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**Minutes of the meeting of the Full Council, held in the Council Chamber County Hall, Chelmsford, Essex on Tuesday, 10 October 2017**

**Present:**

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

## Public Questions

1. The Chairman welcomed Mr Roderick Jones, a resident of Great Dunmow, who had registered to speak concerning the operation of Dunmow Waste Transfer Site and how it was affecting local residents. He referred to the noise from the fans operating the extraction system at the plant, excessive odour and regular breaches of the nearby parking restrictions. He stated that there had been numerous breaches of the planning regulations or conditions imposed upon the plant at the time of the original planning approval.

Additionally, he made reference to a report that suggested that the odours from the plant were likely to rise to be measurably 100% greater than that which was originally predicted.

Councillor Walsh, the Cabinet Member for Environment and Waste, replied that he had been following this matter for the last 18 months and appreciated that it involved complex regulatory matters. He understood that there were outstanding complaints against the Council and the Environment Agency and as they were being currently investigated it was inappropriate for him to respond in detail to the points raised by Mr Jones. However, he undertook, at an appropriate time, to provide a full response to the points raised and he would be speaking to officers in order to attempt to find a resolution.

2. The Chairman welcomed Mr James Bridges, a resident of Rettendon, who had registered to speak concerning the lack of provision of free home to school transport. He stated that his children attend a secondary school 5.7 miles away from his home but he has been informed that he was not eligible for support with school transport costs as another school is 160 metres closer.

He noted that in September 2015 Essex County Council had implemented a change to school transport eligibility to offer transport to the nearest school where that school is more than 3 miles away. This had replaced transport eligibility to the priority admission area school where that school is more than 3 miles away that had existed since 1944.

He maintained that since the new policy had come into effect the cost to transport 11-16 year old children to mainstream secondary schools had increase by £760,000 per year despite 2,400 fewer students per year being transported. The policy change had increased traffic congestion on the county's roads, created air pollution and traffic dangers around schools and had put a huge financial burden on the finances of working families in rural areas such as Rettendon Common.

Mr Bridges urged the Council to reform the School Transport policy to maximise the number of children who are cost efficiently transported to school by bus and to minimise those transported by other means. He sought a commitment from the Cabinet Member for Education to begin a consultation with parents, school leaders and transport providers to agree a new solution that would better serve rural families and provide better value to the tax payers of Essex.

Councillor Gooding, the Cabinet Member for Education, replied that this matter had not only been the subject of previous correspondence and had been discussed extensively at previous meetings of Council, but was also the subject of a written question submitted by Councillor Young the answer to which could be found in the papers relating to this meeting.

He noted that it was incorrect to state that there had not been a saving to the Council as a result of the policy change. The actual full-year saving (adjusted for variations in the lengths of school years) was £529,150 and added that the policy had ensured that there was a consistent provision across the county without any previously existing 'special deals' and he confirmed that there was no intention to either change or review the policy.

3. The Chairman welcomed Councillor Stephanie Gill, a Parish Councillor, who had registered to speak concerning Cock Lane in Clavering which was closed for repairs as the river running alongside the lane had eroded the river bank and the road surface was collapsing. She stated that in June 2016 Parish Councillors, local farmers and residents had attended a surgery with the former Cabinet Member for Highways Councillor Johnson and Ringway Jacobs to discuss the closure of the lane and the diversion route. They had been informed that although there were no funds in the emergency budget for the repair work for 2016/17, design and estimated costs for future repair had commenced.

However, Freedom of Information Requests had revealed that no design or estimate work had commenced and after June 2016, no visits were made to the site of the erosion, no road safety maintenance to cut back vegetation, no monitoring of eroded verges nor gritting of the diversion route and she understood that the Emergency Services had no notice of the closure and believed Cock Lane to be fully open.

She asked that there be urgent repairs to Cock Lane and explain why no work had been carried out between June 2016 and June 2017 and why the Council had put parishioners' lives at risk.

Councillor Grundy, the Cabinet Member for Highways, replied that he shared the Parish Council's desire that there should be a swift resolution to this matter and he apologised for the delay. He explained that the management of the road maintenance budgets was based upon the need to prioritise. He understood that Cock Lane was a relatively infrequently used stretch of road and there were other more urgent repair works required elsewhere. However, a study into a feasible repair had been undertaken and consideration was being given to what would likely prove to be a lengthy programme of work involving complicated negotiations between various partners with the potential for spiralling costs.

He emphasised that it was incumbent upon the Council to manage budgets and although expenditure needed to be prioritised to the greatest need he would ensure that within the next few weeks there were discussions with all the relevant parties and in the meantime he noted that, as the road was closed and the emergency services had been notified, there was no risk to the public.

**The Chairman formally opened the meeting**

The Chairman advised those present that the meeting would be recorded and broadcast live over the internet and the recording would be available for download after the meeting.

**1. Apologies for Absence**

Apologies for absence were received on behalf of Councillors Abbott, Aspinell Erskine, Henry, Louis, Platt and Souter.

**2. Declarations of Interest**

There were no declarations of interest.

**3. Confirmation of the minutes of the ordinary meeting held on 11 July 2017****Resolved:**

That the minutes of the ordinary meeting held on 11 July 2017 be approved as a correct record and signed by the Chairman subject to an amendment on page 16 of 62, Minute 11. The Essex Pension Fund Board Annual Report 2016/2017, to replace 'Chairman of the Finch' with 'Chairman of the Essex Pension Strategy Board'

**4. Chairman's Announcements and Communications****Recent Deaths****Former Councillor Robert Sears**

The Chairman informed Members that former Councillor Robert Sears died on 7 August 2017. He had been a member of Basildon District Council and was elected to be Chairman of that Authority in 1998 but he was also in 1998 elected to Essex County Council to represent the Division of Basildon, Westley Heights.

At the County Council he had served on various committees including the committees for Highways and Transportation, Community Safety, Health and Social Services and Planning.

**Former Councillor Christine Butler**

The Chairman informed Members that former Councillor Christine Butler died on 19 September 2017. She had been elected in 1993 to the County Council where

she had served on various committees including the committees for Environment, Highways and Transportation, Policy and Resources and the Enterprise Board.

She had also served as the Member of Parliament for Castle Point between 1997 and 2001.

### **Former Councillor Moran Farnsworth**

The Chairman informed Members that former Councillor Moran Farnsworth died on 7 October 2017. He had been elected in 1985 to the County Council to represent the Division of Chigwell and served on various committees including the Library, Museum and Records Committee, the Lee Valley Regional Park Authority and the Epping Forest Police and Community Liaison Group. He had also been a member of Epping Forest District Council from 1979 to 1984.

### **Former Councillor Albert Smulian**

The Chairman informed Members that former Councillor Albert Smulian died recently. He had been elected in 1987 to the County Council to represent Belfairs-Blenheim, a Division which was subsequently to become part of the Southend Unitary Authority. He had served on various committees including the committees for Fire and Protection, Policy and resources, Education and was Chairman of the Highways Committee.

Members stood in remembrance.

### **Corporate Parenting Pledge**

The Chairman reminded Members that they had recently received an email concerning the Corporate Parenting Pledge, an important undertaking that emphasises the Council's legal and moral duty towards those children that are in care.

The Chairman urged Members to sign the Pledge if they had not already done so, and stated that it would be available in the foyer until after the meeting.

### **Award**

At the invitation of the Chairman, Councillor Barker, Cabinet Member for Culture, Communities and Customer, presented an award won at the Essex Business Awards by Visit Essex, the Council's Tourism Team, who were announced as winners of the 'Excellence in Marketing' category.

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

The Chairman received a petition presented by Councillor Young from residents requesting the imposition of a 20mph speed limit or traffic calming on Elmstead Road, Wivenhoe. The petition was passed for the attention of Councillor Grundy, the Cabinet Member for Highways.

## 6. Executive Statement

The Leader of the Council, Councillor Finch, presented an Executive Statement entitled Building Collaborative Communities the text of which is to be found published on the County Council's website with the documents for this meeting.

## 7. Motions

### 1. Bus Franchising

It was moved by Councillor Scordis and seconded by Councillor Harris that

'Essex residents are seeing declining bus services across the County, which impact on the young and old disproportionately. This undermines the ability for some to get to work, school or leisure and also increases congestion, which we know is one of the biggest factors that may hinder the economy in Essex.

At the same time there is a lack of accountability towards residents and councillors when it comes to bus companies. Customers and councillors currently have no say on which routes bus companies maintain, while the costs increase and the quality of buses in Essex deteriorates. The current service is driven by profit and not being run to meet the needs of the residents of Essex.

This council asks the Cabinet Member with responsibility for buses to investigate adopting bus franchising scheme under in the new Bus Services Act 2017. This allows the Local transport authority to identify the bus services that should be provided for an area, rather than bus companies dictating the routes they would prefer. This will also bring in more accountability for us locally and allow us to tackle emissions in Essex.'

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

'Essex residents, particularly those in rural areas, are seeing changes to their bus services, which can impact on the young and old disproportionately. This undermines the ability for some to get to work, school or leisure and also increases congestion, which we know is one of the biggest factors that may hinder the economy in Essex.

At the same time there is a lack of accountability towards residents and councillors when it comes to bus companies. Customers and councillors currently have no say on which routes bus companies maintain, while the costs increase and the quality of buses in Essex deteriorates. The current service is driven by the need to make routes commercially viable without hefty taxpayer subsidy.

This council asks the Cabinet Member with responsibility for buses to investigate adopting a bus franchising scheme (under the new Bus Services Act 2017) as part of any devolution deal from Government. This could allow the Local transport

authority to identify the bus services that should be provided for an area, rather than bus companies dictating the routes they would prefer. This will also bring in more accountability for us locally and allow us to contribute to emission reduction in Essex.'

Councillor Pond, the Leader of the Non-Aligned Group, suggested that if the amendment moved by Councillor Gooding and seconded by Councillor Guglielmi was changed by removing the words 'as part of any devolution deal from Government' then the amendment may receive wider support and Councillor Henderson, the Leader of the Labour Group agreed.

With the approval of Council, Councillor Gooding and Councillor Guglielmi agreed that such an alteration should be made and so their amendment to the motion was altered to be:

'Essex residents, particularly those in rural areas, are seeing changes to their bus services, which can impact on the young and old disproportionately. This undermines the ability for some to get to work, school or leisure and also increases congestion, which we know is one of the biggest factors that may hinder the economy in Essex.

At the same time there is a lack of accountability towards residents and councillors when it comes to bus companies. Customers and councillors currently have no say on which routes bus companies maintain, while the costs increase and the quality of buses in Essex deteriorates. The current service is driven by the need to make routes commercially viable without hefty taxpayer subsidy.

This council asks the Cabinet Member with responsibility for buses to investigate adopting a bus franchising scheme (under the new Bus Services Act 2017). This could allow the Local transport authority to identify the bus services that should be provided for an area, rather than bus companies dictating the routes they would prefer. This will also bring in more accountability for us locally and allow us to contribute to emission reduction in Essex.'

The altered amendment to the motion moved by Councillor Gooding and seconded by Councillor Guglielmi having been put to the meeting was carried and became the substantive motion and it was

### **Resolved**

That the motion be carried.

## **2. Pressures on Social Care**

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

'This Council notes the ever increasing financial costs being placed on it by the demands on the social care system.

Council therefore resolves to:

- i) Lobby government to ensure adequate funding in the forthcoming autumn budget for both Childrens Services and Adult Social Care, in particular the need to address the disparity in funding between local authorities to the detriment of Shire Counties.
- ii) Add its support to the Rt. Hon Norman Lamb MP with his call for a cross-party commission on the NHS and social care crisis, currently supported by many Conservative and Labour MPs.'

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

'This Council notes the ever increasing financial costs being placed on it by the demands on the social care system.

Council therefore notes the considerable work that has been and is being undertaken to increase social care budgets including:

- i) A letter from the Leader to the Chancellor of the Exchequer ahead of the Autumn Budget that highlights the need to ensure adequate funding for both Children's and Adult Social Care.
- ii) The launch of a joint campaign between Essex County Council and the County Council Network for a 'Fair Deal' that seeks to address the disparity in funding between local authorities to the detriment of Shire Counties, particularly in relation to London.
- iii) Following a meeting between Councillor Finch, Councillor Madden and Norman Lamb the Council will continue to support the call for a cross-party commission on the NHS and social care.'

The amendment moved by Councillor Finch and seconded by Councillor Spence having been put to the meeting was carried and became the substantive motion and it was

### **Resolved**

That the motion be carried.

### **3. Unauthorised Encampments**

It was moved by Councillor Lissimore and seconded by Councillor Ball that

'Over the last three years the number of unauthorised encampments by Travellers has more than tripled. The annual cost to the Essex taxpayer of removing these unauthorised encampments runs into hundreds of thousands of pounds and has,



in some areas, increased tensions between local residents and Travellers communities to the detriment of both.

This Council recognises that tackling unauthorised encampments is a complex issue which will require a multi-agency approach. This Council therefore calls upon all Essex District, Borough and City Authorities to work together with Essex County Council and Essex Police to identify and act on the root causes of this increase for the benefit of both local residents and Traveller communities.

In the meantime, this Council urges all Essex District, Borough and City Authorities to treat unauthorised encampments in the same way as they would treat any other unauthorised incursion on to their land and work to minimise the disruption that unauthorised encampments can cause.'

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

'Over the last three years the number of unauthorised encampments by Travellers has more than tripled. The annual cost to the Essex taxpayer of removing these unauthorised encampments runs into hundreds or thousands of pounds and has, in some areas, increased tensions between local residents and Travellers communities to the detriment of both.

This Council recognises that tackling unauthorised encampments is a complex issue which will require a multi-agency approach. This Council therefore calls upon all Essex District, Borough and City Authorities to work together with Essex County Council and Essex Police to identify and act on the root causes of this increase for the benefit of both local residents and Traveller communities.

In the meantime, this Council urges all Essex District, Borough and City Authorities to treat unauthorised encampments in the same way as they would treat any other unauthorised incursion on to their land and work to minimise the disruption that unauthorised encampments can cause.'

Furthermore:-

1. Essex County Council urges all Districts, Boroughs and City Councils to make provision for fully regulated Transit sites in their Local Plans.
2. Essex County Council should lobby government to legislate to speed up the process for moving unauthorised encampments on private and publicly owned land.

The amendment moved by Councillor Kendall and seconded by Councillor Turrell having been put to the meeting was lost and it was

### **Resolved**

That the motion be carried.

### 3. Strategic Infrastructure

It was moved by Councillor Bentley and seconded by Councillor Mohindra that

'This Council acknowledges the excellent work and collaboration being carried out to improve the major infrastructure routes in Essex between this Administration, Government Agencies, Businesses and Essex Unitary, City, Borough and District Council colleagues.

Consultation work on improving the A120 between Colchester and Braintree, work to improve and upgrade the A12 and a brand new junction at 7A on the M11 plus improvements to Junction 7 and 8 will all increase and improve our economy, productivity and unlock sustainable housing for generations to come.

This Council also recognises that we must be relentless in ensuring the A127 and the A13 are improved to assist the economic plans of south Essex and this Council will continue to work with Government to ensure the powerhouse that is the Essex economy receives its fair share of infrastructure funding.

This Council therefore calls upon Government to proactively support the delivery of this vital infrastructure in advance of major housing development in Essex.'

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

This Council acknowledges the excellent work and collaboration being carried out to improve the major infrastructure routes in Essex between this Administration, Government Agencies, Businesses and Essex Unitary, City, Borough and District Council colleagues.

Consultation work on improving the A120 between Colchester and Braintree, work to improve and upgrade the A12 and a brand new junction at 7A on the M11 plus improvements to Junction 7 and 8 will all increase and improve our economy, productivity and unlock sustainable housing for generations to come.

This Council also recognises that we must be relentless in ensuring the A127 and the A13 are improved to assist the economic plans of south Essex and this Council will continue to work with Government to ensure the powerhouse that is the Essex economy receives its fair share of infrastructure funding.

At the same time this council recognises the importance of maintaining the current local road infrastructure for the benefit of all road users across the county.

This Council therefore calls upon Government to proactively support the delivery of this vital infrastructure and provide the necessary ongoing investment to maintain local roads in advance of major housing development in Essex.

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

'This Council acknowledges the excellent work and collaboration being carried out to improve the major infrastructure routes in Essex between this Administration, Government Agencies, Businesses and Essex Unitary, City, Borough and District Council colleagues.

Consultation work on improving the A120 between Colchester and Braintree, work to improve and upgrade the A12 and a brand new junction at 7A on the M11 plus improvements to Junction 7 and 8 will all increase and improve our economy, productivity and unlock sustainable housing for generations to come.

This Council also recognises that we must be relentless in ensuring the A127, and the A13, the Army and Navy interchange, are improved and the North East Chelmsford by-pass is progressed to assist the economic plans of South Essex and this Council will continue to work with Government to ensure the powerhouse that is the Essex economy receives its fair share of infrastructure funding.

This Council therefore calls upon Government to proactively support the delivery of this vital infrastructure in advance of major housing development in Essex.'

The amendment moved by Councillor Davies and seconded by Councillor Robinson having been put to the meeting was lost.

The amendment moved by Councillor Mackrory and seconded by Councillor Henderson having been put to the meeting was lost and it was

### **Resolved**

That the motion be carried.

## **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**

#### **1. Changes to Membership of Committees**

To note the changes made by officers under delegated powers in accordance with notification given by the Leader of the Conservative Group.

## **2. Merger of Joint Standards Committee and the Audit Committee**

To amend the constitution as follows:

1. Replace paragraph 8.1.2 of the constitution with that set out in the appendix to the report
2. Delete paragraph 8.1.3 of the constitution and renumber paragraphs 8.1.4-8.1.10 as 8.1.3 to 8.1.9 accordingly.
3. Replace all references in the Constitution to the 'Joint Standards Committee' or the 'Standards Committee' with a reference to the 'Audit, Governance and Standards Committee'
4. In the Scheme of Members Allowances delete:
  - a. the asterisk next to the allowance in 'Committee Chairmen (8\*)' and
  - b. the note '\* The same person will normally be appointed Chairman of the Audit Committee and Chairman of the Joint Standards Committee'.

## **4. Minor Changes of delegations – Public Rights of Way**

To amend paragraph 15.3.10 (ix) of the Constitution (one of the delegations to the Director, Legal and Assurance) to read:

'(ix) To determine applications and proposals for modification of the Definitive Map and Statement of Public Rights of Way pursuant to Section 53, 53A or 55 of the Wildlife and Countryside Act 1981.'

## **9. Adjournment**

With the agreement of Council the Chairman adjourned the meeting for luncheon at 12:55. The meeting reconvened at 14:00.

## **10. To receive the Leader's report of Cabinet Issues**

Councillor Finch, the Leader of the Council, presented a report concerning matters considered by Cabinet since the last Council meeting.

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

### **Resolved**

That the report be received.

## 11. Written Questions

The published answers to the 23 written questions submitted in accordance with Standing Order 16.12.1 were noted.

Members asked supplementary questions of the relevant Cabinet Members details of which are available on the [online audio recording of the meeting](#). The written questions were:

### 1. By Councillor Kendall of the Cabinet Member for Health and Adult Social Care

‘Could the Cabinet Member tell me what plans are in place to train key mental health staff, consultants etc. in Asperger Syndrome? (i.e. autism with no learning disability).

Currently, local Asperger-trained psychological/therapeutic support for sufferers (and their parents/carers) is virtually non-existent in Essex. Mostly all that is available is generic "one size fits all" support which is inappropriate for this autistic cohort and can actually make things worse.’

### Reply

‘The Council has commissioned the Essex Partnership University NHS Foundation Trust (EPUT) to provide a range of Mental Health services across Essex.

EPUT’s Asperger’s Service provides training across the Trust to raise awareness and enable teams to improve their support to people with Asperger’s and their families:

- In July 2017 the Asperger’s Service provided training in the South of Essex for adult psychiatrists and in Southend and Basildon for Mental Health teams.
- In August 2017, the Learning Disability psychology department provided training for staff in Liaison and Diversion services in Autistic Spectrum Disorder (ASD) awareness and reasonable adjustments.
- In September 2017, training was provided as part of the mental health champions training to nursing staff from adult inpatient services. This training was around recognition of ASD and simple strategies to help in their work with individuals on the ward. The Asperger’s Service also provides some psychoeducation/therapy groups around anxiety and social skills and a small amount of individual support.

In North Essex, the Hertfordshire Partnership Foundation Trust has commissioned training courses:

- Asperger’s Awareness (one day course to provide participants

with a basic understanding and awareness of Asperger syndrome and explores contemporary approaches to more effectively supporting the care of people who live with this condition)

- Autistic Spectrum Conditions (to increase the knowledge and skills of those practitioners supporting and assisting service users with ASD).

The Adult Autism Partnership Board has developed a Multi-Agency Training Plan led by Mid Essex CCG, with priority focus on primary and secondary care staff training in autism via e-learning.

Additionally, Essex County Council offers a countywide one-day training course for advanced knowledge of Autism in relation to Adults within Adult Social Care. The training also covers the assessment process. Training includes understanding research and pre-course e-learning on Autism that does include Aspergers.'

## **2. By Councillor Aspinell of the Cabinet Member for Health and Adult Social Care**

'Is it your intention to bring to Council for us to sign up to the Ethical Care Charter as detailed in the attached link?'

[www.unison.org.uk/content/uploads/2017/06/ethicalcarecharterEDITFINAL.pdf](http://www.unison.org.uk/content/uploads/2017/06/ethicalcarecharterEDITFINAL.pdf)

### **Reply**

'Essex County Council routinely works with the Care Quality Commission, the independent regulator of health and social care in England, to make sure social care services provide people with safe, effective, compassionate, high-quality care.

As a member of the Safeguarding Adults Board, the Council is committed to working with partners to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's wellbeing is being promoted including, having regard to their views, wishes, feelings and beliefs in deciding on any action.

This Council is committed to providing good quality care to all our Adult Social Care service users in Essex.

We do not currently plan to adopt the Charter, as there are other, more proactive mechanisms for ensuring safety, quality and dignity of care for those we support.

With respect to the pay, conditions and training opportunities for care

workers, Essex County Council, as the commissioner of care and support services, continues to work with providers to ensure a viable, robust and skilled sector workforce.'

**3. By Councillor Harris of the Cabinet Member for Health and Adult Social Care**

'Would portfolio holder please do as many other councils around the country and sign up to the Ethical Care Charter, as ECC already does most of the suggested best practice in the charter.'

<http://www.unison.org.uk/content/uploads/2017/06/ethicalcarecharterEDITFINAL.pdf>

**Reply**

'Essex County Council routinely works with the Care Quality Commission, the independent regulator of health and social care in England, to make sure social care services provide people with safe, effective, compassionate, high-quality care.'

As a member of the Safeguarding Adults Board, the Council is committed to working with partners to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult's wellbeing is being promoted including, having regard to their views, wishes, feelings and beliefs in deciding on any action.

This Council is committed to providing good quality care to all our Adult Social Care service users in Essex.

We do not currently plan to adopt the Charter, as there are other, more proactive mechanisms for ensuring safety, quality and dignity of care for those we support.

With respect to the pay, conditions and training opportunities for care workers, Essex County Council, as the commissioner of care and support services, continues to work with providers to ensure a viable, robust and skilled sector workforce.'

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

'Would the portfolio holder look at the Council's bus service in south Colchester, namely the numbers 50 and 63 buses. Both services are operated by the Heddingham Bus Company.'

As the Council subsidises both routes, can the portfolio holder influence the time table so that the services do not run so closely timed to each other, but at a half hourly service. The morning service, for

example, has both the 50 and the 63 run only a few minutes apart, and then leaving bus users with 50 minutes with nothing. Could negotiation include getting a 30 minute service instead, using hourly service of 50 and 63 with a stagger?’

### Reply

‘I am aware of the current close running of services 50 and 63. Both services were won by (separate) combined tender bids which allows the buses to ‘cross work’ between different contracts in the most cost effective way.

- Service 50 is combined with service 92 on Saturdays (and one 92 journey on Wednesdays) and a range of small shopper bus services (50b, 69a, 85, 84b, 79) during the week.
- Service 63 interworks with the school bus service 19.

This arrangement requires the buses to be at certain points at certain times in order to work, which makes it difficult to co-ordinate the 50 and 63. To do so would reduce the level of service available to residents outside central Colchester.

This said, close analysis of the timetables suggests that it may be possible to alter the times of some services to produce a more even headway at some times of the day – mainly in the morning off peak period, without upsetting the rest of the service timetables.

Therefore, officers will raise this possibility with Hedingham Omnibus and see what action can be taken.’

### 5. **By Councillor Mackrory of the Deputy Leader and Cabinet Member for Economic Growth, Skills, Infrastructure and the Digital Economy.**

‘The Commission of Inquiry into the A12 chaired by Sir David Rowlands reported in 2008, can the Cabinet Member give an update on the following:

- How many of the 28 recommendations have been implemented and what is the status of those remaining?
- Appendix 9 refers to the number of personal injury accidents between 2004 – 2006, what are the figures from 2007 until the latest available?
- Appendix 11 refers to the road closure statistics from 1st January – 30th April 2008, what are the figures from 1st May 2008 until the latest available?’



## Reply

'Essex County Council cannot directly carry out works on the A12, as it is a trunk road and the responsibility of Highways England. However, the County Council used its considerable influence through the A12 Inquiry to make sure that the road was seen as a strategic route which could no longer be planned and managed in an ad hoc and hand-to-mouth manner as it appeared to many that it was at the time; hence the 28 recommendations covering everything from route upgrading to day-to-day management.

Turning to your queries

### 1. **28 recommendations**

The Sir David Rowlands report was meticulous in its approach and encyclopaedic in its findings, with numerous recommendations. Many of the recommendations now need to be seen in the light of the changes in the way the route is now managed, operated and planned for.

Rather than run through all 28 recommendations, I have grouped together some thoughts on progress since the Inquiry:

#### Status and Planning for the Route plus its desired standard

At the time of the Inquiry there was a lot of uncertainty as to how any meaningful upgrade could be affected by the then regional approach to funding allocation. I'm glad to say that much has changed, and the A12 is seen now as a de facto important trunk road managed and planned for by a new organisation, Highways England. Highways England is under a remit from Government to deliver objectives not just for congestion and safety, but also to aide economic growth by improving connectivity. This is a sea change in the previous approach, and has ushered in a new Route Based Strategy (RBS) which replaced the previous workaday Route Management Strategies. The first RBS was published firstly as a pilot on 2013, and then in full in 2015. The RBS was followed up by inclusion of the A12 in the Roads Investment Strategy, which set as its target the upgrading to three lanes of all sections of the A12 between M25 (Brook Street) and Colchester (Crown Interchange) by 2025.

Initially an A12 Alliance was set up and was highly influential, but following the publication of a new approach to trunk road management, the meetings have ceased and have been replaced with active strategic planning discussions between Highways England and the County Council. We may conclude that the Inquiry and the Alliance was instrumental in a new approach to the A12 which shows how effective the initiative was.

### Priority sections

Much was made of the inadequate sections of route notably at Hatfield Peverel, and between there and Marks Tey as being priorities for improvement. Since the Inquiry the Hatfield Peverel to Witham improvement has taken place, and the section from Chelmsford to Marks Tey prioritised for wholesale upgrading, options for which were unveiled earlier this year.

### Management of the road on a day to day basis

Following the Inquiry the A12 patrols were introduced, and important information gathered about the nature of incidents and breakdowns. Regrettably the patrols ceased due to funding difficulties, but this authority has regularly championed their usefulness, and looks forward to their reinstatement whenever this can be afforded by Highways England and the Essex Police. Until that time the Essex Police will and do carry out campaigns, and manage driver behaviour through their current programmes aided by the Safer Essex Roads Partnership work.

### Speed management and Information management

The Inquiry called for speed management and information services to be introduced. Since these recommendations were made, two sections of the A12 have had average speed cameras installed, and several VMS signs sited.

### Other matters

There were a number of recommendations regarding more minor matters such as laybys, public rights of way and signing /lining. These are attended to by Highways England as part of their day-to-day management of the road through their contracting mechanisms, including the resurfacing and minor defect rectification programme underway at present for example.

## **2. Accident Record & Road Closures**

As I say, Essex does not administer the road on a day-to-day basis, and in order that I give you an accurate update on the 2007 and 2008 figures to which you refer, I have contacted the Route Managers at Highways England, so that they can provide me with up-to-date information. Once I have this I will write again to answer these important points.

Overall I would conclude that the A12 Inquiry was a milestone in getting the route recognised as an important economic driver of

growth, and one which needed an holistic approach which is what the Roads Investment Strategy with its aim to make the A12 an Expressway has started.'

**6. By Councillor Mackrory of the Cabinet Member for Education**

'Will the Cabinet Member, together with the Cabinet Member for Highways and the Cabinet Member for Housing, Property & Planning, undertake an urgent study into the traffic and highways implications of expanding schools on tight sites in urban areas where the existing highways infrastructure is unsuitable for the increase in traffic generated? The study to include exploring ways of securing funding for the highways upgrades from developer contributions.'

**Reply**

The following response has been provided by the Cabinet Member for Education, the Cabinet Member for Highways and the Cabinet Member for Housing, Property and Planning.

'As part of every planning application including expansion of school sites a Transport Assessment is conducted which seeks to assess the traffic impacts associated with the development. If these impacts are deemed sufficient enough appropriate developer contributions are sought through the Section 106 process to secure infrastructure improvements. However physical infrastructure is only part of the story there are ongoing school travel planning activities which include ensuring that pupils and parents adopt the most appropriate and suitable method of travel to school. To support this a specific position was created in July 2017 to ensure that there is more emphasis placed on this initiative, particularly in the Colchester area given that a number of schools have been identified for expansion within a defined geographical cluster. This position works closely with officer and member representatives to ensure that the right solutions are delivered with respect to each school.

It should also be noted that the school itself plays a big part in the promotion and monitoring of sustainable travel to schools through 'hands up' surveys, 'park and stride' initiatives and 3PR which is a considerate parking initiative from the South Essex Parking Partnership which the County Council officers are working closely with to roll the scheme out across South Essex.'

**7. By Councillor Deakin of the Leader of the Council**

'I have regularly attended ECC meetings where Officers are in attendance and working on their laptops, on their laps. Working like this cannot be good for their eyesight or posture and is most certainly not

complying with the correct working height for computer screens.

- Can the Leader tell me how this is promoting best working practice?
- Does this Council provide free eye tests for staff and Members?
- Has this Council carried out a risk assessment on all members of staff who regularly work in this way? If so, when, and what were the findings?

### Reply

'ECC is at the forefront of promoting mobile and flexible working and new employees frequently comment how helpful it is to be able to access ECC information easily, flexibly and securely.

The Health and Safety (Display Screen Equipment) Regulations 1992 require that an assessment is undertaken of workstations used for an extended period of time a place used continuously for an hour most days, although a temporary workstation would not need the assessment to be formally recorded. In most cases the use of a laptop at a meeting would not amount to use for a prolonged period of time because people at the meeting will be observing or participating in the meeting and will be watching the discussion and so there would not be prolonged use of the laptop.

Continuous typing on a laptop for an extended period of time without use of a separate screen is not recommended. County Hall is equipped with several thousand workstations where laptops can be connected into an adjustable height screen, keyboard and mouse.

If any member would like to assess their own workstation the guidance is available on the ECC intranet (search for 'VDU') although this is not a formal requirement as the Health and Safety (Display Screen Equipment) Regulations 1992 do not apply to Members.

The Council pays for eye tests for employees who are users of display screen equipment. Neither the 1992 Regulations nor the current scheme of Members allowances allow for reimbursement of these costs for Members.

The law and ECC policy requires that all employees should have a DSE assessment for their workstation. An employee's manager is responsible for ensuring that assessments take place in accordance with the policy. Each assessment will be specific to the needs of the individual employee and their workstation.'

### 8. By Councillor Young of the Cabinet Member for Education

'Cabinet agreed to set up an Essex Multi Academy Trust. Please can the Portfolio Holder clarify the proposed Governing Body membership

structure and confirm permanent exclusions will be used as a last result.'

### Reply

'I thank Councillor Young for her question regarding the development of an LA initiated Multi Academy Trust (MAT) and for her support of this at the recent Cabinet meeting. I would like to clarify that the endorsement by Cabinet was to proceed with an application to the Regional Schools Commissioner for approval. In addition, the Essex MAT (EMAT) will be established as an independent entity from the council. Legally ECC can only hold a 20% stake in the board of trustees and this is the proposal we will be putting forward. Given that the EMAT has not yet been approved by the Regional Schools Commissioner it would not be appropriate to share the details of the Members or Trustees of the proposed EMAT at this time.

In respect of the specific question about exclusions, this would be a matter for the Board of Trustees of the EMAT to consider and would be in line with their policy on behaviour management / exclusions. ECC would advocate to any school in Essex that the permanent exclusion of pupils should always be a last report and in line with the schools adopted policy of behaviour / exclusion.'

## 9. By Councillor Young of the Cabinet Member for Education

'The change in Home to School Transport policy was scheduled to deliver savings of between £500,000 and £1m yet the 2016/17 final out turn figures revealed savings of just £40k. When will the Portfolio Holder order a review of this policy with a view to making changes?'

### Reply

'I thank Councillor Young for her question, although the details presented within it are completely inaccurate.

The table below illustrates spend per school day in the relevant financial years:

Financial year	Spend per school day
2014/15	£134,325
2015/16	£132,862
2016/17	£131,540

In the 2016/17 financial year, the Council spent £2,785 less per day on education transport than in 2014/15 (the last year under the previous policy). A normal school year has 190 days and so the equivalent reduction in spend between 2014/15 and 2016/17 was £529,150.

It is clear that the current policy is delivering much needed savings. It is also significantly fairer. The previous arrangements gave some areas of the county a special deal, paid for by all other Essex taxpayers, which was unfair and unsustainable.

There is no intention to either review or change the policy. A position that is equitable for all parts of Essex is essential and that is what the current policy achieves.'

**10. By Councillor Reid of the Cabinet Member for Resources**

'In view of the recent problems that occurred with the Teachers' pay system, can the Portfolio Holder tell us that measures are being put in place to prevent the system malfunctioning in the future?

Can she categorically state that all of those teachers who incurred bank charges have been reimbursed and not left in hardship and can she do everything in her power to prevent this happening again?'

**Reply**

'We have completed an independent investigation into the August pay delay which has been undertaken by our internal auditors which revealed the issue to be one of human error. All internal payroll processes have now been fully reviewed and recommendations made including an additional check put in place to ensure there will be no repetition.

All claims received have been settled.'

**11. By Councillor Davies of the Cabinet Member for Highways**

'Would the Cabinet Member provide details of all applications to Local Highways Panels that are in the process of being validated, highlighting reasons for those that have remained as "awaiting validation" status for a significant period of time?'

**Reply**

'Number of all applications, by Local Highways Panel, that are in the process of being validated:

Chelmsford – 34  
Maldon – 17  
Epping – 13  
Castle Point – 6  
Brentwood – 5  
Rochford – 3

Basildon - 5  
Braintree – 28  
Colchester – 48  
Harlow – 15  
Tendring – 21  
Uttlesford – 26

Essex Highways aims to have all requested validations complete on time for the December/January Panel meetings; this is so they are able to be programmed by the Panel for the forthcoming financial year. On the rare occasion a validation is required sooner then it will be prioritised.

If your question is in relation to the validation time-scales for a specific scheme I'd be happy to discuss this with you individually.'

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

'Will the portfolio holder please confirm whether or not it is correct that Barnardo's are having to make redundant 30% of its most experienced staff providing support for vulnerable children and families across North Essex in order to meet the budget cuts being imposed by Virgin Care?

Will he further confirm that Essex County Council remains responsible for the support and protection offered to 0 – 19 year olds and that action is being taken to ensure that no child is disadvantaged or made more vulnerable as a result of the council having chosen to allow its Children's Services to be managed by a 3rd party?'

**Reply**

'Virgin Care in partnership with Barnardo's has been commissioned by ECC and NHS West Essex Clinical Commissioning Group to deliver the 0-19 Child and Family Wellbeing Service across the county from 1 April 2017, within a fixed budget set by commissioners.

Virgin Care and Barnardo's have recently completed a robust and inclusive workforce redesign consultation process to be in a position to ensure colleagues were placed in the right roles to deliver the outcome measures and key performance indicators agreed within their contract. Prior to this, there were 111 Barnardo's colleagues working in children's centres in North East Essex. There are now 78 experienced Barnardo's staff working alongside colleagues employed by Virgin Care in the new service. 8 employees voluntarily left their posts, 9 took voluntary redundancy and 13 have been made compulsorily redundant (a total of 31.18%).

To answer your second point, Essex County Council have previously

delivered the services within this contract by 3rd party providers which has been the case for many years, so this is not a new approach. A comprehensive set of key performance Indicators have been agreed, which have been built on from the previous contract monitoring processes, and these will allow for Commissioners to hold Virgin Care and Barnardo's to account, along with a number of activity level measures that have been put in place during the transition into the new service to ensure service levels do not drop below those that were in place at the contract transfer point at the scheduled monthly contract management meetings.

Regarding disadvantaged families, Virgin and Barnardo's have been specifically commissioned to improve outcomes for some of our most disadvantaged families across Essex. Our extensive early years review identified many disadvantaged families who struggled to access support, for a range of reasons. We believe that the Healthy Family Teams will provide the pro-active support that such families will benefit from and will access this support flexibly and not solely rely on attendance at specific centres, rather through the flexibilities afforded to a more integrated work force. Work is also underway to support families to create their own effective peer support networks to address the underlying areas of isolation we know many of our most disadvantaged families feel. To support this, Barnardo's are leading on building on their previously successful Volunteer programme.'

**13. By Councillor Scordis of the Cabinet Member for Highways**

'In Colchester, weeds at least a foot high have become a regular sight all over the town. Despite several requests for weeding I was told weeding would only take place at certain times, despite the unpredictable weather patterns we saw this year. Would the portfolio holder be able to re-evaluate when the weeding program takes place?'

**Reply**

'Colchester was treated in April and September this year. We vary the timings for each district where possible depending on growth.'

Any weeding that is required after treatment would need to be completed by the street care teams, normally a district council function, or highway rangers if on a 30mph road. We are very happy to work with the local councils to coordinate any weeding activities after our treatments have happened.

Essex County Council does review the approach, policy and timings on an annual basis but at the moment we do not have plans to increase frequency.'



**14. By Councillor Scordis of the Cabinet Member for Highways**

'Would the portfolio holder please be able to explain why a broken kerbstone sticking out into the road is not seen as a hazard to cyclists or drivers? Could he clarify how far a kerb would need to be before Essex County Council took action and removed the hazard?'

**Reply**

'All reported defects are inspected using a strict risk based approach. This allows the prioritisation of our limited resources on those areas that present the greatest risk for road users. In the case of kerb stone defects the assessment would be based on likely footfall in the area, and the potential for interaction with road users.'

I would be happy to ask officers to respond on the specific example you are referring to if you can provide me with location details.'

**15. By Councillor Kendall of the Cabinet Member for Highways**

'Please could you tell me how much Essex County Council has been paid by Jupiter Spring Productions Ltd to close a number of roads and part of Thorndon Country Park in my County Division between September 28th and October 4th? Why wasn't I consulted as the local member before any decision was made to close the roads and the park?'

**Reply**

'The closures requested by Jupiter Spring Productions Ltd provided a unique opportunity and whilst we currently have no more filming-related closures planned on our roads, going forward we are keen to explore the economic benefits of charging for filming in Essex County Council's buildings, parks and roads. As well as generating income it offers us an opportunity to promote our great county on an international stage while bringing money into our local economy through film crews who spend at our shops, eat at our restaurants and stay at our hotels.'

Thorndon Country Park was paid a five-figure sum for the use of their north car park and was accessible via its south car park throughout the filming. While Essex Highways has invoiced Jupiter Spring Productions Ltd for the usual cost of processing a road closure.

Road closures do not require consultation with ECC members due to the sheer volume of applications received from companies (especially utilities) in relation to the 5,000 mile road network in Essex. Closures are advertised in the local paper (and in this case) on social media in

advance to help make residents aware.'

**16. By Councillor Sheldon of the Deputy Leader and Cabinet Member for Economic Growth, Skills, Infrastructure and the Digital Economy.**

'Can the Cabinet Member reassure my residents that the Council will investigate claims that council contractors damaged the surface of the car park on Benfleet High Road adjacent to Hatley Gardens, when they used it for plant and other storage during the original works on the Sadlers Farm junction that started back in 2010. Can he also give my residents reassurance that if it found that the surface of the car park was damaged by the contractors that the Council will use all means at their disposal to ensure they repair the damage as soon as possible.'

**Reply**

'Balfour Beatty has agreed, at no expense to the Council, to remedy defects in the Sadlers Farm scheme, and work is due to start on later in Oct. Their proposed way of working has been scrutinised by officers, and an agreed traffic management plan has been assembled. The details are on our website. We will be monitoring the situation closely, and I can assure you that any lessons from the original works a few years ago have been learned, and the contractor understands very well that traffic management is an equal concern to the Council as is the remedying of the defects.

The matter of Hatley Gardens is not quite so straightforward. Although works to Tarpots and the link to Sadlers Farm were undertaken at the same time to the Sadlers Farm main works, the contractor was not the same. Rather than Balfour Beatty it was Eurovia that undertook the works. Therefore remedial work needed now would not be the responsibility of Balfour Beatty. The matter is further complicated by the fact that Essex County Council entered into a licence agreement with Castle Point Borough Council over the use of the car park as a compound for Eurovia to utilise. Under the agreement there was provision for liability to remedy any defects caused by the contractor. Accordingly an inspection was carried out at the end of the works, and damaged areas were repaired. There were however, concerns raised after the works regarding potholes in the car park area, which existed prior to its use as a compound. It seems clear that this issue will require further discussion with Castle Point and I will undertake to ask that this takes place and will reply with the findings.'

**17. By Councillor Henderson of the Cabinet Member for Health and Adult Social Care**

'Regarding the changes to Adult Social Care Charges; how was the

consultation carried out? Were every one of the 9,100 written to, with a copy of the consultation document to post back; and if not, why not – after all the Council knows who those affected are?’

### **Reply**

‘The consultation process on the charging reforms went through our formal governance procedures, and was published on our website in the normal way.

During 2016 we consulted on the changes, writing to some 9,000 adults receiving non-residential social care, enclosing a copy of the consultation and inviting them to respond. This was over and above publishing the consultation in the normal way and was intended to ensure it came to the attention of those most likely to be affected by it.’

### **18. By Councillor Buckley of the Cabinet Member for Education**

‘Following reports in the national media that some Standing Advisory Committees for Religious Education (SACRE’s) including Essex have recommended that the terms BC (Before Christ) and AD (Anno Domini) be dropped and replaced with terms CE (common era) and BCE (Before Common Era), will the Cabinet Member join me in condemning this act of over-zealous political correctness?’

Given that leading members of Jewish and Islamic faiths have said no offence is caused by the use of the Gregorian calendar, will the cabinet member instruct heads of LEA controlled schools that the common, and well understood, terms BC and AD should continue to be used in Essex Schools?’

### **Reply**

‘Despite reports in the national press to the contrary Essex SACRE have not made a recommendation that the terms BC and AD are replaced by CE and BCE. The current agreed syllabus does not include this recommendation. However, the Essex SACRE have issued a guidance document entitled “responding appropriately to pupils’ religious obligations”, which does make reference to the terms CE and BCE. This is guidance for schools and it is a matter for schools to decide which, if any, elements of the guidance to follow. This guidance reflects the approach of many Religious Education text books, for both primary and secondary schools, which employ these terms in order to show sensitivity to pupils who are not Christians. This has been the case for a number of years.

SACRE members are meeting very shortly and will issue a statement to Essex schools to the effect that both terms can indeed be used. As the implementation of this guidance is a school-led decision.’

**19. By Councillor Smith of the Cabinet Member for Education**

'Phase 2 of the Westley Green housing development (Dry Street) now has full planning permission, which includes a site for a new primary school. This successful planning application didn't include any detailed plans to build this school. When will this new school be built and who will be paying for this new school, the taxpayer or the developer?'

**Reply**

'The 10 Year Plan 2017-2026 identified the need for a new school at Dry Street, with an estimated opening date of 2023. This is subject to the rate of house building and occupation which will affect the demand for and sustainability of the new school. The 10 Year Plan is reviewed and updated annually, with the next iteration to be published in January 2018.

The Local Authority has a signed S106 agreement in place which has secured a financial contribution towards the building of the new school. The new school will very likely serve pupils beyond just the Dry Street development, and therefore Basic Need funding (the funding provided by the government to LAs to provide additional school places) may also be used to pay to build the new school.'

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

'During the week leading up to St. George's Day of 2018, will Essex County Council consider running Essex History week to promote and celebrate the people who helped to shape the history of this long standing English county?'

**Reply**

'I take Councillor Smith's suggestion on board and agree wholeheartedly that celebrating Essex's history is vital. For Essex County Council this is a year-round rather than one-week event. We make it clear through our programme of work across the council, as well as the Vision for Essex and our Organisation Strategy that we are dedicated to celebrating the rich and diverse culture, history and people of this county in everything that we do; and we do this in many different ways.

One of the special ways we are celebrating this next year is through our project *Snapping the Stiletto: 100 Years of Change*. Because next year marks the 100 years since the first British women received the vote, the 90th anniversary of all women receiving the vote and the 50th anniversary of the Dagenham Ford Worker's Strike, Essex County

Council and its museum partners are exploring, recording and celebrating the diverse and inspirational stories of Essex women and will be exhibiting them across the county throughout the year.

The Essex Record Office's *You Are Hear* project, which, along with digitising the ERO sound and video archive, has been using innovative and exciting techniques to celebrate local people and bring our county's archive into the public domain through listening benches and audio kiosks which are now permanently installed across the county.

You can see similar celebrations of our history and our people through projects such as Resorting to the Coast, with Tendring Council and the Grand Theatre of Lemmings, our Essex Summer of Art, as well as commemorations of the end of the First World War, Armed Forces Day and various other events throughout the year that provide significant recognition of the phenomenal history of Essex and beyond.'

## **21. By Councillor Abbott of the Cabinet Member for Highways**

'This summer in the Division I represent I received a significant number of complaints from residents regarding blocked public rights of way (PRoW), which I reported. The blocked sections of PRoW appear to relate in part to the Council's policy of only cutting routes once per year.

Due to the growing cycle, a single cut means that there will inevitably be periods where overgrowth becomes impassable in certain locations, particularly where there are dense nettles, brambles, etc.

Is the Council still committed to ensuring that PRoW remain open all year round so that they can continue to perform their important function of offering people safe off-road access for walking?

If so, what is the Council going to do, potentially including working with partners, to make sure that such blockages do not become an annual problem?'

### **Reply**

'Essex County Council is committed to ensuring that Public Rights of Way are open all year round. Whilst it is acknowledged that the cutting schedule only allows for one cut, it is not necessarily this single cut that is the issue in respect of vegetation growth obstructing the PROW.

There is always a difficult balance to strike and cutting too early will deliver little benefit to users and, due to the duration of the programme, there will inevitably be a period toward the end of the programme where some areas begin to become overgrown.

Individual reports of obstructed PROW can be made through the Essex Highways website and will be assessed to identify if further action, aside from the cutting schedule, is required.

We are committed to working with partners to enhance the service and by way of example, are now working with 57 volunteer groups, a number that has more than doubled in three years.

Having said this, we are always interested in exploring new ways of delivering services and it might be that the localism motion that was passed at the last Full Council – and referred to the Place Services and Economic Growth Scrutiny Committee – could point towards a more effective way of delivering PROW cutting with our partners, as you suggest.'

**22. By Councillor Robinson of the Cabinet Member for Health and Adult Social Care**

'Will the Cabinet Member please update us on discussions being held with District-level housing departments to improve joint working, in particular to reduce delayed discharges from hospital and to reduce homelessness and its consequences.'

**Reply**

'There are a number of engagement and consultation forums where Essex County Council works positively with districts on housing and homelessness issues:

- Essex Housing Officers Group (hosted by ECC on behalf of districts)
- Essex Homelessness Officers Group (hosted by ECC on behalf of districts)
- Housing, Health and Social Care forum

There is also an Essex Homelessness Trailblazer prevention initiative funded by the DCLG which ECC successfully obtained funding of £890k for two years.

This initiative commenced on 1st April and provides 10 homelessness prevention mentors across Essex. These mentors work with all districts and work collaboratively on homelessness prevention cases. The mentors will typically work on cases that are complex. So far this service has had over 100 referrals, and delivery of the service is monitored by the Essex Homelessness Officers Group.

As part of this initiative we have set up an Essex-wide strategic steering group to focus on homelessness prevention.

We are engaged in a comprehensive strategy to decrease the level of delayed transfers of care, which is a particular focus of the Improved

Better Care Fund initiative.  
However, housing is not seen as a significant issue in reducing delayed transfers of care.'

**23. By Councillor Turrell of the Cabinet Member for Health and Adult Social Care**

'Can the Cabinet member explain why Mencap and the Essex Carers' Network were not consulted about the revised charging policy for social care support when Essex County Council's own impact assessment report specifically talks about consulting or involving those groups that are likely to be affected by the policy decision? Does he also understand the stress caused to those carers looking after disabled children to receive increased bills of £50 a month and in some cases £100 a month?'

**Reply**

'Essex County Council routinely publishes consultations on its website, in the same way as many other councils and government departments do. Essex Mencap and Essex Carers' Network are well-established and sophisticated organisations and presumably routinely responds to consultations in which it has an interest.

You will appreciate that there are many bodies supporting the frail and elderly and those with disabilities across Essex, and it would be impractical to contact them all individually.

During 2016 we consulted on the changes, writing to some 9,000 adults receiving non-residential social care, enclosing a copy of the consultation and inviting them to respond. This was over and above publishing the consultation in the normal way and was intended to ensure it came to the attention of those most likely to be affected by it.

We did not take the decision to change the way in which we calculate individual's charges lightly. Essex has, for many years, had a system of charging that was, in comparison with most other local authorities with adult social care responsibility, relatively generous. As you know like most local authorities, Essex is faced with continuing financial pressure and we can no longer afford this approach.

It is true that some adults have seen a substantial increase in their charges as a result of the changes we have implemented, however it is also the case that no one has been left with less than their guaranteed minimum income in accordance with the law. While I do understand that lifestyles choices are important to the adult concerned, I have to be clear that our role is to meet eligible needs (not preferences) and to do so in line with the statutory guidance as set out above.

While I fully understand that the changes we have introduced are having a considerable impact on those affected by them, I am satisfied that we have acted lawfully and that the implementation has been as fair and transparent as possible. As a Council we have a duty to collect the revenue due to us to ensure we can continue to support those who need our help.

We will continue to charge in line with the Cabinet Decision of December 2016 and the relevant law and statutory guidance.'

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

Members asked questions of the Leader of the Council, Cabinet Members or the chairmen of committees details of which are available on [the audio recording of the meeting.](#)

The Questions asked were:

	<b>Member</b>	<b>Topic</b>	<b>To whom</b>
1.	Councillor Kendall	Department for Transport proposals Section 19 and Section 22 contracts	Cabinet Member for Education
2.	Councillor Kendall	Drug awareness and drug education in schools	Cabinet Member for Education
3.	Councillor Henderson	Concern about a delay in bus pass renewal	Cabinet Member for Education
4.	Councillor Sargeant	Cycling commitment in the County	Cabinet Member for Education
5.	Councillor Pond	Costs of calls to the ECC enquiry phone number – use of geographical numbers	Cabinet Member for Education, Communities and Customer
6.	Councillor Pond	Photographs of the state of the highways before development works	Cabinet Member for Highways
7.	Councillor Scordis	Housing White Paper consultation response	Leader of the Council
8.	Councillor Scordis	Haven Road, Colchester- flooding and drainage issues – Highways engage with the issue	Cabinet Member for Highways



9.	Councillor Sheldon	Sadler's Farm junction works disruption	Deputy Leader and Cabinet Member for Economic Growth, Skills, Infrastructure and Digital Economy
10.	Councillor Mackrory	Chelmsford Railway Station bridge fines – use of monies	Cabinet Member for Highways
11.	Councillor Mackrory	Police and Crime Commissioner – paid advisor to ECC, role and remuneration	Leader of the Council
12.	Councillor Harris	Budget for replacement of street lights	Cabinet Member for Highways
13.	Councillor Harris	Child Assessment and Development Unit – Autism service	Cabinet Member for Health and Adult Social Care
14.	Councillor Young	Care charges – AFILIA	Cabinet Member for Health and Adult Social Care
15.	Councillor Smith	Section 278 agreements	Cabinet Member for Highways

### **13. Oral Questions of the representative of the Essex Police and Crime Panel on any matter of that Panel**

There were no questions asked of Councillor Jowers, the representative of the Essex Police and Crime Panel.

### **14. Oral Questions of the representative of the Essex Fire Authority regarding the Report to the Constituent Authorities of the meeting on 6 September 2017**

There were no questions asked of Councillor Hedley, the representative of the Essex Fire Authority, regarding the Report to the Constituent Authorities of the meeting on 6 September 2017.

However, Councillor Turrell, noting that the Essex Fire Authority had now been abolished, asked Councillor Hedley how the work of the Police, Crime and Fire Commissioner was to be properly scrutinised.

Councillor Young thanked Councillor Hedley for his commitment to partnership working and the work of past members of the Fire Authority and also enquired how ongoing performance reports and target-setting would be scrutinised under the new governance arrangements.

The Chairman advised that both questions were beyond the remit of the former representative of the Essex Fire Authority as neither question was related to the report to the Constituent Authorities of the meeting on 6 September 2017. However, he undertook to relay their questions to the Police, Crime and Fire Commissioner on their behalf.

Councillor Hedley in response to the remarks that had been made by Councillor Young and others, paid tribute to all past members of the Essex Fire Authority, thanking them for their valuable service and paying particular tribute to the late Councillor Tom Smith-Hughes, sentiments which were echoed by the Chairman of the Council.

Chairman