

---

# ESSEX COUNTY COUNCIL MEETING 14 July 2015

## Order Paper

### Public Question Time

After prayers and prior to the start of the Council meeting, the following questions will be asked by members of the public in accordance with Standing Order 16.12.10.

### **Ralph Morgan Vice-Chairman of Basildon Hackney Carriage Proprietors and Drivers Association. – also representing the Papworth Trust:**

'My name is Ralph Morgan, Vice Chairmen of the Basildon Hackney Carriage Proprietors and Drivers Association and the Private Hire Association and representing the Papworth Trust which is a disabled centre in Clayhill Road.

For months now we have had to endure the continuous flooding under the railway bridge at the junction of Clayhill Road and Southernhay. This sometimes gets to depths of 5-6 inches and when it stops raining it can take 18 hours to subside. You can understand that it restricts access to the town centre for many disabled residents, guide dogs won't walk through, people in electric wheelchairs or manual, mobility scooters, people with autism whom attend the Papworth Centre have to have planned routes, and when this floods these people get disorientated because of the water, even pedestrians have to wait until the traffic stops just so they can get through, or get soaked. When some drivers go through they have no respect for the pedestrians whom consequently get soaked.

After many phone calls and emails to Highways with little or no response, I had to contact our MP Mr Stephen Metcalf whom came to the site and luckily it had rained the night before, so he could see the aftermath of the problem. I also got our local county council Counsellor Mr Kerry Smith involved.

On June 30th I was present on site when Anglian Water put the CCTV down the sewer, and it was clear. I witnessed this, and they suggest the problem is with the County Council.

On Saturday 4th of July at Midnight we had a prolonged thunderstorm and the depth of the water was 1ft, this made it impossible to work.

All the local residents are asking 'when will this be resolved?' and they do not wish to hear County Council blaming Anglian Water and vice-versa. They need this problem resolved ASAP.'

**Mrs Renee Joyce**, Chair of Governors at Tany's Dell Community Primary School & Nursery

I would like to ask the Cabinet Member for Education and Lifelong Learning if he would be willing to meet with a delegation from the Governing Body of Tany's Dell Community Primary School, Harlow as you may not be aware that in 2012, despite some reservations, we agreed to a request from Essex County Council to expand to a two-form entry, year on year, to accommodate the rising birth rate in Harlow.

At that time, we were assured by a senior officer that we would be supported financially to ensure that existing systems were maintained in order to keep children safe and happy in school and to preserve our caring, family ethos.

By September 2015, we will have 120 extra children on roll, with another 90 still to come.

Last autumn, we approached the same senior officer, to discuss a matched contribution towards the cost of expanding the dining hall. He visited, discussed the plans and we were assured that he would support this bid and it was submitted in good time. When emails and phone messages remained unanswered, and nothing further was heard, finally the school was informed by another officer that all capital funding had been allocated for the present financial year and that work at our school was not considered a priority.

**Phillip Tattum from Kirby Cross:**

Why does Essex County Council think it is exempt from installing tactile paving where footway reconstruction has taken place, by saying that it should only be installed on certain classes of road, when I have provided evidence that the Department For Transport guidance states that it should be installed at all uncontrolled pedestrian crossing points?

I bring the councillor's attention to the case between Newham Borough Council and Mohammed Moshan Ali, where a High Court Judge has stated that the DfT guidance should only be deviated from in exceptional circumstances. And why is it impossible to discuss this matter with Essex County Council? Numerous telephone calls to Councillor Johnson's office have gone un-returned despite your admin assistant taking my details, and numerous emails being sent to the address listed on Essex County Council's website. I feel answers to this question are important as the area in question, Frinton and Kirby Cross is home to Read House, the only specialist care home for blind or partially sighted people in Essex.'

**Summary of Procedure:**

- The person must be present to ask their question.
- The Chairman will invite the person to speak.
- The person may not speak for more than three minutes in order to ask their question and/or submit a petition.
- There shall be a reply from the Chairman or other nominated Member.
- Save for the Member replying to the question no other Member shall be permitted to respond.
- There is no opportunity for supplementary questions nor for debate.
- Thirty minutes overall is allocated for public questions.

**Agenda Item 12 (a)****1. By Councillor G Butland of the Cabinet Member for Adults and Children**

'Deprivation of Liberty Safeguards Assessments (DoLS)

(i) How many requests for a Deprivation of Liberty Safeguards Assessment under the Mental Capacity Act 2005 there have there been in Essex in (a) 2013, (b) 2014 and (c) 2015 to date?

(ii) What has been the impact on the County Council, in terms of resources needed (both human and financial), of responding to requests for DoLS Assessments since the Supreme Court judgment of 19 March 2014 in the case of P v Cheshire West and Chester Council?

(iii) Has the County Council had any discussions with the NHS and/or Essex Police about the impact on their services of the requirement that all deaths of people subject to a DoLS order must be investigated by the coroner, whether the death was from natural causes or not?

(iv) Has the County Council been able to meet, on all occasions, the requirement for DoLS assessments to be carried out within 21 days?

(v) Has the County Council made, or does it intend to make, any representations to Government about the operation of the DoLS assessment procedures?'

**2. By Councillor K Smith of the Leader of the Council**

'The former health secretary, Andy Burnham, has recently visited Essex claiming his 'fears' for the NHS. Would the Leader agree with me that he owes the people of Basildon and Essex a sincere and unreserved apology for this bogus and dishonest claim?'

**3. By Councillor K Smith of the Leader of the Council**

'At the south-westerly borders of my Division with Thurrock, Thurrock Council has agreed to build 50 large houses with up to four bedrooms on greenbelt land. The nearest schools and public services are within my Division. Cllr. Mrs. Sue Little of Orsett Ward has been leading the campaign against this now successful planning application. Cllr. Little is now working on an appeal against this application. Would the Leader meet with me and Cllr. Little to discuss this situation and the implications for Essex County Council?'

**4. By Councillor D Kendall of the Cabinet Member for Adults and Children**

'With more and more young people across Essex having to deal with Mental Health issues such as depression and anxiety, would the Cabinet Member please clarify the following points in relation to the support Essex County Council is providing on this very important issue:

1. How much has Essex County Council spent during each of the last three financial years on Mental Health support for our young people?
2. How much is Essex County Council proposing to spend during this current financial year on Mental Health support for our young people?
3. What specific new resources is the County Council prepared to allocate to deal with the growing problem of depression amongst young people that is seeing some having to wait up to two years for treatment?
4. Why aren't the Mental Health issues affecting all age groups across Essex being given far more focus and priority by Essex County Council?'

**5. By Councillor D Kendall of the Cabinet Member for Education and Lifelong Learning**

'Following the withdrawal of the Connexions Careers advice service to Essex Schools, would the Cabinet Member please outline what measures have been put in place by Essex County Council to ensure that all schools continue to offer the best possible careers advice to our young people. Would the Cabinet Member please ensure that the following points are included in the answer:

1. What checks are being made by ECC staff on the quality and standard of careers being given in each secondary school across Essex, and how often are these checks being made?
2. How are each of these schools being measured and assessed on the careers advice they are giving their students?
3. Who should parents and young people contact at Essex County Council if they are concerned about the quality and the standard of careers advice being given at their school?'

**6. By Councillor S Robinson of the Leader of the Council**

'Will the continued reduction in staff employed directly by Essex County Council lead to a saving in the costs of senior management since they have fewer staff to manage?

Will this be taken into account when recruiting the new Chief Executive?'

**7. By Councillor N Le Gresley of the Cabinet Member for Highways and Transportation**

'It frequently takes several and, in some cases, many years for S106 money, provided by developers to mitigate against undue impact on communities, to be utilised by Essex County Council. There have been cases where the money is not used and has to be given back to developers when time limits run out.

In one particular case in Wickford, Bridge Road in Shotgate, work has been outstanding for well over 5 years and proposed work is only now being implemented.

Would the Cabinet Member agree to investigate the process of how

S106 money is used across the County with a view to improving and speeding up the mechanism?

Would he also agree to specifically investigate the Bridge Road instance mentioned above so as to explain how it took from 2006/7, when the relevant development had been completed, till 2015 to commence the work?'

**8. By Councillor N Le Gresley of the Cabinet Member for Transformation and Corporate and Traded Services**

'In March of this year I was asked a question by individual letters from 14 pupils of Hilltop Junior School in Wickford that I have been unable to answer through conventional Council means.

Does Essex County Council have a Fair Trade and FSC (Forestry Stewardship Council) policy relevant to its procurement practices?

If so, could you explain, or direct me to where I can find out, how this is operated by the Council?

If not, would the Council consider adopting such a policy?'

**9. By Councillor M Ellis of the Cabinet Member for Economic Growth, Infrastructure, Waste and Recycling**

'Will the Cabinet Member confirm his support for the motion passed by Basildon council 16/4 (item G) and commit to an undertaking with Basildon council to;

- A review of waste facilities in conjunction with Basildon Council to assess the collective detrimental effects on the Borough of Basildon,
- Agree remedial actions and arrangements to be taken,
- To develop specific protocols between E.C.C. and Basildon Council to be followed in relation to any future waste facilities located within Basildon Borough.'

**10. By Councillor B Aspinell for the Cabinet Member for Finance**

'I asked a question during the Budget debate at the February 2015 Full Council meeting:

"What initiatives has Essex County Council put in place to raise income?"

You undertook to investigate the matter and come back to me with details; to date I have not received this information. Are you now in a position to respond please?'

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

'Metal barriers have appeared on East Bridge, Colchester. This is in a conservation area and there are concerns that it will be there indefinitely.

- Why was I, as the local Member, not informed?
- When will works be carried out to fix the bridge?
- If there is a problem with the structure of the bridge, why has a weight limit not been imposed?'

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

'Through the Local Highways Panel, I requested a 20mph speed limit to be placed in Roach Vale in my Division. All the paperwork appears to be done, but as yet the signs are not in place. It is over two years ago when the process was started.'

**13. By Councillor B Aspinell of the Cabinet Member for Adults and Children**

'You are already aware that one of my residents (who has been a longstanding Blue Badge holder) recently had a request for a Blue Badge renewal declined despite recommendations from a Hospital

Consultant and a GP.

Why is it appropriate that an ECC Occupational Therapist / Physiotherapist is considered to be more qualified to assess disability and that recommendations from his specialists are ignored?’

**14. By Councillor J Abbott of the Cabinet Member for Highways Maintenance and Small Schemes Delivery**

‘Will the Cabinet Member undertake to conduct a full review of the notification and planning arrangements for road closures associated with ECC highways works?’

On multiple occasions in Witham Northern division over the last 2 years there has been inadequate or plainly incorrect information issued by ECC which has led to concern and inconvenience for residents, schools and local businesses, including disruption to bus services that elderly residents in particular rely on. These instances have included: failure to ensure that the roadworks ahead list sent to County Members includes all the relevant closures in the notice period; failure to plan ahead for alternative bus links when a bus route is affected; failure to issue letters to all residents directly affected by a closure; advanced notice signs put up on the highway with conflicting or wrong dates for closures; incorrect diversion routes around closures.’

**15. By Councillor J Abbott of the Cabinet Member for Highways Maintenance and Small Schemes Delivery**

‘What standards are applied to the condition of pedestrian (zebra) crossings that trigger repainting? I have been asking since last year for the 2 crossings near the New Rickstones Academy Witham (and adjacent schools) to be repainted. The crossing in Conrad Road in particular, that was specifically constructed for the Academy development, has now faded to a point such that the markings are almost invisible to drivers approaching the crossing.’

**16. By Councillor J Whitehouse of the Cabinet Member for Transformation and Corporate & Traded Services**

'Please provide details of costs incurred relating to the former Epping Junior School and Centrepoint sites in St John's Road Epping since the land was vacated by Epping Primary School including:

- (a) Security
- (b) Non-domestic rates
- (c) Legal and other professional fees
- (d) Other costs'

**17. By Councillor I Henderson of the Cabinet Member for Communities and Health Living**

'In light of Government's immediate and short-sighted intention to remove £200m from local authority Public Health budgets, could the portfolio holder confirm how much is estimated to be cut from ECC's Public Health grant and what the impacts will be on the council's Public Health interventions designed to address key health needs and inequalities?'

**18. By Councillor J Young of the Cabinet Member for Economic Growth, Infrastructure, Waste and Recycling**

'Could the portfolio holder provide the total number of apprenticeships completed in Essex last year and how many of those apprenticeships became full-time jobs after completion?'

**19. By Councillor J Young of the Cabinet Member for Education and Lifelong Learning**

'Families from 23 areas in Essex have now come forward as being disproportionately affected by the Home to School transport policy. For families who will now face significant travel costs to transport their children to school, would the portfolio holder provide a firm commitment to release documentation held by the council relating to how this policy was created?'

**20. By Councillor M Danvers of the Cabinet Member for Education and Lifelong Learning**

'Given the rise in pupil numbers at primary level, would the portfolio holder consider further the finances of schools committed to taking on extra children and to partly fund these expansions when promised?'