition, on 2 July, the Secretary of State for MHCLG announced a further £500m of support to Councils – taking the total support package announced so far to £3.7bn.

### 4. **Covid-19: The Essex Position**

#### 4.1. *Essex Overview*

4.1.1 The County Council operates as part of a larger emergency planning system through the Essex Local Resilience Forum (ERF) which incorporates Southend and Thurrock and a wide range of public service partners. The ERF began daily calls of the Strategic Co-ordination Group (SCG) - co-ordinating the multi-agency response to the crisis - on 5 March and declared a major incident on 19 March. The SCG was chaired on an alternate weekly basis by the Chief Constable and by the Deputy Chief Fire Officer.

- 4.1.2 The ERF has been supported by a number of Tactical Co-ordination Groups (TCG). Personnel from Essex County Council played a full role in supporting these groups - the following TCGs were chaired by ECC Officers: Shielding the Vulnerable; Excess Deaths Management; Volunteer Co-ordination; Social Care: Adults; Social Care: Children; Data and Logistics; Waste; Homelessness. The ERF was supported by the ECC Emergency Planning and Resilience Team.
- 4.1.3 In addition to playing a full part in the LRF emergency planning co-ordination efforts. ECC also stood up its business continuity response structure. This required each function to set up a Functional Response Group (FRG); and an Incident Management Team brought the FRG reporting together on a daily basis and reported upwards to the Corporate Leadership Team to ensure there was a mechanism for clear visibility of issues arising across the Council and a rapid means of escalating for resolution. A strategic risk register was maintained for the initial phases of the response.

#### 4.2 *Essex Services: Adult Social Care*

- 4.2.1 Essex County Council provides support to 17,000 people, including those with physical support needs, adults with learning disabilities and autism, those living with mental health problems, and adults with physical and sensory impairments. In addition to the people we directly support, there are an estimated 25,000 people who fund their own care in the county and 61,000 people who fall within the government's 'shielding' criteria – many of whom were previously unknown to our services.
- 4.2.2 The priority from the outset was to keep these vulnerable people safe - death rates from COVID-19 are known to be highest among vulnerable groups such as the elderly and those with certain long-term conditions.
- 4.2.3 The fast spread of the disease posed particular challenges in settings such as care homes and to front-line social care staff. Our Adult Social Care Services had to work under unprecedented pressure and time urgency and in new ways not only to protect those people we needed to support but also in order to keep the workforce safe and support the Essex care market to cope. The sector as a whole employs about 35,000 people in Essex and there are about 400 care homes and 300 homecare providers registered in the county. Decisions in excess of £57m have been taken to address the challenges.
- 4.2.4 Our workforce was extremely flexible and self-less throughout. They adapted quickly to new working practices including how they approached the organisation and triage of cases and risk.
- 4.2.5 Adult social care is extremely grateful for the support it received from other parts of the council, from the Cabinet Member and from wider councillors. The crisis meant that we needed to secure support for urgent decisions from

councillors and we appreciate this was done quickly and with great understanding and empathy. We are particularly grateful for the leadership from our Cabinet Member who also took the time throughout the crisis to communicate with our workforce which was hugely valued.

4.3.6 There have been six areas where we have particularly focused:

- i. Protecting the most vulnerable from the virus and preventing its spread – we implemented new guidance to enforce social distancing. This included stopping non-urgent visits and looking for alternatives to face-to-face visits where necessary, including contacting people by phone or video call. Day centres for adults with learning disabilities and for older people were closed to prevent the spread of the virus in environments where there would be large gatherings. Daily communications to the care market were established to ensure they were aware of the raft of new policy guidance and had advice on infection control procedures. A weekly webinar where care providers could ask questions of social care, public health and NHS experts was introduced, as well as information and advice on the care provider portal.

A critical objective was to stop the spread of COVID-19 within care home settings. We developed five multi-agency local care home hubs across Essex (involving social care, NHS, public health, Care Quality Commission) to provide advice and support to care homes to assist them with infection control and the management of any outbreaks. Each home has a named contact. Local hubs identify the homes that need to be prioritised for testing of all staff and residents. All homes are currently risk assessed weekly and contacted regularly - with daily contact for those considered most at risk. When necessary, admissions into a care home have been suspended where there has been an outbreak.

We have developed clear protocols on discharges from hospital to ensure that no person should be discharged into a care home if their COVID-19 status is not known. Only care homes that can safely isolate a COVID+ patient would be able to accept a discharge. Failing this, the local authority has secured temporary and alternative accommodation where COVID+ patients can be isolated and looked after until they are no longer at risk of infecting others.

We have worked with NHS colleagues to develop an Infection Control Plan, in line with government requirements, to distribute £16.3m of funding from government to support providers on infection control. 75% of the funding is distributed directly to care providers and the remaining 25% is overseen by the council, where our intention is to use it to support home care and supported living providers.

This work has helped to successfully prevent the further spread of COVID in Essex care homes and these have significantly reduced since they peaked in mid-April and helped ensure that care homes in Essex have been less affected by outbreaks than in some neighbouring areas.

- ii. Supporting hospital discharges and moving to new 7 day working patterns - new hospital discharge guidance was issued on 19 March which necessitated an immediate change to discharge processes and a move to a new 7 day rota for social care. The service quickly restructured the bulk of our frontline social care teams (affecting around 6800 workers) into three “crews”, each working new 12 hour shifts to ensure 7 day coverage from 8am-8pm. We also moved the Equipment Service on to a 7 day basis so that anyone who needed equipment to facilitate their discharge from hospital could be supported.

The national target was to free-up about 30% of hospital beds by mid April – the equivalent of freeing-up over 1,000 beds across Essex hospitals within 3 to 4 weeks. We worked closely with all Essex hospitals to support them to discharge people to achieve this target. All Essex hospitals were able to lower their occupancy levels to around 50-60% by mid April. This was crucial because at the height of the crisis, Essex hospitals were operating at 3 to 4 times the normal level of people in intensive care as they struggled with rising COVID demand.

To facilitate discharges we took an early urgent decision to secure extra capacity by block purchasing (within 48 hours) an extra 600 residential beds to help meet the expected surge of discharges from hospital, while also pursuing other options to secure extra market capacity if needed - we worked with NHS partners to re-open a former care home (Howe Green, just outside Chelmsford). This 76 bed facility has been operated by Essex Cares Limited and we worked quickly during a 4 week period to secure the site, install beds and equipment, establish staffing and operating protocols, and open the facility.

- iii. Supporting the Essex care market - as soon as the crisis broke we quickly took urgent decisions to provide financial support to care providers. These included giving homecare providers extra flexibilities to vary care packages by 25% without our agreement so they could free capacity from low-level need service users to support those with higher level needs.

We guaranteed payments for 12 months for the current 4,300 care home capacity that ECC purchases, meaning that even if the bed becomes empty that the payment/income is secure until 31 March 2021. This has become crucial to supporting the sustainability of care homes as the number of people in care homes has fallen by 10% as a result of COVID due to increased death rates and increased reluctance of families for their loved ones to go into care home settings.

We have created a COVID-19 Response Fund, worth £12m to help providers access funding to reimburse up to 10% of certain costs (additional staffing, personal protective equipment etc) incurred as a result of the COVID crisis.

We have worked closely with the Essex Care Association to seek their views on the support needs of the market and to test ideas/proposals out.

We also established ECL as the provider of last resort in the event of any provider failure.

- iv. Supporting the vulnerable - we worked with Provide (a community interest company) to launch Essex Welfare Service to help vulnerable people in our community who are staying at home and in need of support during the coronavirus period. This service provides a single point of contact for residents who are unable to get the help they need to keep safe. So far over 7,000 people have been supported by Essex Welfare Service (this is covered in more detail in the section headed 'Operation Shield').

We also worked with Sports for Confidence (who provide sports activities for those with physical disabilities and learning disabilities) to introduce a new Stay Connected Service, ensuring that people can still access these services remotely. And we took an urgent decision to work with Alcove and ReThink Partners to roll-out up to 2,000 care tech phones to vulnerable people to give them new means of staying connected to their care support and to their loved ones. Since this was launched at the beginning of May, we have so far distributed around 600 devices.

Following the necessary closure of day centres, we worked closely with day opportunities' providers to help them to support 1,594 people at home in different ways, for example outreach, technology and providing checks and welfare calls. Specialist health Learning Disability nurses have been supporting their most at risk clients, including 171 people in the shielded cohort.

Demand for assessments under the Mental Health Act have increased as a result of COVID. We are still working on data but believe this could be a 15 – 20% increase from this time last year. We moved the mental health assessment service on to a 7 day footing which has worked well.

- v. Personal Protective Equipment (PPE) - one of the biggest and enduring challenges during the first 6-8 weeks of the crisis was access to personal protective equipment (PPE) and the changing advice from Government as to what was required. This impacted on NHS, care providers and ECC workers alike. National supply chains were extremely stretched and international demand for PPE meant that supply was difficult to secure and prices rose considerably. We worked with the Essex Resilience Forum to distribute PPE supplies provided by Government to care providers and workers, following strict prioritisation criteria due to the need to ensure that limited supplies could be prioritised to support those where COVID-19 was present. To facilitate this we set up a purchasing and distribution system for PPE from scratch. To date we have supplied over 1 million items of PPE to 361 providers across Essex. Local

businesses also donated PPE and supported its distribution – we are grateful for this business response at a time of critical need.

We took an urgent decision to commit £2m to purchase extra stocks of PPE as quickly as possible to meet ECC's needs and to help support care providers. In order to maximise resilience we sought to diversify our supply base. The International Trade team supported this effort by securing supplies from international sources and we made this new source of PPE available to 22 other local authorities struggling to access supplies. The PPE situation has now improved which means that we are able to support those that need access to it but it remains an ongoing priority for being able to deal with further outbreaks.

- vi. Partnership working - at the start of the crisis, we immediately established a new Intelligence Hub to bring together data and insights on pressures in hospitals, the care market and our workforce so that we could see each day where pressures and blockages might be occurring. This enabled us to see, for example, where workforce pressures (due to absences caused by the need to self-isolate) were occurring, and where there were any care capacity problems or delays. We have worked closely with NHS colleagues and with Southend and Thurrock to develop a new capacity tracker and we now have better visibility than we have had before on occupancy levels and pressures across the health and care system in Essex. We have also established a new Tactical Co-ordination Group with the NHS, public health, and with Southend and Thurrock councils, to oversee community care capacity planning. This group is overseeing future forecasting of demand for services (NHS, residential, homecare etc), as well as supporting mutual aid approaches between the councils.

Through our role as Regional Chair of the Association of Directors of Adults Social Services (ADASS) we ensured a regional network was established with weekly review and best practice, NHS England calls and a direct input into the national planning process.

#### 4.4 *Essex Services – Children's Services*

- 4.4.1 The Children & Families service delivers the authority's statutory duties with respect to safeguarding and promoting the welfare of children and young people. On any given day, Children and Families provides a service to over 6500 children, and over 13,000 each year. It also commissions early help and preventative services, to improve outcomes and avoid the higher costs of statutory interventions, and entry into the care system. These services affect change and improve outcomes for young people, by building positive, challenging relationships with children and their families, and rely on face-to-face contacts to be most effective.
- 4.4.2 The COVID-19 pandemic affected the service in several ways. In particular, since lockdown, children have been less visible to the service, and referrals have decreased consequentially, with reports from schools down 97%, and



reports of domestic abuse to Essex Police reduced by 50%. This has led to an expectation of 'pent-up demand' as a result, and we expect to see a spike in activity, once all children return to school in September.

- 4.4.3 We are also concerned about the longer term impact, with increased demand for children's services likely to be a consequence of the economic downturn. In terms of practice, the nature of the virus and social distancing measures have meant that visiting families in their own homes has presented a greater challenge and likewise office-based working, which is important for the way in which the service functions, has been difficult to maintain over the last few months. Alongside this, there have been reductions in capacity, due to illness, self-isolation and shielding measures for our own staff and care placements have incurred higher costs due to staffing difficulties and additional costs from the use of PPE. There are also understandable concerns from foster- and residential-carers about their vulnerability to COVID-19, resulting in fewer placements being available in a context where placements were already in short supply.
- 4.4.4 Family courts have continued operating throughout this period, initially using remote hearings via video conferencing. ECC received praise from the Judiciary for how its staff supported an immediate change to remote hearings. In June 'face to face' socially distanced hearings were commenced, although the number of people permitted in the court room is limited. Courts are currently operating at around 50% capacity and we envisage this to be the case for the foreseeable future. This is delaying proceedings which over time will increase the court workload for social workers as new cases enter proceedings.
- 4.4.5 The actions we took to address the crisis fall into five key areas:
- i. It was essential that we retained good communications and remote access to critical systems for staff - anticipating the impact of lockdown, a *Working at Home Wednesday* was held to test system capacity. It found that staff could not access the Mosaic case recording system, or good quality video conferencing via Skype, unless there were fewer than 3,000 people remotely accessing the County Hall server. We worked with Technical Services, who were able to rapidly deliver an alternative route to access Mosaic, and to bring forward the roll-out of the MS Teams video conferencing software, which has been more stable, supporting good internal and external communications.
  - ii. We put in place a new operating model to maintain the provision of critical services– we set up duty teams in hub buildings to deal with visitors while the remainder of staff worked from home (except in the Children and Families Hub at Essex House where all staff remained office-based). Visiting face-to-face was risk-assessed and maintained for the most vulnerable children and young people, who were the subject of Child in Need or Child Protection Plans; children

in care, whose placements were at risk of breakdown; and young people at risk of criminal and sexual exploitation.

Family centres hosted face-to-face contact for children in care and their families, in the most pressing circumstances, such as the last contact, before adoption. They also provided a base for the delivery of food parcels, and children's activity packs (Boredom Boxes).

Some families have expressed a preference for face-to-face child protection conferences. Where this is the case, hybrid meetings are being offered, as lockdown arrangements are eased. These hybrid meetings have the family, conference chair, and social worker in the room, with other professionals and participants joining online. Statutory reviews for children in care, and child in need case reviews have been held virtually.

- iii. PPE was procured and supplied to staff - using existing suppliers and supplies received from central government, and used in accordance with advice provided by Public Health. The use of PPE on visits was minimised, by maintaining social distance during the visit, for example meeting a family in their garden, or talking to children, while taking them to the park.
- iv. Creative use of technology - virtual visits were conducted using social media and other digital platforms, such as WhatsApp, or Zoom. Virtual visiting is the only relaxation of the regulatory framework we have needed to use. Staff adapted well to these changes (according to a staff survey), and children and young people, especially care leavers, felt supported and liked the easy, accessible access to workers via technology they recognised and would like to use this to keep in touch with their social workers in the future, too. However, we also recognise the need to balance that against the importance of face to face visits for children who are at risk.
- v. We protected the viability of companies providing care placements – by making available £200,000 – to maintain the supply of care placements sufficient to meet needs. Where carers were reluctant to provide placements, due to anxiety about the young person transmitting the virus, Public Health professionals provided the appropriate guidance and re-assurance.

#### 4.5 *Essex Services – Schools*

- 4.5.1 There are 555 schools and colleges in Essex, and 1,829 early years settings (day nurseries, pre-schools and childminders). Initially, following closures on 20 March to all but vulnerable children and the children of critical workers, attendance in schools reduced to approximately 2,500

compared to a total of 208,000 (1.2% of all pupils). Between 400 and 450 schools were supported to remain open to eligible children on a daily basis. The number of children in attendance gradually increased to approx. 4,400 by the end of May. In line with Government ambitions, we supported schools to offer in-school provision to 1,200 vulnerable children a day by the end of May, up from approx. 450 at the beginning of closures.

- 4.5.2 Since 1 June, schools and settings have been able to open to more year groups. We have supported this process, and the data we have up to 16 June suggests that 81% of primary / special schools have responded by opening to more pupils in some form, with 1/3 of Reception, Year 1 and Year 6 pupils attending schools. Years 10 and 12 have been able to return to secondary schools and colleges since 15 June. Early data suggest over two thirds of settings have opened to at least one of these year groups, and we expect a large majority to be open to both year groups from w/b 22 June. Over 27,000 children attended Essex schools and colleges in total on 16 June.
- 4.5.3 Early years settings daily opening and attendance has increased from 20% during the week beginning 18 May to 34% in the week beginning 15 June (these figures are likely to slightly underestimate the real numbers).
- 4.5.4 Throughout this period we took the lead in supporting all schools and settings in Essex through the initial crisis - interpreting national guidance into the Essex context and responding to literally thousands of requests for information and support. We issued new guidance to all settings via daily email communications and through the relevant websites.
- 4.5.5 We acted as a single point of contact for all schools and settings – and engaged in daily strategy conversations with the Teaching unions, the professional co-ordinating groups and associations including ASHE/EPHA and ESSET.
- 4.5.6 We also worked closely with other education functions across the region and in particular with Southend and Thurrock to ensure there was some co-ordination of messaging; and we held twice weekly strategy conversations with the DfE and the Regional Schools Commissioner
- 4.5.7 Throughout this period we have been conducting weekly surveys with all Essex Schools and settings ascertaining key issues and monitoring the number of children attending school. To help support that activity we redeployed Ofsted Inspectors to support the dialogue with head teachers. A key part of our activity has been focused on developing safeguarding guidance and risk assessments for schools and settings to ensure all vulnerable children are being supported.

#### 4.6 *Essex Services – Operation Shield*

- 4.6.1 Operation Shield was a new service established from scratch in response to the government's request on 20<sup>th</sup> March for upper tier authorities to support the 1.1 million people identified across the country as Clinically Extremely Vulnerable (CEV) to stay at home and protect themselves from the high risk of severe illness from COVID-19.
- 4.6.2 The Emergency Resilience Forum (ERF) mobilised the 'Shielding the Vulnerable' Tactical Co-ordination Group (TCG) on 27 March to coordinate a pan-Essex, multi-agency approach to shield an initial cohort of 26,000 clinically extremely vulnerable Essex residents, plus an additional cohort of circa 400,000 residents at greater risk of severe illness from COVID-19 (known locally as Category B).
- 4.6.3 The Essex Welfare Service (EWS) was formally established to facilitate the provision of shopping and medicines to shield those unable to access direct support from central government, family, friends or local community groups. This was achieved through community pharmacies, the Red Cross and a new bank of shield volunteers, attached to a county-wide network of community hubs that were mobilised through District, Borough, and City councils.
- 4.6.4 Under the umbrella of 'Operation Shield', Essex Clinical Commissioning Groups worked with GP practices to identify and commence a phased contact plan to provide advice and guidance and signpost Category B residents to the EWS shielding service. Design of a new telephone welfare service also began to be developed (Care Navigator Plus) to enable EWS call handlers to refer requests for additional types of support to an extended service, offering specialist provision for mental health and well-being, basic care, legal and financial advice and support.
- 4.6.5 There were four key areas for the Operation Shield work.
- i. The establishment of the Essex Welfare Service – a referral and failsafe service that ensured the provision of shopping, medicines and additional support services for those recommended to shield. Estimates of the number of people that would require support to shield were hard to determine in the initial phases of the emergency response and the Essex Welfare Service needed to quickly ramp up capacity to ensure sufficient call centre staff were available to handle calls (over 16,000 to date), appropriate volunteers were onboarded to fulfil shielding tasks and a digital system was in place to match, record and refer tasks to the appropriate receiver.
- To this end, the Essex Lifestyle Service that had previously been commissioned from Provide CIC was repurposed to provide a proven and cost-effective Customer Relationship Management

solution (CRM) and staff from ECC and Virgin Care were re-deployed to support Provide staff with contact centre operations. Media releases were swiftly issued across Essex to recruit volunteers and signpost shielding residents to the most appropriate support.

The Public Health team set up the Essex Coronavirus Facebook group and website to provide COVID-19 advice and guidance, a digital route for Essex residents to register for support or to put themselves forward as volunteers. To date there have been around 85,000 visits to the webpages and an incredible 7,000 people have put themselves forward as volunteers.

We also worked closely with local supermarkets across the county to provide a directory of 'EWS Friendly' stores that would allow multiple visits and the purchase of an unlimited number of items to facilitate the work of the volunteer shoppers

- ii. District & Community Hubs established a local offer – providing shielding services via 12 county-wide community hubs established and resourced by District, Borough and City councils and through existing Community and Voluntary Sector (CVS) partnerships. EWS referred requests for support onward to the community hubs who then assigned these tasks to be fulfilled by their local bank of DBS--checked volunteers. From April, the hubs have also been tasked to contact over 60,000 additional CAT A residents as identified by NHS England, to confirm their shielding needs and carry out welfare checks.

This has been a considerable undertaking by the local teams with limited resource and has been a testament to effective partnership working. Whilst different hubs have experienced different levels and types of demand, the number of volunteers has generally been more than sufficient to address the demand for support. However, as district staff begin to be redeployed and volunteers return to work, the hubs are currently developing minimum operating standards to ensure that there is sufficient capacity to provide shielding support for an extended period if required.

- iii. A safe and professional service to deliver medicines from dispensing surgeries and community pharmacies to shielding residents was established - initially, community pharmacies were unsure if they would have sufficient capacity to extend their local prescription delivery services to the many residents now requiring shielding support and there was a lack of clarity for many weeks as to how volunteers from the national NHS Good Samaritan initiative could be accessed and deployed by local authorities. EWS responded by ensuring that safe medicine delivery processes were developed and agreed with the pharmacy network, appropriate DBS-checked volunteer capacity was available locally to support these tasks if

need be and in addition, the Red Cross offered to support urgent requests where residents were especially vulnerable, required controlled or refrigerated drugs or where there were safeguarding concerns

- iv. We managed the data flows of new, sensitive data– we were the data controller for receiving, managing and sharing sensitive personal data from MHCLG, which required a complex data sharing protocol to be developed for ECC, District, Borough and City Councils and MHCLG at very short notice.

Ongoing support was provided to analyse and cross match waves of shielding data sets against known cohorts of service users for social care, education, and mental health to ensure a joined-up approach across services. Understanding the cohorts also helped EWS to direct residents to the appropriate service for food delivery support. Analysis of the sources and eligibility of this demand, coupled with refinements to the referral process with the EWS call centre has now reduced demand from approximately 40 requests to an average of 5 requests per day.

#### *4.7 Essex Services – Homelessness*

- 4.7.1 On 26 March 2020 Central Government tasked Local Authorities to accommodate all rough sleepers as part of the public health response to COVID-19.
- 4.7.2 The COVID-19 Emergency Resilience Forum (ERF) mobilised the 'Homelessness' Tactical Coordination Group (TCG) to coordinate a pan-Greater Essex, multi-agency approach to accommodating and supporting all rough sleepers. The TCG was chaired by ECC and included representatives from Local Housing Authorities (LHAs), Public Health (responsible for the provision of support services), Clinical Commissioning Groups and Essex Police.
- 4.7.3 There were 87 known rough sleepers across Greater Essex as of Autumn 2019, although the scale of the challenge quickly increased to over 400 – with previously unknown rough sleepers being identified and individuals without a duty to be housed starting to present as rough sleepers.
- 4.7.4 Local Housing Authorities in Greater Essex responded at pace to move rough sleepers into accommodation working in close collaboration with partners, including ECC, Police and voluntary sectors. New sources of emergency accommodation were sourced where existing provision was insufficient, utilising vacant hotels and B&Bs, and provision of food was arranged. We put support in place for accommodated individuals by flexing our commissioned floating support services and substance misuse services. Our commissioned floating support services arranged for each rough sleeper to be registered at a GP and apply for benefits. A Police Protocol was

developed to reduce COVID-19 transmission, anti-social behaviour and offending within rough sleeper accommodation and a testing procedure was also developed for the rough sleeper COVID-19 emergency accommodation.

- 4.7.5 348 rough sleepers were safely accommodated by local authorities across Greater Essex in accordance with COVID-19 'Everyone-in' guidance as at 26 May (201 in Essex, 31 in Thurrock and 116 in Southend). Feedback from clients and support providers is that the time in accommodation with support has resulted in transformative health and well-being improvements.
- 4.7.6 There were 21 individuals who refused or were unable to take up accommodation, 48 chose to leave the accommodation they were placed in or were evicted for breaking accommodation rules, 11 remanded in custody/prison and 2 in hospital or care units (as of 02 July 2020). Existing commissioned support services were flexed and continue, to enable these individuals to be supported.
- 4.7.7 Local Housing Authorities have faced significant financial pressures due to sourcing new emergency accommodation and food for rough sleepers. The cost exceeded the monies allocated by government.
- 4.7.8 On 28 May 2020, the Minister for Rough Sleeping and Housing wrote to all Local Authorities advising that no-one placed in emergency accommodation under COVID-19 should be asked to leave without an offer of accommodation and support to end their rough sleeping.
- 4.7.9 LHAs and ECC commissioned providers particularly the Housing Related Floating support services (run by Peabody) and Horizons (Full circle) are now working together to enable individuals in emergency accommodation to move on to other forms of accommodation with the support required.
- 4.7.10 As of 02 July 2020 across Greater Essex, 142 individuals are now within move on accommodation, 55 individuals within temporary accommodation and 13 are staying with family or friends instead of sleeping rough on the streets. A further 260 individuals across Greater Essex remain in emergency COVID-19 accommodation whilst alternative arrangements are made.

#### 4.8 *Other Essex Services*

- 4.8.1 The paper has foregrounded some of the most critical services but all parts of the organisation made a significant contribution and continue to make a significant contribution to our ability to respond to this emergency.
  - i. Emergency Planning and Resilience - The Emergency Planning and Resilience Service (EP&R) is part of Legal and Assurance. It plans for emergencies and supports the organisation to respond, particularly with respect to delivery of the internal response structure and arrangements. Although we already had a pandemic influenza

plan in place, the characteristics of COVID-19 resulted in very different public health advice being given to that anticipated in the influenza plan – this was a national issue. We had to very quickly develop an infectious disease plan to respond to COVID-19. EP&R advised and supported with the implementation of a virtual emergency and business continuity response structure; that included the setting-up of a new management structure to respond to the incident with an Incident Management Team reporting to CLT and asking each ECC function to set up a Functional Resilience Group (FRG). This structure had only been proposed in January 2020. The new business continuity (BC) System provided a mechanism for texting staff members outside of business hours.

- ii. Legal and Assurance – All significant decisions on services need proper legal advice to ensure risks are minimised. The legal and assurance team had to support the organisation to take robust decisions at significant pace – many of the decisions that were taken are reflected in the content of this paper. In total 25 urgent decisions were taken by the end of June. 20 new contracts or contract variations were drafted. 14 urgent Data Protection Impact Assessments were drafted and approved. In addition we provided the means to ensure formal hearings and meetings could proceed – clocking up 160,000 Zoom minutes between April and June.
- iii. Waste – we are the statutory Waste Disposal Authority (WDA) for Essex, responsible for arranging the logistics, treatment and disposal of over 500,000 tonnes of waste p.a, whilst providing publicly accessible waste facilities handling over 2.5 million visits a year. The WDA works closely with the 12 Borough, City and District councils in their capacity as Waste Collection Authorities (WCA) to ensure the various operational interfaces are managed to deliver efficient services.

COVID-19's impact on waste resources and infrastructure resilience has placed the service under significant strain. This has required us to work in a coordinating role with the WCAs to provide advice and support, and enable resources to be targeted appropriately.

A strategy was quickly established to focus on utilisation of resources to protect core waste service provision and treatment, to prevent waste build up with potential public health impacts. This required the suspension of some services to enable staffing resources to be reallocated to these core functions, and the closure of some public facilities to adhere to the stay at home advice. The effect on operational effectiveness has also been impacted by the fact that waste operations rely on a significant number of front-line staff who have been affected by isolation requirements and new systems of work to ensure social distancing.



Front line staffing absence across WCA services has been variable and unpredictable; at some stages service provision in areas were operating at 50% normal staffing levels resulting in services being suspended. Although this is a WCA issue to manage the resultant service changes have a direct relationship to the quantities and types of waste that require treatment by ECC. The suspension of recycling services has likely led to waste begin disposed as part of the residual waste stream with the associated environmental, operational, system and financial impacts

Waste arisings have also have also been affected by more people staying at home and the closure of the hospitality sector, leading to the generation of different waste requiring treatment by ECC. In the last three months kerbside collected waste streams have changed, residual waste has increased by 14% and separately collected food waste by over 20% compared to the same period last year. It is not known if this is a temporary change or a more permanent shift in waste arisings and composition.

The mobilisation of services, such as the Recycling Centres, and managing user demand and expectation has been a particular challenge, which is ongoing. After a six week period of enforced closure the demand for these services is, as expected high, at a time when social distancing requirements remain in place meaning the ability of facilities to handle users is restricted. The additional resources required to manage these sites is a financial pressure whilst the reduced user throughput that can safely be achieved impacts negatively on service levels.

Changing behaviour in the way people live and consume will continue to have an impact on waste composition and total arisings impacting infrastructure requirements and capacity requirements. The waste service is carefully monitoring this to better understand waste trends and future requirements.

- iv. Highways - Whilst there were initial concerns about the availability of materials and resource, the highways service in Essex has continued largely without interruption. A flexible approach has been applied to adapt activity in accordance with government guidance including the social distancing of workforce and the public, moving more activity like ENDORS courses online and the implementation of technology to allow continuation of services like the inspection of high speed roads.

There has been a significant drop in traffic levels across Essex during lockdown, reaching a height where just one in four trips were being made. This has enabled greater productivity for our roadworks on traditionally busier parts of the network that would normally have been subjected to traffic sensitive restrictions for

hours of operation. Use of the network for walking and cycling has exponentially grown during lockdown. Traffic levels are now around 85% of pre lockdown norms but it is interesting to note that the traditional AM peak period has not seen a recovery to date, largely linked to the amount of home working that is still prevalent. It is important to note that speeding has increased across the network.

As part of the work to support recovery, measures have been deployed in a number of towns throughout Essex to aid social distancing as non-essential retail returns. This has been supported by an allocation of funding from DfT and allowed installations to be completed in Colchester, Chelmsford, Brentwood, Saffron Walden, Maldon and Wickford among others.

Looking ahead, further tranche 2 funding will allow further measures to be introduced, focused on enhancing cycling and walking together with assistance with behavioural change and in some places, e-scooter trials.

- v. Passenger Transport - Government advice has been very clear on the use of passenger transport during the course of the COVID19 emergency. The advice to use it only where there are no other alternatives in place. As a result the entire bus industry is currently operating at a loss, only surviving on the basis of a significant government support package.

Timetables and frequency are now operating at near normal levels but because of social distancing requirements, some services are unable to offer enough capacity for current levels of demand, creating situations where bus operators are having to double run on routes and in some cases leave passengers at bus stops. We continue to lobby government to address these issues and provide a long term sustainable future for passenger transport.

In addition to this, the provision of home to school transport has been a challenge, with constantly changing levels of demand as different year groups are allowed to return to school.

September remains a challenge as while home to school transport provision is secure, where school children have their entitlement fulfilled via commercial routes, the issues of social distancing identified above are still of concern.

- vi. Support to Businesses - immediately after lockdown, the Economic Growth team repurposed its activities and redeployed staff to provide a dedicated COVID-19 Business Information service to support Essex businesses with any queries they had. We provided advice and guidance to businesses looking to access the financial support packages put in place by government as well as dealing with queries related to PPE, staffing, trading standards and COVID testing. We

also established a Coronavirus 'hub' of information on the Essex County Council website [www.essex.gov.uk/coronavirus](http://www.essex.gov.uk/coronavirus) including a dedicated business page [www.essex.gov.uk/support-for-employers-and-businesses](http://www.essex.gov.uk/support-for-employers-and-businesses) as a source of vital information for employers. The service dealt with over 350 individual enquiries and helped business to access an estimated £2.5m of government grant funding.

We commissioned Let's Do Business Group to provide a fully funded business support service for employers across Essex to help safeguard and create jobs. This offer includes up to 12 hours of support services to individual businesses and will be in place until 30 April 2021. The service will help businesses survive and recover from the impact of COVID-19 providing access to support including: finance and risk; customer interaction; target markets and marketing; supply chain management; staffing and recruitment; and Workplace Operations ([www.backtobusinessessex.co.uk](http://www.backtobusinessessex.co.uk)).

To ensure a joined up approach to business support we have been working with business support organisations to form an Essex wide collaboration to respond to COVID. The forum is where we coordinate delivery of critical information, resources and services to support local businesses experiencing economic harm. The agencies involved are: Institute of Directors; Success Essex Board; SELEP; Best Growth Hub; Lets do Business; DWP-Job Centre Plus; Colbea; Anglia Ruskin University. The group is working in partnership to deliver a monthly Best Big Essex Business Briefing (starting 30 July) and is also developing a pilot Business Accelerator programme, which if adopted could be scaled up to support 500-800 individuals through ECC/SELEP funding. In addition to this we have facilitated weekly meetings of district, borough and city authority colleagues to enable best practice to be shared to help maximise the uptake of the coronavirus Small Business Grant Fund; Retail, Hospitality and Leisure Grant Fund; and the Local Authority Discretionary Grant Fund.

vii. Wider Support to the Local Economy - As part of the Government's plans for an economic recovery stimulus, on 10 June 2020 the Secretary of State for Housing, Communities & Local Government wrote to all Local Enterprise Partnerships asking:

- How acceleration of departmental funds could be used to support the delivery of capital projects in order to stimulate the economy over the next 18 months.
- LEPs to come forward with ideas for accelerating existing Government funded capital projects, to generate new activity within 18 months, to help create jobs and raise overall demand in the economy.
- LEPs to propose additional 'shovel-ready' capital projects which can be delivered within 18 months.

Local authorities were invited to submit projects to the South East LEP (SELEP) with a deadline of 17 June. We submitted a series of high level proposals for schemes which would create or safeguard jobs in the county along with additional proposals from District, Borough and City councils. On 1 July the Ministry for Housing, Communities and Local Government (MHCLG) wrote to SELEP allocating them up to £85m from the Government's new 'Getting Building Fund'. Of the £900m available nationally, SELEP has secured £85m, almost 10% of the national pot and over £10m more than our nearest competitor (West Midlands Combined Authority + LEP area - £74.1m). Most LEPs have secured between £10m and £20m – some less than this.

MHCLG has expressed interest in a number of projects, including those submitted by ECC. A focus in particular on projects which enable green growth, innovation, digital connectivity and regeneration. We will now submit a final list of projects to secure Capital investment into the Essex economy. In addition we are developing the following to support recovery:

- Establishing a Commercial Investment Fund for Economic Growth to promote the county as an area for investment, business creation and growth.
- Capital investment planned through Essex Housing and our own estate to replace poor condition temporary accommodation with new permanent buildings and delivering higher carbon neutral, energy efficient buildings.
- ECC investment in town centre regeneration to drive growth and tackle deprivation.
- Establishing a new Digital Connectivity strategy, investing in broadband connectivity with further public investment of £13.2 million planned over the next 18 months (and exploring the potential of accelerated 5G roll-out).

- viii. Research and Data – In the very early days of the crisis we set up a Data Cell to manage and co-ordinate responses to the very high volume of new data requests coming through the system. The data cell dealt with 117 requests for data and insight over an 11 week period. 41% of these requests were completed in under 3 days. A third of these requests were deemed high priority in order to allow operational service areas to respond and react in the quickest possible way using a solid evidence base to assess the situation. And a third of requests have been to provide lists or integrate data together across different service areas to identify vulnerable and at risk people, to allow services to contact and support people who needed our help the most.

We published four open data tools that allowed our partners and others to have an understanding of risk and demand in an open and transparent way to reduce duplication and we developed a daily COVID tracker that has helped ECC leaders monitor trends for the progression of COVID and impact on key areas such as Operation Shield, PPE, deaths management, care homes.

In addition, the Research team undertook a wholesale reprioritisation of their work to help ECC understand the implications of the COVID-19 crisis. We launched a rapid evidence review, exploring the impact that the crisis had in other countries and deriving insights that allowed ECC functions to shape their response and manage key risks. We also developed a neighbourhood level analysis of risk and vulnerability for Essex – providing insight that allowed district hubs and voluntary sector organisations to shape their response to the crisis.

Public health specialists modelled COVID-19 case numbers, hospitalisations, critical care cases and deaths - providing a basis for ECC's planning for excess deaths and social care demand. They also established a surveillance regime, bringing together health data to ensure ECC has a single view on the development and progression of the outbreak and its impact across different groups (for example BAME groups and deprived communities).

Finally, the team brought forward insights on the personal and economic well-being of the wider population – working with Active Essex and the University of Essex on the new 'State of Life' survey; undertaking qualitative interviews with residents and working families, examining emerging economic data and providing regular briefings on national polling and social research.

- ix. Excess Deaths Management – one of the most important things we had to manage through this crisis was the capacity to professionally and sensitively deal with the excess deaths that have very sadly occurred as a result of COVID-19. The Excess Deaths Management TCG was established to address this issue on behalf of the ERF. The TCG focused on putting in place a plan to secure the storage capacity that might be needed to manage excess deaths – working with a commercial provider and with hospitals. This included the potential operationalisation of a new site to store bodies. In addition the TCG also worked extensively with a wide range of faith groups across the county as well as establishing a Greater Essex Bereavement Offer. The Group is now focused on developing a Scale Up Plan so that it can respond quickly to any potential second wave. The Scale Up Plan will form part of an overarching Essex Excess Death Plan. Crucially it will use the experience of the first wave of COVID-19 to build a robust plan based on our current knowledge and experience.

- x. Technology – we had to move quickly to enable, virtually overnight, all ECC staff to work from home as the new normal. Whilst staff have been able to access the ECC network and subsequent services via Direct Access for some time, we have never been in the position where the vast majority of staff are home based. During recent weeks we have had in excess of 4,000 staff connected to the ECC network from home.

In preparation it was recognised that some services were not available to staff who weren't working in an ECC office, an example of this was the telephony application used by all ECC Call Centres including those serving ECC citizens. Hence changes were made to divert these calls from the existing platform to Skype which is available from home. MS O365 (including MS Teams) was rolled out to all staff in ECC, including Members, to allow staff to hold virtual meetings, make use of the chat functionality and collaborate through MS Teams. Resilience was added into the Direct Access platform when staff began to experience slow performance working from home.

In conjunction with this, additional tactical changes were introduced to the infrastructure including Proxy access to Mosaic (our social care case management system) through "the magic tunnel"; amending the access route for key staff to TCS; and introducing an alternative Direct Access platform to service critical ECC staff.

Operational changes have been made that have allowed TS staff to work from home whilst maintaining an overall service to ECC including the provision of new starters' laptops, the collection of devices from leavers and channels to support ECC staff. We have supported the roll-out of the new telephony solution for Operation Shield; the provision of the new Care Home in Howe Green; the provision of additional Wi-Fi in Magnet House; and are currently working with the Public Health team on the Track & Trace solution.

- xi. Communications and Marketing - a strategy was quickly established at the outset of the crisis to ensure we were able to keep employees and residents informed, reassured and supported in a timely way. The role of the comms function was to develop and deliver reactive statements and proactive communications for specific scenarios for prompt issue to local and regional media and employees, including service openings and closures; to activate Government assets for COVID campaign activity, originating content only where there was a local need, e.g. around vulnerable/isolated groups; to develop and share content across our own channels, those of our partners and the Essex Resilience Forum; and to ensure maximum visibility and consistency of messages.

As part of our COVID Business Continuity planning we identified a resource gap and significant risk within the Communications and Marketing function, in the department's capacity to deliver the scale and scope of the work the organisation required. Our proposed mitigation was actioned and a number of colleagues from within the ECC Communications and Marketing network and other teams were assigned roles. Numbering up to 15 individuals at the height of the crisis, they were tasked with functional responsibilities and covered communications, marketing and content design tasks alongside corporate colleagues.

New website and intranet Coronavirus hubs were set up swiftly to house public information and employee information respectively. The [essex.gov.uk](https://www.essex.gov.uk) hub has provided helpful information for Essex residents, including links to national guidance, updates on changes to services and sources of local help and support. The hub has seen more than 145,000 users, whilst the intranet has seen more than 5,000 users accessing individual coronavirus pages and a record number of unique users to its Our Heros page.

Significant amounts of information relating to national guidance, changes to County Council services and support for residents, have been communicated via press releases and interviews with the media. 76 releases have been issued with coverage and interviews organised for cabinet members and our Director of Public Health across the county's leading print, digital and broadcast outlets. We developed channels to enable us to reach all our communities, including a new weekly e-newsletter with a distribution of 70,000 and peak open rates of more than 60%, proving the effectiveness of the content.

In addition to this new channel we agreed a media package with one of the county's largest media groups - Newsquest - enabling us to publish information in both print titles and digital news sites. This 'partnership' proved hugely successful in enabling us to further reach communities and with sufficient frequency for messages to be seen, understood and acted upon.

Alongside this our own social media channels have been instrumental in the delivery of information, reassurance and supportive communications. From service closures, to coronavirus public health messages, and from family well-being to social isolation and kindness messages, the content has been created in words, images, animation and film. For April and May alone we saw reach on Facebook exceed 3,800,000 with 78,000 likes, shares and comments - more than a 1000% increase in reach on standard figures. Written COVID-19 tailored briefings have been provided to Essex MPs, County Councillors and senior officers on a weekly basis. A specific bi-weekly MP briefing has also been established,

opening up more regular and open communications with national politicians.

- xii. Other – some ECC services had to close due to restrictions implied by the lockdown. These included Adult Community Learning centres, Waste and Recycling Centres, Country Parks, Libraries, Registering of births, and Coroner inquests. All of these are now in the process of resuming service.

## 5. Emerging Issues

5.1 It is too early to be definitive about the key issues we will need to focus on as a result of this crisis. However, there are already some areas that have emerged which we know will require further attention as we understand more about what has happened

5.2 These are by no means exhaustive, but they include:

- a) The inequalities that already exist across our communities and that COVID has exposed more starkly – We have talked about the health inequalities that exist in Essex for some time, but COVID-19 has exposed those inequalities in stark new ways – demonstrating, at a national level, that people from certain minority ethnic backgrounds, people living in areas of disadvantage, and people in certain occupations are far more likely than the general population to suffer the severest effects of the disease. The Essex Resilience Forum is working with public health to look into this in more detail but it is clear we will need to develop new approaches to prevention and support in some areas and with some populations to better protect them from COVID-19 and the wider inequalities they experience.
- b) The relationship with Health and Other partners - The crisis has highlighted weaknesses in vertical structures which may create greater appetite for rethinking the distribution and organisation of powers and responsibilities in local places. It has shown that the role of local government continues to be poorly understood in Whitehall. At the same time strong partnership working has been demonstrated through the ERF which we need to sustain through the recovery phase and also extend to strategic partnership groups. Partnerships with health have been particularly important through this period. Initially the focus nationally and locally was “protecting the NHS” but it quickly became apparent that social care was just as important. To successfully combat COVID-19, we need to ensure we continue to build on the positive new arrangements between the NHS and social care and public health to support and protect care homes. Indeed more broadly we have seen the need to think ‘whole system’ through this crisis and will need to redouble our efforts to ensure we are capable of operating as a joined-up system for our residents – rather than as a set of disparate



organisations. The Essex Partnership Board is currently exploring what that might mean and how it can support stronger collaborative working across the Essex system.

- c) The importance of our supply chains - Having access to PPE supplies is critical in enabling the health and care workforce to operate safely as they provide care and support to people. We now have established procedures and protocols for prioritising the distribution of PPE and it is apparent that we will need to have sufficient local supplies in advance of any second wave to help the local system to cope in the early weeks of another outbreak. We cannot be completely dependent on national distribution. We are seeking to establish a reserve supply of PPE to improve our resilience in this area.
- d) The financial uncertainty and unsustainability given the impact of the crisis on tax revenues and demand – The Government has provided a comprehensive package of support for the crisis. However, the most material issue facing the County Council is the downward pressure on local tax revenues that the economic situation might create. As yet there is no national response on falling tax revenues and the risk sits locally. There is a commitment from Government to review the position as part of the Settlement at the end of 2020. However, this uncertainty makes it difficult to plan for 2021 and we continue to work with MHCLG to agree a way forward. We also need a sustainable and long-term solution for the funding of social care – particularly in light of new pressures on the system as a result of the impact of COVID on people's health and the potential escalation of chronic conditions due to deferrals of treatment.
- e) The increasing reliance on and need to leverage technology – There has been a great and sudden adoption of technology by workers and residents to enable them to access the services and resources they need and to connect with one another. Technology will never be a substitute for some situations but it is clear that technology has been embraced by service users and by the workforce and has enabled a different way of operating – one that is safe and is often more efficient, enabling more people to access support than might have been the case previously. We have already begun to look in detail at the implications of digital remote working and will continue to want to focus on this area and the wider adoption of digital technologies as we re-think our operating models to ensure they are fit for purpose given our new circumstances.
- f) The fundamental challenges that exist in some of our key service markets - There are clear and enduring challenges for the residential care home market which will fundamentally affect how it operates and also the viability of many providers. The number of people in care homes has fallen by 10% in just three months and may not fully recover for 2-3 years (some national estimates suggest it may not recover until 2028). We will have to work closely with the care home market as it

changes how it operates and its structure. It will be crucial we support the sector to retain a skilled and dedicated workforce as they provide care in different ways and different settings.

- g) The importance of clear and frequent communications in a crisis – This was a fast-moving crisis involving all partners in which clear and accurate messaging was a matter of life and death. Ensuring that we had the capacity to communicate effectively with the many stakeholders across the system was vital. We were able to successfully flex our resources to address this demand pressure and we will want to review our output, impact and approach to ensure that we are well-placed to provide the communications support that will be needed across the system in the event of a further surge in infections or similar crisis.
- h) The need to harness the capacity that exists in our communities - one of the positive consequences of this crisis was the evident desire of people from all walks of life to support their neighbours and communities. This was evidenced by the support given to Essex Welfare Services and to the number of people who signed up to the NHS's GoodSam app. We are doing further work to take the learning from these facts – to understand what motivated people to volunteer and to reflect on how public services might want to think about the involvement of volunteers more broadly as we rethink our service models.
- i) Emergency extended over time and place – The Council has shown itself to be resilient and effective in a crisis but we have also seen that our pre-existing approach to emergencies had been based, in accordance with national expectations, on assumptions that they would unfold over a relatively short period of time and be geographically contained. Coronavirus has challenged that understanding of what an emergency might look like and therefore how we manage through a crisis. Work is underway in the Emergency Planning and Resilience Team to look at our approach going forwards to make sure it is fit for purpose to address our new understanding of the type of emergencies we are likely to face in the future. The scale of the crisis meant that many more officers were involved in the response than had been previously trained, so we also need to consider offering training to ensure that emergency planning and business continuity techniques are embedded widely in the organisation. Positively, we were able to use remote working and new technologies to delivery response structures remotely without using the Emergency Response Centre.
- j) The Importance of timely and accurate data – It would have proven impossible to manage through this crisis without timely and accurate data being shared. We set up a Data Cell in the early stages of the crisis which has managed the many requests for data that have come in from all parts of the organisation and that has overseen the production of modelling frameworks and daily trackers so that we have

been able to keep critical factors under review. However, not all the data we need is generated by us, so understanding our ability to specify the data held by partners and accessible to us under certain conditions is something we will wish to explore further.

- k) Our workforce is critical – it maybe goes without saying but our workforce has been critical in seeing us through the last few months. The crisis has highlighted as never before the quality and commitment of our staff with many going the extra mile. Many of our people are under significant pressure, not just at work but also in their family lives, and this situation could continue for a while. We therefore need to look after staff well-being and ensure that we are working in a sustainable way. The crisis has strengthened our shared purpose, creativity and flexibility and we need to sustain that. We also need to think about new ways of working and skills that we will want to embed.

## **6 Learning the Lessons**

- 6.1 It is too early for us to be definitive about the lessons we can draw from this crisis but we recognise the importance of doing that and therefore at this stage we are focused on making sure we are clear about the key questions we need to ask ourselves to draw out the learning.
- 6.2 From the internally-facing perspective of the organisation, we see there being three dimensions to that:
  - i. From a workforce perspective - what can we learn from our response? This should help us to identify the impact of the changes we have made in our workforce and start to recognise the ones we would like to keep or further develop. In particular, how can we better understand the impact that the COVID-19 response, with a primary focus on the majority of our workforce having to work from home, has had on: staff productivity; staff performance, engagement and sense of belonging; employee experience; and on our diverse groups and communities.
  - ii. From an organisational culture perspective - what can we learn from our response? We will review what was stopping us before now from implementing some of the changes we have experienced during these past weeks, and hopefully start to identify what are the conditions we will need to maintain if we want to sustain those changes.
  - iii. From a service transformation perspective - what can we learn from our response? A modern organisation is able to flex and adapt according to the changing needs of its users. We will need to reflect on what we would need to maintain/adapt or abandon if we are to successfully support the organisation to re-imagine the new normal.

## **7. Financial Implications**

- 7.1 At the time of writing, the Council has approved COVID related decisions totalling £75m. The majority of expenditure relates to Adult Social Care. There are further costs such as the loss of income from closed services and the loss of savings due to the deferral of some change programmes as part of the emergency response to COVID. To date ECC has made commitments or suffered income losses that are £14m in excess of the government's emergency funding. We wait to hear more detail of the Government's latest emergency measures announced on 2<sup>nd</sup> July, including further one off grants and a new package of support to share the impact of losses of income from fees and charges.
- 7.2 There are also other future cost pressures or potential income losses which we need to be mindful of. These include potential new costs from pent up demand in children's social care, and new demands due to social distancing on passenger and home to school transport. By far the greatest income risk relates to potential losses of tax revenue (council tax or rates) due to unemployment. Given local tax revenues are close to £900m, even small movements in unemployment can cause a significant impact on our most material funding source. This risk is arguably the most significant issue for financial sustainability that we face.
- 7.3 In addition to the costs and pressures set out above, there are also a number of financial risks. Below are some areas where we are likely to see significant risk and potentially costs or loss of income:
- i. Personal Protective Equipment (PPE) – this extends beyond the care market, recent government guidance we are also assessing what the PPE need is for Essex's directly employed staff, community schools and other supply chain areas.
  - ii. Adult Social Care – whilst the government package of support has been extensive in the emergency response to the crisis, we need to see what further risks present to the social care market and how we work with government to secure financial sustainability.
  - iii. Ongoing impact for both adults and children's social care - after the pandemic adult social care will still be feeling the impact as people will remain in residential beds and in the care system. There will be impacts on chronic health conditions both directly and indirectly as a result of the pandemic (e.g. COVID related health issues and impact of deferred care for other conditions). The pandemic, as well as the economic downturn, will also impact on people's mental health.

- iv. The NHS may announce the end of the Emergency Period before the end date of the contractual arrangements we have entered into around block bed provision in particular, and therefore we may not be able to reclaim total costs from the NHS.
  - v. Tax revenues are at considerable risk due to the number of new Universal Credit (UC) applicants and the unknown impact of potential non-payments. It is too early to tell the full effect this might have, however, if the Council Tax collection rate reduced by just 1% for the full year, this would equate to a circa £7m loss in income to ECC. This is being monitored.
- 7.8 It is anticipated, once schools return, that there could be an increase in the volume of Education and Health Care Plans (EHCP) which may result in an increased cost and so push the High Needs Block within the Dedicated Schools Grant (DSG) into further deficit.
- 7.9 There is a risk around developers and other contractors' costs and viability, and the potential impact on our ability to deliver the capital programme. At present this has not manifested in significant changes to the programme, but we will continue to carefully monitor the situation.
- 7.10 The position and risks and opportunities are being continually monitored and will be reported in the quarterly reports to Cabinet.

## **8. Moving to Recovery**

- 8.1 Our response to the COVID-19 crisis has led us to be a very different organisation to the one we were a few months ago. As we begin to move towards thinking about recovery – recognising that our services are all in different places on that pathway – and that recovery will not be a linear process and we may enter a cycle of respond and recover as a result of waves of infection - we will need to make sure that as a learning organisation we are asking ourselves the right questions, deriving the right lessons, and moving the organisation forward in a way that makes sense in the context of our and our communities' long-term aspirations.
- 8.2 In the first instance we have set up a Recovery Advisory Board to provide advice to support the organisation's recovery process. We have set up a number of functional recovery and some cross-cutting recovery boards – these include: Ways of Working; Property Co-ordination; and Taxation, Funding and Commercials (as cross-cutting groups). And Sustainable Environment; Sustainable Growth; Sustainable Communities; Sustainable Travel; Adult Social Care; Children and Families; Education; Corporate and Customer as functionally-led groups.

8.3 We have agreed some recovery principles to guide the work: these are:

- i. Evidence led & Customer focused: we will plan our recovery based on evidence, including user-led insight
- ii. Environmentally sustainable: we will work with the climate commission and look to develop recovery responses which support the sustainability of our environment.
- iii. Be ambitious in change for health & social care systems: build on the learning from the COVID response to shape better integrated services for our vulnerable people.
- iv. We will do no harm: we will minimize inadvertently causing harm through our interventions.
- v. Digital first – we will capitalise on the benefits of digital technologies.
- vi. Partnership working - where possible and where it adds benefit, ECC will work to develop system solutions and responses to the recovery challenges.
- vii. Focused on prevention/early intervention: we will ensure our recovery response supports & continues to invest in evidence-led, early intervention.
- viii. Flex our operating model: we will be agile in changing how we target our resources (money, people, assets) to enable recovery.
- ix. Protect the financial sustainability of ECC by ensuring continued focus on value for money, creativity and innovation: in doing so we collaborate and take shared responsibility for the prioritisation of constrained resources
- x. Support and engage an active volunteering sector: we will seek to strengthen our communities and build resilience

8.4 The work we do in the recovery phase will feed into our normal strategic planning processes – so will link the work of the recovery groups to business planning and the development of a new budget and Organisation Plan and in the longer-term to a new Organisation Strategy.

## **9. Conclusion**

9.1 This crisis isn't over. This report represents a first take on the current position. We will need to do much more over the coming weeks and months to understand the full impacts of the pandemic and to be clear about not only how best to respond to those impacts but also how best to strengthen the Council and the system of public services in Essex to ensure we are in a

better position to respond the next time we are confronted with a challenge of this scale. We anticipate that those will be discussions that are not just contained in Essex's boundaries but will also embrace the national landscape and to some extent we will also need to be open to lessons that can be learnt from abroad.

- 9.2 We haven't in this paper attempted to fully explore the impacts on the economy; on our businesses; on our communities; on the mental well-being of our residents – all of these issues are under active consideration in our services and we recognise very well that the immediate consequences of the virus whilst severe cannot crowd out the need to also focus on longer-term implications. As an organisation we will need to be alert to recognising the changes in patterns of behaviour that will provide early signals of the consequences of this crisis and we will need to be open to learning lessons as an organisation and as a key part of a vitally interconnected system.
- 9.3 We end this paper where we started with a thank you to all of those people – inside and outside the organisation - who have worked tirelessly over the last few months to support and protect our communities and our way of life.

# The Leader's Report of Cabinet Issues

This report is to receive

- (1) A list of those urgent key decisions that have been taken, with the agreement of the Chairman of the Corporate Policy and Scrutiny Committee, as urgent key decisions without prior notice. (Constitution para 19.17);
- (2) a list of other urgent decisions which the Chairman of the Corporate Policy and Scrutiny Committee has agreed to exempt from call in (Constitution para 20.15; and
- (3) the minutes of the Cabinet meetings held on 25 February 2020, 17 March 2020 and 26 May 2020.

## Recommendations

To receive the lists of urgent decisions taken and the minutes of the Cabinet meetings held on 25 February 2020, 17 March 2020 and 26 May 2020.



## Key decisions taken with no prior notice

The following decisions were taken without any prior notice by agreement of the Chairman of the Corporate Policy and Scrutiny Committee. As such they are required by law to be reported to the Council.

<b>DATE PUBLISHED</b>	<b>CABINET MEMBER</b>	<b>TITLE OF DECISION</b>	<b>REFERENCE NUMBER</b>
17.03.20	Leader	Funding for Adult Social Care: COVID 19 Response - Providing funding and flexibility for domiciliary homecare providers for a temporary period during the pandemic.	FP/654/03/20
20.03.20	Leader	Funding for Adult Social Care: COVID 19 Response – Purchasing beds and providing financial security to care homes for a temporary period during the pandemic.	FP/658/03/20
27.03.20	Leader	Funding for Adult Social Care: COVID 19 Response – Providing temporary funding to support people receiving day services during the pandemic	FP/662/03/20
03.04.20	Leader	Funding for Adult Social Care: COVID 19 Response – funding to provide care beds in hotels.	FP/674/04/20
07.04.20	Leader	Management of Excess Deaths due to COVID-19 – this report related to the provision of a jointly funded temporary mortuary facility to serve Essex, Thurrock and Southend on Sea	FP/676/04/20
15.04.20	Leader	Funding for Adult Social Care: COVID 19 Response – funding to purchase personal protective equipment (PPE)	FP/679/04/20
17.04.20	Leader	Funding for Adult Social Care: COVID 19 Response – funding to move to 7 day working and enhanced equipment service.	FP/683/04/20
20.04.20	Deputy Leader/ Cabinet Member for Education and Skills	Coronavirus Outbreak – payments to operators for local bus and home to school contracted services (including ticketing agreements) and Park and Ride services	FP/685/04/20
14.05.20	Leader	Financial arrangements for the funding of COVID-19 – Agreement to accept funding from NHS for Enhanced Discharge Services	FP/701/05/20

### Decisions Exempt from Call-in

In addition to the key decisions taken which were taken with the agreement of the Chairman of the Corporate Policy and Scrutiny Committee, other decisions were taken which were either not key decisions or where prior notice was given, but the Chairman of the Corporate Policy and Scrutiny Committee agreed that it was in the best interests of the Council for the decision to be implemented urgently.

Please note that many of these reports are service closures. In most cases the closure decision included a delegation to the relevant director which authorised reopening without needing a formal decision of the Cabinet Member.

DATE PUBLISHED	CABINET MEMBER	TITLE OF DECISION	REFERENCE NUMBER
20.03.20	Customer, Communities, Culture and Corporate	Coronavirus Outbreak – Temporary Closure of Libraries	FP/657/03/20
20.03.20	Education and Skills	Covid-19 Response - Suspension of Adult Community Learning Classroom based provision	FP/656/03/20
23.03.20	Environment and Climate Change Action	COVID 19 Response: Temporary Closure of Essex Outdoors and Cancellation of Bookings	FP/659/03/20
25.03.20	Environment and Climate Change Action	COVID-19 Outbreak – Temporary Closure of Recycling Centres for Household Waste	FP/660/03/20
25.03.20	Environment and Climate Change Action	Coronavirus Outbreak – Temporary Closure of Country Parks	FP/661/03/20
30.03.20	Customer, Communities, Culture and Corporate	Coronavirus Outbreak – Temporary closure of Essex Records Office and suspension of certificates service	FP/664/03/20
30.03.20	Deputy Leader	Coronavirus Outbreak – Temporary Highways and Transportation Service Changes	FP/665/03/20
31.03.20	Deputy Leader	Coronavirus Outbreak – Temporary Closure of Park and Ride services	FP/669/03/20
01.04.20	Education and Skills	Coronavirus Outbreak – Extension of the hours of operation of the Essex English National	FP/671/04/20

DATE PUBLISHED	CABINET MEMBER	TITLE OF DECISION	REFERENCE NUMBER
		Concessionary Fares Schemes (ENCTS)	
08.04.20	Leader	Agreement to Funding for the Adult Social Care COVID 19 Response and Agreement to Enter into a Contract for Care Technology to assist with the Response	FP/677/04/20
17.04.20	Health and Adult Social Care	Repurposing of funding for Adult Social Care: COVID 19 – agreement to re-open closed care homes rather than make care provision in hotels.	FP/682/04/20
29.04.20	Economic Growth	Inward Investment Contract - Extension and re- purposing of contract to provide support to businesses affected by Covid-19	*FP/613/01/20
05.05.20	Leader	Funding for Adult Social Care: COVID 19 Response	FP/690/05/20
21.05.20	Deputy Leader	Coronavirus Outbreak – Temporary Change to Highway Safety Inspections Regime – specifically double-manned driven inspections	FP/706/05/20
22.05.20	Deputy Leader	Ultrafast GPs broadband project (Update)	FP/708/05/20
03.06.20	Leader	Funding for Adult Social Care: COVID 19 Response	FP/717/06/20
29.06.20	Leader	Implementation of the Essex County Council Contact Tracing Service	FP/742/06/20
2.7.20	Deputy Leader	Re-opening of Park and Ride Services	FP/747/07/20

## Minutes of a meeting of the Cabinet held in Committee Room 1, County Hall, Chelmsford, CM1 1QH on Tuesday, 25 February 2020

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### Present:

Councillor	Cabinet Member Responsibility
K Bentley	Deputy Leader and Infrastructure (Chairman)
T Ball	Economic Development
S Barker	Customer, Communities, Culture and Corporate
R Gooding	Education and Skills
D Madden	Performance, Business Planning and Partnerships
L McKinley	Children and Families
S Walsh	Environment and Climate Change Action

Councillors J Aldridge, M Buckley, G Butland, J Chandler, I Grundy, M Mackrory, M Maddocks, V Metcalfe, R Mitchell, J Moran, C Pond, R Pratt, M Steptoe, A Turrell and J Young were 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 of membership since the last meeting of Cabinet.
2. Apologies for absence were received from Councillor D Finch (Leader of the Council) and Councillor John Spence (Cabinet Member for Health and Adult Social Care).
3. There were no declarations of interest.

### 2. Minutes: 21 January 2020

The minutes of the meeting held on 21 January 2020 were agreed as a correct record and signed by the Chairman.

### 3. Questions from the public

There were no public questions.

### 4. Day opportunities and inclusive employment service (FP/597/01/20)

The Cabinet received a report seeking agreement to the Council direct awarding to its wholly owned subsidiary, ECL, a five plus two years contract for two main services; buildings based day opportunities for older people and

adults with disabilities; an inclusive employment service for adults with disabilities.

Councillor Bentley provided an answer to a question raised by Councillor Pond regarding the position for people who were unable to work; a fuller written response would additionally be provided. A written response would also be provided in response to a question from Councillor Turrell regarding the impact on outcomes for individuals and the position when a placement could not be achieved.

**Resolved:**

To agree to the direct award to Essex Cares Limited a five year contract starting on 1 April 2020 on terms which allow for extension for a further two years which will include two elements:

- continuation of delivery of building based day services for adults with disabilities and older people, with revised service specifications to align with Meaningful Lives Matter and Transforming Community Care programmes.
- delivery of a new inclusive employment service to support adults with disabilities to get people job ready and increase employment. Allowing employees to move into employment and receive the necessary support to sustain their employment.

**5. Education Travel Contract Extensions and Awards 2020 (FP/579/12/19)**

Cabinet received a report requesting the extension of existing contracts and the procurement of new education transport contracts including the provision of travel allowance, hired transport and public transport tickets to enable the Council to fulfil its statutory and policy-based obligations to provide transport to school for children meeting the eligibility criteria.

Councillor Gooding provided answers to questions by Councillors Mackrory, Young and Pond in respect of the award or contracts based on price, the use of taxis for some journeys and the suitability of this for vulnerable people, the age and environmental impact of the buses used by some operators, and possible increased costs at the point of contract extension.

**Resolved:**

1. Agree that the Director, Highways and Transportation, is authorised to extend any education transport contracts which expire in July 2020 for a one year period where extension is permitted under the terms of the contract and where he considers this to be in the Council's best interests.
2. Agree that the Director, Highways and Transportation, is authorised to procure new contracts via the Council's existing dynamic purchasing system where extension is not permitted or where extension is not considered to be in the Council's best interests, Any new such contract is

to be for a period determined by the Director, Highways and Transportation initially for a maximum of three years and on terms which give the Council the right to extend for up to a further 3 years.

3. Agree that the Director, Highways and Transportation, is authorised to approve the entering into of such contracts following completion of the procurement process.

## **6. Proposed Essex-wide Bus Shelter Contract (FP/458/06/19)**

Cabinet received a report outlining the background to bus shelter provision across the County of Essex and detailing recommendations for a decision on the future management of the estate.

Councillor Bentley provided an answer to a question by Councillor Pond in respect of the impact of the proposals on, for example, the historic landscape, people with light sensitive conditions, and the use of telemetrics. Councillor Pond also commented on his expectation that the proposals would have been submitted to the appropriate scrutiny committee.

### **Resolved:**

1. To approve entering into a Collaboration Agreement with the twelve Borough, City and District councils in Essex.
2. To approve procurement of a concession contract for the maintenance, the supply of bus shelters and advertising on those shelters for a 10 year period, with a 5 year extension option, with an estimated value of £10m to £30m over its lifetime.
3. That approval to award the contract is delegated to Executive Director, Public Health and Place.
4. To adopt the proposed Advertising and Sponsorship Policy for the Highways and Transportation services in the form appended to this report.
5. To note that under these arrangements ECC will become owner of all local authority bus shelters in Essex (other than those owned by parishes).
6. Agree that the Director, Highways and Transportation may procure and maintain a dynamic purchasing system for the procurement of suppliers to install and sell non-bus shelter advertising as set out in paragraph 3.20 of this report.

## **7. Extension of the Essex Highways Partnership Contract with Ringway Jacobs (FP/479/07/19)**

Cabinet received a report making a recommendation to extend the existing Essex Highways Partnership contract with Ringway Jacobs for a period of 5 years commencing 1 April 2022.

Councillor Bentley gave answers to questions from Councillors Pond, Mackrory and Young in respect of the impact of the savings required, how the recommendations of the related Scrutiny Task and Finish group would be progressed, whether the criteria for assessing potholes would be reviewed and how the KPIs had evolved over the life of the current contract. A written answer, pending legal advice, would also be provided to a question from Councillor Pond as to the level of profit accrued by Ringway Jacobs over the life of the current contract and to a question from Councillor Young relating to the cost of the red claims as detailed in the report.

**Resolved:**

1. To agree to the commitments for the Contract extension period set out in the confidential appendix and paragraphs 3.11 to of this report which include a change to the payment mechanism and agreeing a new process for Red Claims ("the Commitments")
2. To agree, subject to the prior completion of the deeds identified in recommendation 2.3 and 2.4, to extend the Essex Highways Contract (the Contract) with Ringway Jacobs for a period of five years until 31 March 2027 with a break clause taking effect at the end of year thirteen of the contract by giving two year's notice.
3. To delegate authority to the Director for Highways to enter into a Deed of Variation to the Contract to implement the Commitments, including changes to the payment Mechanism and implementing a revised process for Red claims, the terms of which shall be agreed in consultation with the Monitoring Officer. Completion of both red claims and payment mechanism changes are preconditions of the extension.
4. To agree to settlement of Red Claims which have been notified to or settled by ECC before 31 March 2019, with Ringway Jacobs on the terms and for the figure contained in the Confidential Appendix to this Report and to delegate authority to the Director for Highways to enter into a Settlement Agreement the terms of which shall be agreed in consultation with the Monitoring Officer.
5. To agree to draw down from the Transformation Reserve of £105,955 in 2020/21 and £60,000 in 2021/22 to the Deputy Leader and Infrastructure portfolio for Highways and Transportation and to note that future requests will come through over the contract duration that cover the remaining values as detailed in the confidential appendix.
8. **Approval to place 2020/21 contractual task orders with Ringway Jacobs for values over £2m (FP/607/01/20)**

Cabinet received a report seeking the approval of the issue of those task orders likely to exceed £2m to Ringway Jacobs for the 2020/21 financial year.

Councillor Bentley gave an answer to a question from Councillor Mackrory in respect of how specific schemes would be identified for progression, particularly those in the final year of the delivery programme.

**Resolved:**

1. Agree that the Director, Highways and Transportation may issue the task orders to Ringway Jacobs as outlined in Table 1, Appendix 1 after taking legal advice about the form and content of the task orders.
2. Agree that the Deputy Leader and Cabinet Member for Infrastructure may change the work to be undertaken under the task orders.

**9. Incorporation of South East Local Enterprise Partnership (FP/609/01/20)**

Cabinet received a report advising that the South East Local Enterprise Partnership existed to promote employment opportunities and distribute Government funding. All Local Enterprise Partnerships were now required by central Government to set up a company and the report explained how this was proposed to happen and asked Cabinet to take the necessary decisions to do so.

**Resolved:**

1. Agree that the Council will become a member of South East LEP Limited with articles of association as at appendix 1.
2. Agree to sign the framework agreement in the form at appendix 2.
3. Agree that the Leader will be the Council's initial member of the Board with the Deputy Leader as alternate director.
4. Agree that the Leader will be the Council's initial member of the Accountability Board with the Deputy Leader as principal substitute.
5. Agree that Essex County Council will continue as the Accountable Body for SELEP on incorporation of the company SELEP Ltd.

**10. Decisions taken by or in consultation with Cabinet Members (FP/606/01/20)**

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

**11. Date of Next Meeting**



It was noted that the next meeting of the Cabinet would take place on Tuesday 17 March 2020 at 10.00am in Committee Room 1 at County Hall, Chelmsford.

## **12. Urgent Business**

There was no urgent business.

### **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).

## **13. Proposed Essex-wide Bus Shelter Contract - Confidential Appendix (FP/458/06/19)**

(Press and public excluded)

The Cabinet considered the Confidential Appendix to report FP/458/06/19 which contained information exempt from publication referred to in that report and in decisions taken earlier in the meeting (minute 6 above refers).

It was agreed that Councillor Pond would write to Councillor Bentley setting out some matters in relation to bus shelters in Epping Forest, for his subsequent response.

## **14. Extension of the Essex Highways Partnership Contract with Ringway Jacobs - Confidential Appendix (FP/479/07/19)**

(Press and public excluded)

The Cabinet considered the Confidential Appendix to report FP/479/07/19 which contained information exempt from publication referred to in that report and in decisions taken earlier in the meeting (minute 7 above refers).

## **15. Urgent Exempt Business**

There was no urgent exempt business.

There being no further business, the meeting closed at 10.44am.

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**Chairman - 17 March 2020**

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## Minutes of a meeting of the Cabinet held in Committee Room 1, County Hall, Chelmsford, CM1 1QH on Tuesday, 17 March 2020

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### Present:

Councillor	Cabinet Member Responsibility
D Madden	Performance, Business Planning and Partnerships (Chairman)
T Ball	Economic Development
S Barker	Customer, Communities, Culture and Corporate

Councillor M Mackrory 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 of membership since the last meeting of Cabinet.
2. Apologies for absence were received from Councillors D Finch (Leader of the Council), J Spence (Cabinet Member for Health and Adult Social Care), K Bentley (Deputy Leader and Cabinet Member for Infrastructure), R Gooding (Cabinet Member for Education and Skills), L McKinley (Cabinet Member for Children and Families), S Walsh (Cabinet Member for Environment and Climate Change Action). Apologies were also received from Councillors Pond, Turrell and Henderson.
3. There were no declarations of interest.

The Chairman read out a statement from Councillor Finch, the Leader of the Council, regarding the developing position in respect of the Covid-19 virus. The statement, being part of the audio recording, may be heard [online](#).

### 2. Minutes: 25 February 2020

The minutes of the meeting held on 25 February 2020 were agreed as a correct record and signed by the Chairman.

### 3. Questions from the public

There were no public questions.

**4. Relocation and expansion of Harlowbury Primary School, Harlow (FP/580/12/19)**

The Cabinet received a report requesting approval of the award of a contract to Morgan Sindall Group Plc to deliver a new 2FE (420 permanent pupil places) school on a site at Gilden Way in Harlow.

**Resolved:**

1. Agree that the Director, Capital Delivery may award the contract for construction of the new school once he is satisfied that all the following apply:
  - The School has the necessary permission from the Department for Education to expand and relocate
  - A satisfactory planning permission for the new school has been granted
  - A suitable tender has been received which is within the available budget
  - The Academy Trust has either entered into an agreement for lease or has agreed heads of terms for the lease of the new site to them.
2. Agree to support the relocation and expansion of Harlowbury Primary School to the new school site.

**5. Future of the Council's Corporate IT System (FP575/11/19)**

Cabinet received a report seeking approval and funding for the replacement of Essex County Council's (ECC) existing Oracle Enterprise Resource Planning (ERP) tool, this being the IT system used as the Council's main financial and employee record.

Councillor Barker agreed to provide a written answer to a question from Councillor Mackrory in respect of the ability to build in flexibility in respect of possible changes to the size of the Council's workforce.

**Resolved:**

1. To agree that the Council should move its Enterprise Resource Planning tool (this incorporates core HR, Payroll, Finance) to an Oracle Cloud based system.
2. To agree to run a mini competition and call off from the Healthtrust Europe framework to procure Oracle Cloud licences and agree that the Executive Director, Finance and Technology can award the contract for a period of 5 years with the possibility of extension for up to a further five years.
3. To agree to use the current Fujitsu contract to provide the transitional services required to move from the current system to the new system

subject to the prior completion of a deed of variation relating to subcontracting of services.

4. To delegate to the Executive Director, Finance and Technology in consultation with the Cabinet Member for Finance, Property and Housing, and the Monitoring Officer to agree to the terms of a deed of variation to the current contract with Fujitsu.
5. To approve the drawdown from reserves of £90,600 in 2019/20; £4.08m in 2020/21 and £1.00m in 2021/22. This will fund the programme resource costs to September 2020; the implementation of the Oracle Cloud & fund the systems implementor to be funded as follows:
  - £90,600 in 2019/20 from the Transformation Reserve
  - £1.08m in 2020/21 from the Transformation Reserve
  - £3.00m in 2020/21 from the Technology Solutions Reserve
  - £1.00m in 2021/22 from the Technology Solutions Reserve.
6. To note the full life estimated costs of the programme of £13.1m as set out in section 5 of the report (including contingency) and a further Cabinet decision relating to funding is planned for July 2020.

6. **Decisions taken by or in consultation with Cabinet Members (FP/631/02/20)**

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 21 April 2020 at 10.00am in Committee Room 1 at County Hall, Chelmsford.

8. **Urgent Business**

There was no urgent business.

**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: relocation and expansion of Harlowbury Primary School, Harlow (FP/580/12/19)**  
(Press and public excluded)

The Cabinet considered the Confidential Appendix to report FP/580/12/19 which contained information exempt from publication referred to in that report and in decisions taken earlier in the meeting (minute 4 above refers).

10. **Urgent Exempt Business**

There was no urgent exempt business.

There being no further business, the meeting closed at 10.12am.

**Chairman – 26 May 2020**

## Minutes of a meeting of the Cabinet that was held remotely on Tuesday, 26 May 2020

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### Present:

Councillor	Cabinet Member Responsibility
Councillor D Finch	Leader of the Council (Chairman)
Councillor T Ball	Economic Development
Councillor S Barker	Customer, Communities, Culture and Corporate
Councillor R Gooding	Education and Skills
Councillor L McKinlay	Children and Families
Councillor J Spence	Health and Adult Social Care
Councillor S Walsh	Environment and Climate Change Action
Councillor C Whitbread	Finance

Councillors Mackrory, Pond, Henderson, Turrell, Young, Henry, Buckley, Durham, Pratt, Maddocks, Garnett, Weston, Moran, Aldridge, Wagland, Jackson and Mitchell were 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. Councillor Whitbread had been appointed Cabinet Member for Finance since the last meeting of Cabinet.
2. Apologies for absence were received from Councillors K Bentley (Deputy Leader and Cabinet Member for Infrastructure), and D Madden (Cabinet Member for Performance, Business Planning and Partnerships).
3. There were no declarations of interest

### 2. Minutes: 17 March 2020

The minutes of the meeting held on 17 March 2020 were agreed as a correct record and would be signed by the Chairman.

### 3. Questions from the public

Questions and representations were received from Mr I and Mrs L Blanchette, Mr P Robinson (CBE) and Professor A Vickers in relation to Agenda item no.6 (A120-A133 Link Road and Colchester Rapid Transit: Preferred Routes).

Councillor Finch responded to the questions, that related to the impact on air pollution and the environment, the timing of any land purchases within the

context of the planning approval process and the ongoing evidence that the proposals were still sound given the possible impact of the current COVID-19 pandemic.

**4. Establishment of a Provider Framework for Supported Living Care for Adults with Disabilities (FP/678/04/20)**

The Cabinet received a report seeking approval to establish a multi-supplier Framework for the provision of care and support services within Supported Living schemes to adults with disabilities in a way that is aligned with the Care Act and gives the adult choice.

Councillor Spence responded to questions from Councillors Mackrory and Henderson in relation to the options available to the Council should the CQC rating of 'Good' or 'Outstanding' required of providers drop below these levels, and clarification of the hourly rates that would be payable.

**Resolved:**

1. Authorise the procurement of a four-year multi-supplier Supported-Living Framework agreement (the Framework) of providers of care and support services through an OJEU-compliant procurement process.
2. Authorise the Cabinet Member for Health and Adult Social Care to award the contracts to the successful providers, following completion of the procurement.
3. Agree that the Framework will operate on fixed hourly rates, initially £15.92 for standard placements and £17.80 for enhanced complex placements.
4. Agree that the Supported Living Framework can be re-opened to enable new providers to bid for inclusion on the Framework up to three times a year to increase choice for Adults within Essex.
5. Note the proposal that the Director, Commissioning, Adult Social Care may use their delegated authority to re-open the framework where it is proposed to without any changes and therefore no financial implications.
6. Agree that the Director of Commissioning can authorise the use of a mini-competition to appoint a Care and Support Provider for a Supported Living Scheme where necessary.

**5. Social Care Case Management Programme: Interim Procurement Decision (FP/623/01/20)**

Cabinet received a report seeking agreement on the route to market for the interim contractual arrangements for social care case management (SCCM) systems. The report also provided context and key information about SCCM systems used across the Council.

**Resolved:**

1. Agree to call off from the Crown Commercial Service (CCS) Data and Application Solutions (DAS) Framework (the Framework) to procure a contract for SCCM for an initial term of two years with the option to extend for a further three one-year periods, with the contract to commence on 23 July 2021.
2. Agree that the Executive Director for Children and Families, in consultation with the Executive Director for Finance and Technology, will make a decision on the statement of requirements, including whether or not the Youth Offending Case Management System is included in the new contract from July 2021.
3. Agree that the Executive Director for Children and Families, in consultation with the Executive Director for Finance and Technology, will make a decision on the award of the contract following an analysis of the most economically advantageous supplier using the award criteria in section 3.
4. Note that the decision on any extension will be taken by the Cabinet Member.
5. A request for funding to initiate the longer-term SCCM discovery and procurement project will be submitted when the critical team members are released from their work on the COVID-19 emergency.
6. **A120-A133 Link Road and Colchester Rapid Transit: Preferred Routes (FP/648/03/20)**

Cabinet received a report seeking agreement of a preferred option for the A120 to A133 link road, and to agree to take forward for further consideration the RTS, Options B2 and B5, C1 and C2, along with routing through the town centre. The report also requested authority to progress the preferred route for the A120- A133 Link Road through preliminary design, planning application and prepare information for land negotiations, including preparation in parallel for Compulsory Purchase Order (CPO) should it be needed.

Councillor Finch provided responses to questions by Councillors Young, Pond, Henderson and Turrell in relation to the need to ensure an infrastructure first approach particularly providing sustainable walking and cycling options, the ways in which the building of new homes could support the local economy, the need to ensure that the RTS was non-polluting, the management of financial risks, and the need for ongoing communication regarding proposals and possible modifications.

Additionally Councillor Finch proposed that Councillor Bentley deliver a briefing to all Councillors on the RTS concept and the models considered to date in order to ensure Councillors were fully informed.



**Resolved:**

1. Note the outcome of the consultation on the A120 to A133 Link Road and Rapid Transit System.
  2. Agree to adopt Option 1C Variant, as set out in Appendix E, as the preferred route option for the A120-A133 link road.
  3. Agree to progress Option 1C Variant through preliminary design, planning application and prepare information for land negotiations (including information in parallel for preparation for compulsory purchase).
  4. Agree that the Director, Capital Delivery may acquire land agreed by negotiation in relation to the preferred route for the A120-A133 link road.
  5. With respect to the Rapid Transit System, agree to develop Options B2 and B5 including High Street area for the town centre to Greenstead roundabout part of the rapid transit scheme and Options C1 and C2 route from Greenstead Roundabout to the proposed garden community.
  6. Agree that the Cabinet Member for Infrastructure may agree the final proposed route of the Rapid Transit System.
7. **Decisions taken by or in consultation with Cabinet Members (FP/647/03/20)**

The report of decisions taken by or in consultation with Cabinet Members since the last meeting of the Cabinet was noted. The report included details of urgent key decisions taken without being on the forward plan and exempted from call in, and other decisions exempted from call in in response to the Covid-19 pandemic.

8. **Date of Next Meeting**

It was noted that the next meeting of the Cabinet would take place on Tuesday 16 June 2020 at 10.00am. It was expected that the meeting would be held online.

9. **Urgent Business**

There was no urgent business.

10. **Urgent Exempt Business**

There was no urgent exempt business.

There being no further business, the meeting closed at 10.46am.

**Chairman – 21 July 2020**