
Essex County Council Meeting 16 May 2017

Answers to Written Questions

Agenda Item 22

1. By Councillor Kendall of the Cabinet Member for Adults and Children

'The recent changes to the Assessment of Care Charges have caused a great deal of worry and distress to many of the most vulnerable residents in our communities. Please could you provide answers to the following points:

- I understand that around 4,500 residents are going to be directly impacted by the changes. What follow up and checks are going to be made by the County Council to ensure that these residents do not suffer severe hardship as a result of the reduced funding they are going to receive?
- What support, advice and right of appeal is available to any resident who believes they have been unfairly treated as a result of the New Care Assessment Charges?'

Reply

'The recent changes to charging arrangements for Adults Social Care were subject to full public consultation and a formal decision was taken by Cabinet to implement the changes on 13 December 2016.

It is important that these changes are viewed in context: charging arrangements are set out in the statutory Care and Support Guidance (Department of Health, 2017) and subject to the minimum income requirements set out by the Department of Health in 2017.

Mindful of the sensitivity of changes to individual charges and the potential impact on those affected by them, we have put in place dedicated handling arrangements with the intention of ensuring that we can address individual concerns quickly and effectively.

Where necessary and appropriate, we will review individual financial assessments and refund any contribution paid over and above the amount due, should a review of an adult's assessment result in a reduction of the assessed charge.

Where we have reconsidered the adult's assessment and they remain dissatisfied with the outcome, they have the right to complain, including referring the matter to the Local Government Ombudsman, as with any other complaint relating to adult social care matters.'

2. By Councillor Kendall of the Cabinet Member for Highways and Transportation

'Please could you clarify the following points with regard to the LED Lighting roll out programme:

- When will the Borough of Brentwood be getting LED lighting installed?
- What percentage of our lighting columns will be changed over to LED lighting?
- How long is the work expected to take?'

Reply

'Thank you for this question. I am pleased to confirm that Brentwood is scheduled to have its *All Night Lights* converted to LED between the end of August and beginning of September this year. This will represent 8% of the lighting stock in Brentwood (512 out of 6,253 units). Once started the work is expected to take ten to fifteen working days.'

3. By Councillor Mackrory of the Cabinet Member for Adults and Children

'Will the Cabinet Member give an undertaking that the procedures, including the legal advice, which led to the judgement by High Court Judge Mr Justice Charles, that the mother of child EL was unfairly and unlawfully treated by Essex County Council social workers, will be thoroughly reviewed to ensure such cases never occur again?'

Reply

'We acknowledge the findings of this judicial review where the Judge provided new legal guidance about the principles of procedural fairness in this context. In consequence we are carefully reviewing processes to ensure that they both meet the additional guidance issued by the Court but also are sensitive to the enormous complexity of these decisions. The welfare of the child must be paramount when considering placing them for adoption. When discussing this or any other social services case it is important to remember that there is an absolute requirement to ensure that the identity of the child is not disclosed.'

4. By Councillor Smith of the Cabinet Member for Highways and Transportation

‘One of the primary schools in my Division has increased in size and around 40% of the enrolled pupils do not even live in the Westley Heights Division. When pupils start and finish each day, the local main road is gridlock due to a number of inconsiderate parking by parents.

I and a large number of local residents are deeply concerned that an accident is waiting to happen and something needs to be done.

Therefore, will Essex County Council consider introducing the Public Space Protection Orders, which Havering Council is trialling, to help make school journeys safer for all concerned?’

Reply

‘Thank you for your question. Public Space Protection Orders are not typically used to solve parking congestion outside school gates. In the first instance I would expect that the school and parents would work together to promote safe and courteous driving behaviour when dropping their children off at school. This is something that would be covered in assemblies and in the newsletters that schools send home to parents.

I will however, ask officers to liaise with the London Borough of Havering to discuss the trial use of Public Space Protection Orders to understand how they have worked and to consider any lessons that are learnt from their experience.

We would, of course, need to consult with schools on any policy change in this area.’

5. By Councillor Smith of the Leader of the Council

‘Once the Prime Minister has been re-elected with her ‘Brexit Majority’, will the Leader write to the Government’s Minister for Brexit to ask him to abolish the EU Landfill Tax and allow the collected funds to be spent in Essex to help provide better services to the residents?’

Reply

‘As there is no such thing as the EU Landfill Tax, I will not be writing to the Minister for Brexit asking for it to be abolished.’