

Minutes of a meeting of Essex County Council held at County Hall, Chelmsford on 12 May 2015

Present

Chairman: Councillor N Hume

Vice-Chairman: Councillor J F Aldridge

Councillors:

J Abbott	K Gibbs	R A Madden
B Aspinell	A Goggin	M Maddocks
S Barker	R J Gooding	M McEwen
R L Bass	I Grundy	M McGeorge
A Bayley	C Guglielmi	V Metcalfe
K Bentley	D Harris	A Naylor
D Blackwell	A M Hedley	Lady Newton
K Bobbin	I Henderson	M J Page
R G Boyce	T M A Higgins	J W Pike
A Brown	R Hirst	C Pond
M Buckley	P Honeywood	J M Reeves
G Butland	R C Howard	S Robinson
S Canning	M Hoy	C Seagers
J Chandler	J Huntman	K Smith
P Channer	A Jackson	J Spence
K Clempner	E C Johnson	A Turrell
T Cutmore	J G Jowers	K Twitchen
M Danvers	D J Kendall	S Walsh
J Deakin	J Knapman	R G Walters
M Ellis	N Le Gresley	J Whitehouse
A Erskine	S Lissimore	A Wood
D Finch	D Louis	J A Young
R Gadsby	M Mackrory	

Prior to the meeting:**Prayers**

The meeting was preceded by prayers led by The Reverend David Tudor, Rector of Canvey Island and Rural Dean of Hadleigh.

Public Questions

The Chairman welcomed the six members of the public registered to speak on the issue of Home to School Transport and those watching from the public galleries.

- a) Paul Beard Elmstead Parish Councillor, representing the families of Elmstead asked:
'Could you please explain why reducing the cost of home to school transport is more important to Essex County Council than the safety of our children? In Elmstead our children have traditionally attended the Colne Community School in Brightlingsea and have done so by using a free private bus. We are now told that the only way we can continue to receive free travel is by attending our nearest school which is Colchester Academy. To enable our children to get to the Colne Community School they would need to use public transport where no-one has been 'vetted' on the bus. They would then get off the bus at a location where an unsolved murder is still ongoing and wait for a second bus in order to get to their school. This journey to be undertaken by these pupils as young as eleven will at certain times of the year be in the dark. We call for this policy to be suspended and reviewed.'

Councillor J Young declared a personal interest as a governor of Colchester Academy.

- b) Councillor Kevin Read, Mayor of Wivenhoe asked:
'How can hard-working families, earning less than the national average wage, afford to pay to send their children to the school of their choice? How does imposing this lack of choice align with the National Policy Framework that states that parents should be permitted to choose their child's school? Can you confirm that the tender process to provide buses to Colchester Academy has started and will be completed before the start of the academic year? We request that this policy be suspended pending re-consultation.'
- c) Councillor Andrea Vaughan of Wivenhoe Council, representing Broomegrove Junior and Infant School parents asked:
'Can you advise us if this divisive policy abandons Essex County Council's 'Safe Routes to School Policy'? There is considerable fear amongst those parents affected by this policy and we would be grateful to hear the views of members of Essex County Council's Cabinet on how they would send their children or grandchildren to school. We also understand that the private commissioned bus to the Colne Community School is almost twice the price of the public bus fare and so parents will inevitably choose a public bus or drive them to school adding to traffic congestion. Can you promise that additional funding will be allocated to safety issues, in particular to install a pedestrian crossing outside Colne Community School? We request that the policy be suspended and reviewed.'

- d) Councillor Asa Aldis of Wivenhoe Council, a parent and representing parents of children at Broomegrove Infant School, asked:
'How the relationship was being changed by this policy between Wivenhoe feeder schools used by children in the Wivenhoe community. Currently these feeder schools get an allowance because of their relationship with the Colne Community School. Can the Cabinet Member please give an assurance that this relationship will continue to be supported and what measures will it put in place to ensure that the school transport policy will be adjusted to take account of the new arrangements? I also ask for this policy to be suspended and for the consultation to be undertaken again at a time when parents are able to respond.'
- e) Ann Hooks, Chair of 'Rayne Against School Transport Cuts' asked:
'That the Cabinet Member for Education note that the new transport policy was flawed in many respects. The justification and detail of the financial savings were insufficient to enable an informed decision and off-set by the increased financial burden on hard-pressed families. There are inconsistencies and contradictions between the School Transport Policy and the Essex Transport Strategy. It would appear that priority admission schools are no longer taken into account when considering school transport. There is a failure to recognise and accept the consequence of a lack of infrastructure and the consequential increases in traffic. There is little or no consideration of the health and safety of our children going to school. At the time of the decision being made there were no details of the walking routes made available. The consultation process was compromised with correspondence sent to schools during the school holidays and this was a factor in the lack of distribution and why few parents responded. Of those responses that were received 72% rejected the proposal. How is it that there was still a subsequent change to the School Transport Policy? I request a review of the policy, a delay to the implementation of the new policy and a re-consultation.'

With the approval of the Chairman Ann Hooks presented a petition, signed by local residents and businesses urging a review of the Policy. The Chairman passed the petition to the Cabinet Member.

- f) Louise Cook, a parent of a child at Broomegrove Junior School asked:
'Have the Conservative-led administration abandoned the concept of parental choice? Why would any parent choose Colchester Academy that isn't performing well rather than Colne Community School which is outstanding?'

The Chairman called upon Councillor R Gooding, Cabinet Member for Education and Lifelong Learning to respond.

The Cabinet Member thanked the public speakers for their questions. Whilst recognising that it was a contentious issue he hoped his responses would bring clarity to the points that had been raised. He stated that:

- the new policy was not just to ensure savings but also to bring equity across the County where there have been a number of different arrangements for home to school transport. These differences had meant that some parents could avail themselves of free home to school transport for journeys to as many as seven

schools, whereas in another part of the County it was only available for journeys to perhaps one school. This has led to complaints.

- He understood the issue that had been raised concerning the safety of routes to school but as the Cabinet Member responsible for school transport such matters had been taken into account when framing the new policy and so he believed that any such concerns were misplaced.
- The setting of thresholds for families to receive relief was not a matter for the County Council: such thresholds were determined by Parliament.
- There had been a number of references to 'choice' that appeared to imply that anyone could have whatever they wished. In fact, legally, parents are permitted to 'express a preference' for pupils to go to a particular school. But if those schools are full, unfortunately that expressed preference cannot always be met.
- For clarification, the statutory provision requires local authorities to provide transport to persons who are 'entitled'. What is being defined by the revision to the policy is who might be so entitled.
- There have been calls for the implementation of the policy to be suspended. This would be very difficult as we had 15,400 children who made the change from primary to secondary schools. For those who read and understood the policy and then made their decision, it would be unreasonable to overturn the policy and undermine those decisions.
- Regarding the suggestion that the Council is abandoning the 'Safe Routes to School Policy', we are not suggesting that children from Wivenhoe should walk to the Colne Community School but it is a responsibility of parents of children who are not entitled to free home to school transport to make arrangements for transport.
- There was also mention of the provision of a crossing outside the school but this was not a matter that fell within his portfolio but he was sure that the relevant Cabinet Member would be pleased to discuss the matter with parents.
- Concerning the relationships with local feeder schools, the policy quite clearly states that catchment areas are no longer relevant. To change this at this stage would disadvantage those parents who have already expressed their preferences.
- It was suggested that the consultation process was flawed but there had been extensive consultation on this matter dating back to the middle of 2013. Schools were advised, there was a consultation period, two periods of scrutiny, the policies called in and widely discussed. This year we sent out information advising parents what they should consider when expressing their preferences and believed there was little more that could be done. In consequence he could not accept that the consultation was flawed.
- The Council absolutely supports the concept of parents expressing their preferences in the best interests of their children but that preference must take into account the issue of how their children might travel and the documentation used by parents for that purpose sets that out clearly. He re-iterated that in this regard so-called 'catchment' was not relevant as, of the 78 secondary schools in the County, 76 determine their own admission policies and any catchment areas.
- He was sorry that the representatives present were dissatisfied but he was confident that the new policy was the right one for Essex.

The Chairman formally opened the meeting.**1. Election of Chairman**

It having been proposed by Councillor K Bentley and seconded by Councillor R Walters it was

Resolved:

That Councillor N Hume be elected Chairman of the County Council for the forthcoming Municipal Year.

Councillor Hume made and signed the Declaration of Acceptance of Office.

2. Appointment of Vice-Chairman

It having been proposed by Councillor D Finch and seconded by Councillor R Bass it was

Resolved:

That Councillor J Aldridge be appointed Vice-Chairman of the County Council for the forthcoming Municipal Year.

Councillor Aldridge made and signed the Declaration of Acceptance of Office.

3. Apologies for Absence

Apologies for absence were received on behalf of Councillors W Archibald, M D Fisher, J Lodge and P Oxley.

The Chairman informed Council that Councillor Archibald was currently recovering in hospital having broken a hip and he intended on behalf of the Council to send him best wishes for a speedy recovery.

4. Return of Members Elected and Political Proportionality

The Chief Executive presented a report announcing that Councillor Stephen Canning had been returned as the Member for the Bocking Division at the By-Election held on 5 March 2015 and setting out the results of the review of political proportionality triggered by Councillor Finch, the Leader of the Conservative Group giving notice that Councillor Canning would be a member of the Conservative Group on the Council.

Resolved:

That the revised political balance of the Council be noted.

5. **Declarations of Interest**

Councillor Young declared a personal interest as her son was a pupil at the Sixth Form College in Colchester and she had asked written questions of the Cabinet Member for Highways and Transportation relating to pedestrian crossings in Colchester and the Sixth Form College.

6. **Minutes of the meeting held on 10 February 2015**

Resolved:

That the minutes of the meeting held on 10 February 2015 be approved as a correct record and signed by the Chairman.

7. **Chairman's Announcements**

Audio Recording

The Chairman informed members that there would be a trial audio recording to test the equipment. The proceedings would not be streamed live or the recording subsequently made available online. If successful, audio recording and streaming would take place from the next meeting of Council in July.

Magna Carta

The Chairman reported that a number of activities were planned relating to the 800th anniversary on 15 June of the signing of Magna Carta. Various events had been organised by the councils in Essex, libraries and schools and in particular he noted that the Magna Carta was an important milestone in the history of democracy and free speech.

Award to the Essex Pension Fund Board

The Chairman invited Councillor Bass, Chairman of the Essex Pension Fund Strategy Board to present an award made to the Fund in late February. Councillor Bass asked the Chairman to note that this was the second award that had been won by the Fund this year. In February the Essex Pension Fund was named as the "Defined Benefit Pension Scheme of the Year" at an annual awards event organised by the publication Pensions Age. The award had been won in the face of serious competition from eight other schemes and required a demonstration of excellence in service provision and investment performance, commitment of the scheme members, innovation and an understanding of the changing needs of the UK pension market. This was the third major national award the fund had won in the last 18 months. He asked that the Chief Executive would pass on congratulations to the Fund officers, particularly Kevin McDonald, Director for the Essex Pension Fund. Councillor Bass also wished to place on record his appreciation of the commitment of elected members of both the

Pension Board and the Investment Steering Committee. The Chairman received the award and congratulated Councillor Bass.

The Local Government Information Unit Councillor Achievement Award

The Chairman invited Councillor Aldridge to present the Local Government Information Unit's Councillor Local Growth Achievement Award to Councillor Bentley who had been recognised for outstanding work in creating jobs and bringing investment into Essex. Councillor Aldridge noted that Councillor Bentley's tireless approach in establishing the Essex Employment and Skills Board had been identified as a best practice model for other authorities and mentioned other initiatives such as the Digital Skills for Growth Programme. Members were advised that Councillor Bentley had beaten fierce competition from Councillors across the country to win the award.

Councillor Bentley accepted the award, dedicating it to the team of officers that undertook the work of economic growth in Essex. He paid tribute to two other officers, Toni Hault and Dan Taylor in the Cabinet Office.

VE Day Anniversary

The Chairman informed members that on the evening of 8 May at Weald Park in Brentwood a beacon had been lit to commemorate the 70th anniversary of VE Day.

Resignation of the Chief Executive

The Chairman announced that Joanna Killian, the Chief Executive, was leaving Essex County Council on 7 May. He paid tribute to her contribution to the success of the Council over the last nine years and presented her with a bouquet of flowers.

At the invitation of the Chairman, Councillor David Finch, the Leader of the Council also paid tribute to her leadership and advocacy and the service she had given to the people of Essex. He listed her achievements and his words were echoed by the Leader of the Liberal Democrat Group, Councillor Mackrory and the Leader of the Labour Group, Councillor Young.

The Chief Executive, Joanna Killian thanked members for their kind words.

8. Interim arrangements pending the recruitment of a new Chief Executive

Councillor Finch, the Leader of the Council presented a report detailing the Interim arrangements and constitutional changes required pending the recruitment of a new Chief Executive.

Resolved:

1. That the following people be appointed to act as Head of the Paid Service during the periods shown in the table, or until such time as a new Chief

Executive is appointed Head of the Paid Service by Council and takes up post:

Period	Interim Head of the Paid Service
From the departure of Joanna Killian until 31 August 2015	Margaret Lee
1 September – 30 November 2015	Dave Hill
1 December 2015 – 29 February 2016	Keir Lynch
1 March – 31 May 2016	Sonia Davidson-Grant

2. That the Constitution be amended by the Monitoring Officer to make it clear that at any time when there is no Chief Executive in post any references in the Constitution to the Chief Executive or Chief Executive Officer shall be construed as a reference to the Head of the Paid Service.

9. Presentation of Petitions

The Chairman received petitions:

- from The Woodbine Close Park Residents Association , Waltham Abbey, calling for a Signal Light Crossing across the A121, close to the junction with Woodgreen Road, presented by Councillor Gadsby,
- for the complete reconstruction of the carriageway of Burney Drive, Loughton, presented by Councillor Pond and
- concerning road safety and asking for parking controls near the Alderton School, Loughton, presented by Councillor Pond.

The Chairman passed the petitions to the Cabinet Member for Highways Maintenance and Small Scheme Delivery.

10. Executive Statement

The Leader of the Council gave a statement concerning 'Positive Times Ahead' including references to:

- the result of the recent Parliamentary election,
- the freeze of council tax in Essex,
- improvements to services,
- the prospects for devolution,
- health and social care systems and
- transformation of the organisation of Essex County Council.

11. Motions

1. Promoting the interests of Essex residents

The motion moved by Councillor Finch and seconded by Councillor Bentley had been withdrawn.

2. Devolution

Councillor Mackrory with the consent of the seconder and Council amended the motion such that the words '...be granted the same powers' be amended to '... be granted similar powers'. It was then moved by Councillor Mackrory and seconded by Councillor Robinson that;

"The recent devolution of powers from Westminster to the northern city regions is to be welcomed.

This Council believes there is a strong case for the English Counties, together with the second tier authorities, to be granted similar powers.

This Council, therefore, resolves to call on the new Government to convene meetings with the representatives of Local Government to bring forward proposals for the devolution of powers as a matter of urgency."

Upon being put to the meeting the motion was declared to be carried.

3. Home to School Transport

It was moved by Councillor Young and seconded by Councillor Henderson that;

"Council notes that from September onwards many parents in Essex will face significant travel costs to transport their children to school as a result of changes to the home to school transport policy. Council further notes that in some areas, families will have to find up to £700 a year to pay for their child to travel to school as a result of these changes.

Council therefore calls on the home to school transport policy to be reviewed, taking account of:

- (a) The cost implications to families.
- (b) Whether children have a safe route to school as a result of the changes.
- (c) Whether parents have been well informed throughout the process.
- (d) Whether this policy change will impact negatively on the Council's desire 'to get Essex moving' as more parents will be forced to drive children to school.

Council further calls on the Cabinet Member for Education and Lifelong Learning to consider implementing transitional arrangements to reduce the financial impact on families by awarding discretionary payments to support parents for this coming school year."

Prior to the motion being put, ten members demanded a division by name by standing in their places.

The motion having been put it was declared to be lost by 24 votes for and 45 against.

Those voting for the motion were Councillors:

J Abbott	M Ellis	N Le Gresley
B Aspinell	M D Fisher	M Mackrory
A Bayley	K Gibbs	M McGeorge
D Blackwell	D Harris	C Pond
K Bobbin	I Henderson	S Robinson
K Clempner	T M A Higgins	A Turrell
M Danvers	M Hoy	J Whitehouse
J A Deakin	D J Kendall	J A Young

Those voting against the motion were Councillors:

J F Aldridge	R J Gooding	M Maddocks
S Barker	I Grundy	M McEwen
R L Bass	C Guglielmi	V Metcalfe
K Bentley	A M Hedley	A Naylor
R G Boyce	R Hirst	Lady Newton
A Brown	P Honeywood	M J Page
M Buckley	R C Howard	J W Pike
G Butland	N Hume	J M Reeves
S Canning	A J Jackson	C Seagers
J Chandler	E C Johnson	K Smith
P Channer	J G Jowers	J Spence
T Cutmore	J Knapman	K Twitchen
D Finch	S Lissimore	S Walsh
R Gadsby	D Louis	R G Walters
A Goggin	R A Madden	A Wood

12. Changes to appointments of Cabinet Members and Deputies

The Chairman informed members that there were no changes to the current appointments of Cabinet Members and Deputies.

13. Membership of Committees

The Council received a report of the Political Groups' appointments to the following committees:

- Corporate Scrutiny Committee
- People and Families Scrutiny Committee
- Place Services and Economic Growth Scrutiny Committee

- Health Overview and Scrutiny Committee
- The County Council Members on the Essex County Council and Essex Fire Authority Joint Standards Committee
- Development and Regulation Committee
- Audit Committee
- Essex Pension Fund Investment Steering Committee (the members of the Committee will be the County Council representatives on the Essex Pension Fund Strategy Board)
- Committee to consider applications to undertake certain duties by Members and Foreign Travel by Officers.

Councillor Pond requested that his name be added to the list of named substitutes for the Development and Regulation Committee.

Councillor Mackrory requested that Councillor Deakin's name be added to the list of substitutes for the Essex County Council and Essex Fire Authority Joint Standards Committee.

Resolved:

That the Political Groups' representatives to committees be as set out in the report presented to Council and as amended at the meeting.

14. Election of Chairmen of Committees

The Council received a report to elect the Chairmen of the following committees:

- Corporate Scrutiny Committee
- People and Families Scrutiny Committee
- Place Services and Economic Growth Scrutiny Committee
- Health Overview and Scrutiny Committee
- The Essex County Council and Essex Fire Authority Joint Standards Committee
- Development and Regulation Committee
- Audit Committee
- The Scrutiny Board
- The Essex Pension Fund Investment Steering Committee
- The Committee to consider applications to undertake certain duties by Members and Foreign Travel by Officers

Resolved:

That the Chairmen of the Committees be elected as set out in the report presented to Council.

15. Appointments to the Health and Wellbeing Board

The Council received a report of the appointments to the Health and Wellbeing Board.

Resolved:

That Councillors A Brown, D Finch and A Naylor be appointed as members of the Essex Health and Wellbeing Board with Councillors D Madden and R Gooding as the named Substitutes.

16. Appointment to the Essex Police and Crime Panel

The Council received a report of the appointment to the Essex Police and Crime Panel.

Resolved:

That Councillor J Jowers be appointed as a member of the Essex Police and Crime Panel with Councillor D Madden as the named Substitute.

17. Appointment to the Essex Pension Fund Advisory Board

The Council received a report of the appointment to the Essex Pension Fund Advisory Board.

Resolved:

That Councillor S Walsh be appointed as a member of the Essex Pension Fund Advisory Board.

18. Appointments to the Essex Fire Authority

The Council received a report of the Political Group's appointments to the Essex Fire Authority.

Councillor Mackrory requested that Councillor Deakin and Councillor Whitehouse be added as Liberal Democrat substitutes.

Resolved:

That the Political Groups' representatives to the Essex Fire Authority be as set out in the report presented to Council and as amended at the meeting.

19. Order of Business

With the Council's agreement, the Chairman varied the order of business so as to accommodate as much business as possible before adjourning for lunch.

20. Independent Remuneration Panel

The Leader, Councillor Finch, presented a report to agree the membership and Terms of Reference of the Independent Remuneration Panel to make recommendations for a scheme of Members' Allowances for the period June 2015 to May 2019.

Resolved:

1. That Dr Declan Hall be appointed to chair the Independent Remuneration Panel.
2. That Elaine Oddie and Mary Williamson be appointed as members of the Independent Remuneration Panel.
3. That the Terms of Reference for the review of the Members Allowances Scheme by the Independent Remuneration Panel as set out in Appendix 1 of the report be approved.

21. Cabinet Issues

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

Cabinet Members responded to questions as follows:

- (i) Concerning the award of a contract for the provision of fibre-optic broadband rollout in rural areas, was there any consideration of the need for wireless transmission of data in more rural areas? (Councillor Abbott of the Cabinet Member for Economic Growth, Infrastructure, Waste and Recycling)

The Cabinet Member agreed that there was such a provision (the 'Rural Challenge') for wireless or mobile connectivity when the use of fibre cabling was not possible. He urged members to ask their constituents to take part in the surveys on this matter that were available online or by other means.

- (ii) Concerning the trial of the Highways Enforcement Policy, how was the matter going to be promulgated? (Councillor Pond of the Cabinet Member for Highways and Transportation)

The Cabinet Member believed that the trial, taking place in Maldon, the aim of which was to bring all agencies together to ensure there is

appropriate enforcement, was bringing positive benefits but a formal evaluation was yet to take place. The evaluation would take place later in the year and he wished to wait for the results of that evaluation before considering rolling the policy out throughout the County.

The report of Cabinet Issues was received and adopted.

22. Dates of Future Meetings

The Chairman, Councillor Hume, presented a report to approve the dates of Council meetings for the Municipal Year 2016/17.

Resolved:

That meetings of the Council be held on Tuesdays at 10am on 12 July, 11 October and 13 December 2016 and 14 February (Budget) and 16 May 2017 (Annual).

23. Written questions to the Leader of the Council and Cabinet Members

The published answers to the 11 written questions submitted in accordance with Standing Order 16.12.1 were noted.

The following supplementary questions were asked as a result of having received a written reply and responses given:

- (1) Councillor Knapman sought clarification from Councillor Madden, the Cabinet Member for Adults and Children that the written response related to Children's Care Homes and not the whole care system.

The Cabinet Member replied that this was correct.

- (3) Councillor Mackrory asked Councillor Louis, the Cabinet Member for Transformation and Corporate and Traded Services, of the nine emergency evacuations mentioned in his written reply, if there were any investigations of the cause of the alarms.

The Cabinet Member replied that there were always investigations undertaken after any evacuation and one is currently the subject of a police investigation.

- (4) Councillor Kendall asked Councillor Johnson, the Cabinet Member for Highways Maintenance and Small Scheme Delivery if details could be provided, once a quarter for each County Division, of those places where works had been identified as being of insufficient quality. This would enable Members to have some information about ongoing or planned repairs.

The Cabinet Member replied that he would look into the possibility.

- (5) Councillor Deakin asked Councillor Hirst, the Cabinet Member for Customer Services, Planning and the Environment if there were plans to extend the availability of charge points across the County for electric cars.

The Cabinet Member replied that he did not have the detail available and would respond to Councillor Deakin after the meeting.

- (6) Councillor Clempner asked Councillor Louis, the Cabinet Member for Transformation and Corporate and Traded Services for a response to the question asked, and specifically an indication if and when the car-park would be resurfaced.

The Cabinet Member replied that the question had been answered and there were no plans for the car-park to be resurfaced until such time as the outcome of legal action was known and the review of the Education Estates Strategy was completed.

- (7) Councillor Danvers thanked Councillor Hirst, the Cabinet Member for Customer Services, Planning and the Environment for his reply and asked, given the level of deprivation in Harlow and the need for residents to access computers in the library for information and job-seeking, if he would consider re-opening Harlow Central Library on Wednesdays.

The Cabinet Member replied that he was aware of how valued the service was by users and he was looking for ways by which, perhaps through the use of volunteers, such demands may be met and library opening hours extended or revised.

- (8) Councillor Young asked Councillor Bass, the Cabinet Member for Highways and Transportation if he would reconsider his written reply and move the bus stop back to its original position.

The Cabinet Member replied that he had no plans to reconsider the location of the bus stop. The changes that were made to the bus stops in the centre of Colchester as a consequence of the introduction of Park and Ride were designed to avoid excessive congestion. He understood that the changes had inconvenienced some people but it had been extensively discussed with the operators and bus-user groups and there had been opportunities to comment. He regretted any inconvenience to Wivenhoe residents but the overall effect in Colchester was decongestion which was to the benefit of all road users, pedestrians and the environment.

- (9) Councillor Young asked Councillor Bass, the Cabinet Member for Highways and Transportation if he did not consider that a consultation on the removal of the pedestrian crossing at the top of North Hill should be undertaken with the students of the Colchester Sixth-Form College as they represented a significant number of the users.

The Cabinet Member replied that the consultation that had already taken place had included the students and the Sixth Form College and no crossing was being removed that might adversely affect the safety of pedestrians. If there were specific comments that the College wished to make they would be considered.

- (11) Councillor Harris asked Councillor Johnson, the Cabinet Member for Highways Maintenance and Small Scheme Delivery if he would not agree that the Council had a priority system that leaves a pothole for months until it becomes very expensive to repair.

The Cabinet Member replied that, as questions of this nature are not uncommon from District Councillors, he had arranged a member briefing on this matter for both District Councillors and County Councillors who may be interested in understanding the criteria, how it is applied on pavements and carriageways and other highways issues.

24. Adjournment

With the agreement of Council the Chairman adjourned the meeting for luncheon at 12:50pm.

The meeting reconvened at 14:00pm.

25. Constitution Changes

The Council considered a report detailing proposed amendments to the Constitution following consultation with the Member Reference Group.

It was moved by Councillor Bass and seconded by Councillor Aldridge that the recommendation to the report be approved.

It was moved by Councillor Young and seconded by Councillor Bobbin that:

“Based on proportionality of the political groups, the allocation of motions for a council year as set out in ‘1.4 Review of procedures relating to motions’ should be revised as follows:

Conservative Group 8 slots
Labour Group 4 slots
Liberal Democrats 4 slots
UKIP Group 3 slots
Non-aligned Group 2 slots
Green 1 slot

This allocation gives 22 slots in total for a council year: 5.5 per meeting (that is, 5 at the Annual Council and pre-Christmas meetings and 6 at the others) which

works out at two less overall than there is now but two more than the current proposal of five motions per meeting.

Based on four Council meetings per council year, the allocation of motions would look as follows:

May	July	October	December
Con	Con	Con	Con
Con	Con	Con	Con
Lab	Lab	Lab	Lab
Lib Dem	Lib Dem	Lib Dem	Lib Dem
Green	UKIP	UKIP	UKIP
	NAG	NAG	

A motion moved by a member who was not part of a Group would stand against the allocation of the Group of the member seconding the motion.

The content and length of speeches as set out in '1.4 Review of procedures relating to motions' should be revised to reinstate the mover of the motion having three minutes to exercise the right of reply in accordance with paragraph 16.11.10 of the constitution and the seconder of the motion no longer being the last to speak.

and Annex "C" be amended accordingly."

Upon being put to the meeting the amendment was declared to be lost.

Councillor Abbott sought further amendments and corrections and was advised by the Chairman that his concerns would be dealt with after the meeting and if the matters were not substantive then corrections would be made. Councillor Abbott stated that the corrections required were in fact substantive but this was not agreed by the Chairman.

Upon being put to the meeting the original motion was declared to be carried and it was

Resolved:

That the changes to the Constitution as set out in Annexes "A" – "H" to the report be approved.

26. Oral questions of the Leader of the Council, Cabinet Members and Committee Chairmen

1. Councillor Barker asked Councillor Johnson, the Cabinet Member for Highways Maintenance and Small Scheme Delivery, when the winter trials of the closure of byways to 4x4 vehicles would be assessed as the closures had proved popular with residents.

The Cabinet Member replied that the review would be completed by the Autumn and any closures recommended to be permanent would be in force for the Winter of 2015.

2. Councillor Pond, noting minute 12.1 of the last meeting of Council, informed Councillor Johnson, the Cabinet Member for Highways Maintenance and Small Scheme Delivery that although a team of workmen had arrived and undertaken work on Loughton High Road they had not improved the issue of flooding nor addressed the issue of the lighting. He asked when this outstanding work might be completed.

The Cabinet Member replied that matters relating to flooding were difficult to resolve and he gave an assurance that the work was in hand.

3. Councillor Howard thanked Councillor Bass, the Cabinet Member for Highways and Transportation, for visiting Canvey Island with the Leader, Councillor Finch and Rebecca Harris MP, to see the issues relating to transportation. He hoped that the visit had supported his view that something needed to be done to relieve congestion and improve access to the Island.

The Cabinet Member replied that he appreciated that Councillor Howard was a strong advocate for the needs of Canvey Island but he too agreed that there must be a scheme to widen Canvey Way and he was looking for funding in order to implement such a scheme sooner rather than later.

4. Councillor Smith asked Councillor Finch, the Leader of the Council, how he would vote in the European Referendum.

The Leader replied that he would be exercising his right to the privacy of his vote.

5. Councillor Harris asked Councillor Bass, the Cabinet Member for Highways and Transportation, for an assurance that because of road closures affecting the number 8e bus evening service no passengers would be left stranded.

The Cabinet Member agreed in principle but this was a complex problem and not without difficulties that were primarily overcome, as he believed that the majority of the road closures were to be at night.

6. Councillor Walsh asked Councillor Hirst, the Cabinet Member for Customer Services, Libraries, Planning and the Environment what progress had been made towards installation of the 'Sky Trail' at Great Notley Country Park?

The Cabinet Member replied that he anticipated the facility would be installed in time for the summer holidays.

7. Councillor Buckley asked Councillor Finch, the Leader of the Council, now that the scheme for Health provision in Basildon had been stopped on planning grounds what was to be done with the £500,000 capital allocation that had been made available to the Borough Council.

The Leader replied that he believed the planning decision had been a mistake and so the capital funding would remain available to the Borough Council for a further period of time in the hope that the decision might be revisited.

8. Councillor Whitehouse asked Councillor Madden, the Cabinet Member for Adults and Children following the withdrawal of a particular care home in his area whether he could say how comfortable he was with the current balance of supply and demand in West Essex and if not could there be further discussions about this?

The Cabinet Member replied that he could confirm that the Council no longer provided a contract for the running of that home and was looking to move Essex residents to other homes. He was happy with the balance of supply and demand. However he intended to revisit and review the matter closely.

9. Councillor Knapman asked Councillor Johnson, the Cabinet Member for Highways Maintenance and Small Scheme Delivery, when, having had a number of improvements and patches to the roads in his Division, residents might expect the white lines to be restored.

The Cabinet Member replied that sometimes the white lines were not repainted if the road was awaiting further repair.

10. Councillor Henderson asked Councillor Bentley, the Cabinet Member for Economic Growth, Infrastructure, Waste and Recycling, if he could give a commitment to visit the Mayflower Project as it was a fantastic opportunity with some really good volunteers doing their best to make sure that it comes to fruition on the anniversary of the sailing of the Mayflower in 2020.

The Cabinet Member replied that he agreed with everything Councillor Henderson had said and he was very confident the Mayflower Project was going to be successful and was making preparations to see it as soon as he could.

11. Councillor Hoy asked Councillor Johnson, the Cabinet Member for Highways Maintenance and Small Scheme Delivery, if he was aware that members received a road works report but although this was very useful it was frequently missing a number of known road works and road closures. He asked that these omissions be addressed.

The Cabinet Member thanked Councillor Hoy for the information as he had not been aware of the problem and would speak to the officers responsible to ensure that the data was complete.

12. Councillor Abbott sought from Councillor Johnson, the Cabinet Member for Highways Maintenance and Small Scheme Delivery, clarity with regard to the procedure for undertaking a statutory search before proceeding with repair works.

The Cabinet Member replied as to the need to undertake statutory searches.

13. Councillor Abbott asked Councillor Johnson, the Cabinet Member for Highways Maintenance and Small Scheme Delivery, if he agreed that Members should be given authority to report a problem on the roads in order to fast-track it as local councillors were familiar with their own areas.

The Cabinet Member replied that he believed all reports of road defects should be dealt with in accordance with the policy on priorities no matter who reported them. Additionally Councillor Bass, the Cabinet Member for Highways and Transportation, remarked that he was pleased that Councillor Abbott agreed that the road network was improving. However it was difficult to devolve decision-making powers to local members as such decisions should remain with the professional officers.

14. Councillor Le Gresley returning to the matter of the £500,000 capital funding for Health Investment (question 7) asked for an assurance from Councillor Finch, the Leader of the Council, that when the money became available it would be used for the benefit of all of Wickford.

The Leader replied that the intention was that the investment would be for the benefit of all.

27. Oral questions of the representative of the Essex Police and Crime Panel

There were no questions asked of the representative of the Essex Police and Crime Panel

28. To note the report of the Essex Fire Authority's meetings on 11 February and 15 April 2015 and to ask questions of the Authority's representative

1. Councillor Young asked Councillor Hedley, the Representative of the Essex Fire Authority if the freeze on Council Tax would have any implications for the Fire Service and the number of firefighters?

Councillor Hedley replied that he was unaware of any such implications of the freeze of the Council Tax.

2. Councillor Young asked Councillor Hedley, the Representative of the Essex Fire Authority how the Fire Authority identified those areas in greatest need for the installation of sprinkler systems.

Before responding to her question Councillor Hedley declared an interest as he was in receipt of a pension from the sprinkler industry.

Councillor Hedley then replied that such decisions were made in liaison with district authorities but he, or officers would be glad to receive suggestions from Councillor Young or anyone else regarding areas that should be targeted.

The report of the Fire Authority's meetings held on 11 February and 15 April 2015 was received.

The meeting closed at 14:46

Chairman
14 July 2015