

ESSEX COUNTY COUNCIL MEETING

14 October 2014

Answers to Written Questions (standing order 16.12.1)

Agenda Item

13(a)

1. By Councillor N Le Gresley of the Cabinet Member for Highways Maintenance and Small Schemes Delivery

'Residents living close to schools across the County have had their lives blighted during term time by unthinking and inconsiderate parents parking or waiting near school entrances. Parents park in such a way as to cause obstructions to vehicles (including emergency vehicles and buses), obstructions to pedestrians using pavements causing them to walk on the busy roads, blockading of residential driveways increasing social unrest.

Would the Cabinet Member for Highways and Transportation agree to:

a) Allocate additional resources to enable NEPP and SEPP to introduce:

- i.** additional parking and waiting controls in the residential roads close to schools?
- ii.** additional parking control officers, specifically though not exclusively, assigned to parking enforcement around schools?

b) Work with other local council members on NEPP and SEPP to facilitate and enable the consultation needed with the Essex Chief Constable (in accordance with Schedule 10 (3) 2C of the Antisocial Behaviour, Crime and Policing Act 2014); so that PCSOs are given powers to assist with the control of parking near to or outside schools?

c) Encourage the Essex Chief Constable to grant additional powers to Essex PCSOs under the Traffic Warden Order 1970, to deal with the unnecessary obstruction of a highway and parking in a dangerous position?'

Reply

We are already in consultation with the Essex Chief Constable with respect to items (b) and (c) of the question. We expect that PCSO's will be granted powers of enforcement and that this will have a positive effect on the issues being faced by residents.

As the NEPP and SEPP are set up as self-funding, the issue of additional resources rests with them. However, we believe that the NEPP and SEPP should await the impact of the above before considering additional resources.

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

'Part Night Lighting – Brentwood

Following the introduction of the part night lighting scheme in Brentwood, back in March, there was an overall increase in criminal offences for the period April to June, based on the data provided by the Police.

How many months have to pass before this increase in crime in Brentwood and other communities is taken seriously, and a full review is undertaken on the effect part night time lighting is having on crime across Essex?'

Reply

We do not expect there to be any increase in crime as a consequence of the Part Night Lighting scheme, there is absolutely no evidence that there has been so far, but the monitoring of crime will continue on an ongoing basis and we will make any fine tuning to the scheme as may be necessary (as indeed I have confirmed in my full response to the Scrutiny Committee).

3. By Councillor D Kendall of the Cabinet Member for Transformation and Corporate and Traded Services

'County Council Printing Requirements

Does Essex County Council still use a print management company based in Yorkshire? If it does, has this action helped to reduce the Procurement Department in Essex County Council?

Does the print management company get prices for printing from nationwide printers? If it does, then how are Essex printing companies supposed to compete for the County Council's business when their business rates are so much higher than other parts of the country?'

Reply

Thank you for your questions. The company that ECC currently uses for print management has its head office in Leeds although the office that coordinates printing requirements for ECC is based in Chelmsford. The amount that ECC has spent on printing over the period of this contract has reduced by 60%.

Each requirement is issued to a least 5 suppliers including Essex based SMEs. The decision to award the work is based on the ability to deliver to our timescales, the capability of the supplier to fulfill the order and price. Essex businesses have been very successful in winning work; for financial year 2013-14, 79% of all spend was with Essex based SMEs and since April 2014 the proportion of spend with Essex based SMEs is already at 75%.

4. By Councillor T Higgins of the Cabinet Member for Highways Maintenance and Small Schemes Delivery

'Lamp columns in my division of Parsons Heath and Eastgates have been replaced over the last few years. However, the stumps of the old columns have been left in place – Chalfont Road being the worst street, with three such wrapped up stumps.

When are these stumps going to be removed, as some have been left in this state of disrepair for over eighteen months?'

Reply

The removal of these columns is included in the capital works programme for this year. Essex County Council is actively chasing the company responsible for transferring the electrical supply to confirm a date for this work.

5. By Councillor J Deakin of the Cabinet Member for Adults Social Care, Public Health and Wellbeing

‘Some time ago I asked, through Members’ Enquiries, for the number of people taking lunchtime ‘Meals on Wheels’ in Chelmsford and, more specifically, Chelmsford West Division. I received a standard reply, thanking me for my Freedom of Information request!

Why was my question treated as an FOI? I still await the reply.’

Reply

The request for information was received on 11 September 2014 regarding Meals on Wheels provision in Chelmsford and recorded as a Freedom of Information request. An acknowledgement was sent which indicated that the information would be issued within 20 working days. I can confirm that the information was issued, within the stated timeframe, on 8 October 2014.

I regret that this enquiry was incorrectly defined as a Freedom of Information request.

If enquiries from Members specifically mention information legislation (e.g. Freedom of Information, Environmental Information Regulations etc.), or in the view of the relevant data owners all or part of the requested data should be withheld under the provisions of legislation, then the request is transferred to the Your Right to Know team for handling as a statutory request for information. Otherwise, the request remains as a Members Enquiry.

Where a Member requests information that cannot be achieved within 10 working days an acknowledgement will be issued advising of a revised response date.

I am sorry that the enquiry was incorrectly defined as a Freedom of Information request and action has been taken with the team to ensure requests for information are correctly assessed.

6. By Councillor M Ellis of the Leader of the Council

‘Excessive salaries for employees must be avoided, and most importantly this Council must be seen to set a precedent as the standard for others to follow.

- Therefore, will the Leader of the Council recommend a

maximum salary of no more than £100k be applied to all new senior positions offered within Essex County Council?

- Will he also consider putting in place a Programme containing a progressive reduction of payments for future positions?’

Reply

Being within easy commuting distance to London, Essex County Council is in direct competition with the London job market to recruit and retain the senior skills and capabilities required to manage a diverse organisation with the equivalent of an annual turnover of £2billion. The London and South East private sector job market also offers substantial bonuses in addition to base pay that we do not offer.

As a result, ECC benchmarks middle and senior manager salary ranges against an identified market, which allows us to remain competitive within the recruitment market we are seeking to attract from.

All posts are job evaluated to identify “job size”, which allows accurate salary benchmarking to take place. Furthermore, Members are involved in the recruitment of all Tier 3 and above appointments (Directors and above).

To restrict to a maximum salary of £100,000 would prevent ECC from being able to fill many critical roles with the necessary capability and would directly affect our ability to deliver outcomes.

A number of senior roles have not had an increase to their base pay since 2010, however pension contribution has made a large impact to their take home pay, as contributions have increased by 4 to 5% for any employees earning over £100,000.

7. By Councillor D Harris of the Cabinet Member for Transformation and Corporate and Traded Services

‘Would the portfolio holder consider re-evaluating the council’s supplier charter to ensure that procurement activity carried out to the highest ethical standard is underpinned by a set of principles which should be addressed in every contractual arrangement with our suppliers?’

Reply

Thank you for your question. The Essex County Council Procurement Strategy has been recently reviewed by the Corporate Scrutiny Committee and their report has been both published and responded to by the Cabinet Member. However, if Councillor Harris has any specific suggestions, I will of course be happy to give them due consideration.

8. By Councillor D Harris of the Cabinet Member for Libraries, Communities and Planning

‘Could the portfolio holder supply data showing the response times against agreed targets for Member enquiries, as some Members are having to wait several weeks for a reply?’

Reply

The Member Enquiries Team is a single point of contact for all Member and MPs which are received either directly to the Member Enquiries inbox or via the Chief Executive’s office, Cabinet Office and Executive Director’s office.

The Member Enquiries Team record, research and source information from ECC, partners and external agencies in order to prepare response to enquiries. The service level agreement response time is 10 working days from date received within Essex County Council (not when it is received by the Member Enquiries Team). The monthly performance target is 80% responded to within 10 working days.

Member Enquiries receive over 6,000 enquiries per year, although evidence to date suggest that there has been an increased number of enquiries on previous years.

From the latest analysed figures 601 MP and Member enquiries were responded to in August, with 88.9% (534) responded to within 10 days (against target of 80%). Some simple enquiries are responded to on the day that they are received. Complex cases such as adult social care or some highway related enquiries which can involve multi-agencies may require more time to resolve and this may result in case being extended beyond the 10 working day service level agreement.

Early in 2014 a 20% increase in enquiries were received in one month. Team resources were reprioritised where possible, however, the increased demand resulted in some responses times falling

outside SLA during 2014/15 Q1. A service recovery plan to restore SLA was implemented to ensure SLA are now met.

Data from 1 January 2014 until 5 September 2014
(please note this is not a full month's information for September 2014)

Month	Responded to	Responded to in time		Late Responded to		Average days to respond
		<=10 days	>10 days	<=10 days	>10 days	
Jan-14	614	554	90.2%	60	9.8%	9
Feb-14	742	695	93.7%	47	6.3%	9
Mar-14	683	532	77.9%	151	22.1%	10
Apr-14	608	431	70.9%	177	29.1%	10
May-14	700	453	64.7%	247	35.3%	10
Jun-14	761	619	81.3%	142	18.7%	10
Jul-14	715	633	88.5%	82	11.5%	9
Aug-14	598	531	88.8%	67	11.2%	9
Sep-14	153	145	94.8%	8	5.2%	9
Totals	5574	4593	82%	981	18%	9

The Customer Service Director monitors performance on a weekly basis in order to highlight any issues. A review of the way enquiries are managed, including a revised triage process to better identify enquiries and respond to these much earlier in order to improve the level of service is being introduced to further improve response times.

9. By Councillor I Henderson of the Cabinet Member for Adults Social Care, Public Health and Wellbeing

'Would the portfolio holder consider introducing seasonal based interventions in relation to the work of community agents, ensuring that agents are properly trained to give energy advice to older people and informal carers during winter months?'

Reply

Last year, the 12 CVSs were funded to deliver a Warm Homes Initiative. This initiative helped vulnerable people across the county to access grants and benefits and energy efficiency improvements such as home insulation. This scheme was very successful and we have started working with CVS to define how they might best use this resource over the coming winter.

Community Agents will be made aware of the referral pathways for these schemes and as part of home visiting, should they identify a

vulnerable older person who needed support, they will link and connect the individual to the support available closest to their home.

The Community agents programme will be subject to regular review and training and development opportunities will be shaped appropriately based upon feedback and availability of resources.

10. By Councillor I Henderson of the Cabinet Member for Adults Social Care, Public Health and Wellbeing

‘Would the portfolio holder confirm whether ECC has carried out a needs assessment of the LGBT community in Essex and could she outline what steps are being taken to address the needs of the LGBT community through sexual health commissioning?’

Reply

To date ECC have not explicitly conducted primary research to analyse the needs of the LGBT population against specific outcomes other than sexual health however we are developing approaches (including aligning our Equality & Diversity work with the Joint Strategic Needs Analysis work) which will better enable us to do so.

The needs of Essex’s LGB&T communities have been explored within wider work however it is often the case that reporting of sexual orientation or gender identity provides low numbers which cannot be interrogated to a further level of statistical granularity to protect confidentiality and anonymity. . In developing strategic and operational plans ECC do consult national data regarding trends in the needs of communities with protected characteristics.

More specifically relating to sexual health (which is included within the question), an Essex wide sexual health needs assessment was carried out in 2013.

Using national indicators of sexually transmitted infections (STIs), the needs assessment reviewed areas where prevalence of STIs is higher, and, which specific groups, including for example men who have sex with men (MSM), have higher risk and require additional support , (such as routine HIV testing) as a result of this elevated risk.

This needs assessment is currently being used in the development of the whole (excluding Unitaries) Essex integrated sexual health pathway specification, which ECC will aim to procure for services to start 1st April 2016. It is essential that service users, regardless of their sexual orientation, are consulted on their service requirements.

There was no evidence found in the preparation work for the Essex sexual health needs assessment to suggest that the LGBT community were underrepresented in engaging with existing services.

Links with groups such as Outhouse East in Colchester will be explored to ensure engagement of any LGBT service users/potential service users in the development of locally accessible services, reflected in the commissioning specification.

11. By Councillor K Clempner of the Cabinet Member for Libraries, Communities and Planning

‘Essex County Council is committed to working in partnership with other agencies to ensure that an appropriate balance is struck between the rights of local settled communities and the rights of Travellers. To this end it owns and manages a Traveller site at Fern Hill in Harlow. Regrettably approximately half of this site has been derelict for ten years and the County Council has not invested in it to bring the available authorised pitches for Travellers into use. Given that since October 2014 there have been more than sixty unauthorised and illegal Traveller encampments in Harlow, with the number of Traveller caravans varying between 20 and over 40 at any one time, what steps is Essex County Council taking to bring the available authorised Traveller pitches at Fern Hill into use to relieve the negative impact unauthorised and illegal encampments are having on the settled community of Harlow?’

Reply

Since October 2013 to present the Essex Countywide Traveller Unit (ECTU) have received notification of 75 reported unauthorised encampments in the Harlow area. In previous years Harlow has usually experienced around 3 to 5 unauthorised encampments per year. The breakdown since October 2013 is as follows:

- 33 Encampments on Essex County Council land, dealt with by Essex Countywide Traveller Unit (ECTU)
- 34 Encampments on Harlow Council Land, dealt with by Harlow Council/Police.
- 8 Encampments on Private Land, dealt with by Land Owner/Police.

We understand that there are 3 or 4 families responsible for the bulk of these encampments.

The Fern Hill site experienced difficulties some 12 years back which resulted in approximately half of the site being closed, following destruction of the plots by departing residents. At that time the decision was made to shut these plots off, and allow the site to settle down. Department of Communities and Local Government recommendations refer to an optimum site size of 10 to 12 plots as the most effective size in management terms.

Fern Hill has historically been and remains a difficult site to fill, as many Travellers do not want to go there due to its location. The current group of families have made specific reference to not wanting to live on existing sites. Hence there is not a direct correlation between the 11 disused plots on Fern Hill and the number of encampments and families that have been moving around Harlow.

Refurbishment of the 11 derelict plots would require significant capital investment, which would need to include bringing the remainder of the site up to the same specification. For the past 11 years, this has not been identified as a requirement as previously Harlow have not experienced the current high levels of encampments, as described in the opening paragraph of this response. Any capital investment would need to be funded up front with the possibility of attracting some contribution from Homes and Community Agency grant funding. Discussions have taken place with senior officers in Harlow to consider refurbishment options, and a possible joint venture, however, at this stage it appears Harlow are only able to support any application for funding but not provide any financial commitment of their own.

The duty to plan for accommodation for Travellers falls to the local Planning Authority, in this case Harlow District Council. Essex County Council has supported Local Authorities in Essex around provision of accommodation by managing the local authority Traveller sites across Essex. We have also established the Essex County Wide County Traveller Unit although Harlow has not yet joined this partnership.

12. By Councillor K Clempner of the Cabinet Member for Highways and Transportation

'Would the portfolio holder please inform the Council what progress in further consultation on the proposed junction 7A to the M11 is being made, and is he keeping the member of the division for North Harlow, which is most affected by the proposals, fully informed, especially about local consultation meetings.'

Reply

I have notified all Harlow County Members about my attendance at Public Meetings in Harlow. We shall be reviewing the responses to our consultation on the three options including any representations made at these meetings. We would then envisage determining a preferred option in the New Year and consulting on the detail of that.

13. By Councillor M Danvers of the Cabinet Member for Adults Social Care, Public Health and Wellbeing

‘At a recent Cabinet meeting the statement was made that provision for therapy care would be ‘too expensive to contemplate’ in house as opposed to the private sector. Would the portfolio holder explain the evidence that has given rise to this statement?’

Reply

ECC has no capacity to provide these services ‘in-house’. To provide services in-house would require significant capital assets, and workforce capacity and experience.

In order to provide continuity of services for Essex communities, ECC commissions services from external providers using value for money principles.

ECC is confident that the private sector will continue to provide good value and good quality services for the people of Essex.

14. By Councillor M Danvers of the Cabinet Member for Adults Social Care, Public Health and Wellbeing

‘Would the portfolio holder indicate what further progress is being made in writing into new contracts for care companies better conditions of service including a living wage and the avoidance of zero hour contracts that insist that the person does not apply for other paid employment positions?’

Reply

ECC wants care companies to provide the best conditions affordable. However, there is no legal basis in our contracts to dictate specific terms and conditions for workers.

The Council does take into account the diversity and quality in the

provider market, and costs when awarding contracts. We can specify quality of the care that is provided, and the price we pay reflects that quality.

The Council does not set care fee rates and providers select their own rates but are required to ensure their businesses are viable and that the required quality can be delivered to communities. The Council encourages care agencies to offer the best terms they can to attract quality staff, train them well and retain them but need to balance this against best value.

The Council is considering commissioning strategies which focus on delivering the desired outcomes for service users by a workforce that is skilled, motivated and empowered whether that be through managed services or personal budgets taken as a direct payment.

The Council will have duties under the Care Act to ensure there is a diverse and viable care marketplace, and will be publishing the usual rates it would pay. These are currently being reviewed.

Currently, the Council has no plans in place to move to a living wage. We would lose our flexibility in controlling our wage budget if we linked our pay to a living wage.

15. By Councillor J Young of the Leader of the Council

'Further to my previous question on becoming a Living Wage Authority, would the Leader consider creating an 'Essex wage' as a step towards becoming a living wage authority, taking a leading role with our partners, by raising 'pound for pound' the gap identified by Labour at the budget meeting in February of ECC employees being paid under the living wage at this authority?'

Reply

There are currently no plans in place to move to a living wage

Work already undertaken has estimated that the cost of bringing in the living wage to ECC employees would be approximately £156,000 for 2014/15. This would lift all of our current directly employed staff to the living wage of £7.65 (excluding those on Apprentice and zero hour contracts). To make us fully compliant an additional sum of £39.9m would be required to bring our supply chain on board (represents indicative estimates of costs to the major providers to ECC). It should be noted that not all ECC contracts have been considered, only those deemed relevant or with the biggest impact. Suppliers would require

ECC to bear these additional costs.

These costs are for 2014/15 only, and do not include any subsequent costs that ECC could incur if the £7.65 rate is uplifted. As such we would also lose our flexibility in controlling our wage budget if we linked our pay to a living wage.

ECC employees, in addition to their base pay, all receive benefits such as travel loans and discounts through Essex Extra's, as well as substantial employer contributions to their pensions

16. By Councillor J Young of the Cabinet Member for Families and Children

'Would the portfolio holder confirm the number of children's centres that were de-registered in Essex as part of the decision to restructure children centre delivery, could he clarify governance arrangements in terms of inspections and quality of service of these de-registered centres?'

Reply

Eleven Essex Children's Centres were de-registered with effect from April 2014:-

- 4 in North East Essex
- 3 in Mid Essex
- 3 in West Essex
- 2 in South Essex

The Public Consultation undertaken last year stated 'that within Essex, children's centre provision has always been about services and not buildings. The closure of some sites/buildings does not mean that services will stop – although the building is no longer operational the families still exist and still need to receive a service. Services will be delivered by neighbouring Delivery or Main Sites or will continue as part of the outreach work delivered in the community.'

The families that were living in the catchment area of a de-registered Children's Centre were all transferred to the local Main Site Children's Centre and continue to be able to access local services, either centre based, within the family home or in the local community. Analysis of the Quarter 1 Key Performance Indicator returns for Children's Centres, for this financial year and since the changes have been implemented, has indicated that the number of families being reached by the centres is rising, when compared to the corresponding quarter of the previous financial year. Quarter 2 Key Performance Indicators

have just been submitted are currently being analysed.

Two Children's Centres have undergone Ofsted inspections since April 2014. Inspectors have reviewed the revised operating model as part of these inspections and both received Good judgements (Mid Essex - Chelmsford North and South Essex - Highcliffe)

All Children's Centres continue to receive ongoing support from officers within the Council in reviewing services provided, feedback received from families and effectiveness of support provided. Additionally work has been underway since April across the county to strengthen the role and impact of the local Children's Centre Advisory Boards to ensure strong support and challenge is built upon to provide an appropriate level of support and challenge from key stakeholders

17. By Councillor K Smith of the Cabinet Member for Highways Maintenance and Small Scheme Delivery

'Does the Cabinet Member for Highways Maintenance and Small Scheme Delivery have any planned programmes to tackle the loose and missing kerbstones in Basildon?'

Reply

57 roads in Basildon have been identified as part of the urban repair programme. This programme will address **all** defects on the carriageway, pavement and kerbs.

18. By Councillor J Whitehouse of the Cabinet Member for Highways Maintenance and Small Schemes Delivery

'Earlier this year Cllr Bass said that a review of the North and South Essex Parking Partnerships would take place in September 2014.

Please will you provide an update on the scope, progress and timescale of this review?'

Reply

Councillor Bass did say that a review of the North and South Essex Parking Partnerships would take place in Autumn 2014. We are working on this now and any revisions will be brought to Cabinet in due course.

19. By Councillor K Smith of the Deputy Leader of the Council

'In the 21st Century, should any would-be apprentice be discriminated against?'

Reply

No, and we do not. I am pleased that this question gives me the opportunity to remind Members how unemployment has halved in the last four years, how our apprenticeship programme has just seen its 3,000th new start and how businesses are on the up across the county.

Our apprenticeship work includes running a number of programmes helping all sections of our community, one of which is a national programme, funded by the National Apprenticeship Service and the Skills Funding Agency, called Diversity in Apprenticeships.

That programme helps physically disabled people into work and independence. It supports people with learning disabilities to experience work. It supports Essex women who want a career in male-dominated sectors like engineering. And it supports people from ethnic minority communities as well as white people.