

Minutes of a meeting of Essex County Council held at County Hall, Chelmsford on 14 October 2014

Present

Chairman: Councillor N Hume

Vice-Chairman: Councillor J F Aldridge

Councillors:

J Abbott	A Goggin	R A Madden
W Archibald	R J Gooding	M Maddocks
S Barker	I Grundy	M McEwen
R L Bass	C Guglielmi	M McGeorge
A Bayley	D Harris	V Metcalfe
K Bentley	A M Hedley	A Naylor
D Blackwell	G Helm	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
J Chandler	M Hoy	S Robinson
P Channer	J Huntman	C Seagers
K Clempner	A Jackson	K Smith
T Cutmore	E C Johnson	J Spence
M Danvers	J G Jowers	A Turrell
J Deakin	D J Kendall	K Twitchen
M Ellis	J Knapman	S Walsh
A Erskine	N Le Gresley	R G Walters
D Finch	S Lissimore	J Whitehouse
M D Fisher	J Lodge	A Wood
R Gadsby	D Louis	J A Young
K Gibbs	M Mackrory	

Prayers

The meeting was preceded by prayers led by The Reverend Canon Carol Smith, County Council Chaplain and Vicar of the Church of England Parish Church for Moulsham St Luke's and Moulsham St John's, in the Diocese of Chelmsford.

Public Questions

a) Mr Horslen, a resident of Chelmsford, had registered to ask the following question:

'The indiscriminate and anti-social behaviour of drivers who park their vehicles on our public footpaths to the detriment and ignorance of the dangers this creates for the disabled, the elderly, disabled motor vehicle users and young mothers going about their lawful business is a scandal that needs action by the County Council.

This problem can be seen throughout the county of Essex and we cannot go on ignoring the dangers this presents to the disabled without understanding their needs like all able bodied people to be able to lead a normal life as possible free from the dangers and inconvenience of parked vehicles on our footpaths.

I believe that Essex County Council can make a difference by instructing their employees not to park council vehicles on public footpaths and inform all the council contractors to do the same. This would be a win, win situation for the disabled. A better quality of life and safer footpaths and future savings on footpath repair costs for the County Council and setting a good example for others to follow and demonstrate that Essex cares.

In two thousand and twelve at the London Olympics our disabled athletes demonstrated their abilities and thirst for life in winning so many medals for this country. Again, at the Commonwealth Games held in Scotland this year, our disabled athletes' performances were outstanding. The disabled people residing in our communities need a gold medal performance from Essex County Council to improve the quality of their lives by restricting parking on our footpaths. Thank you.'

The Chairman called upon Councillor Bass, Cabinet Member for Highways, to respond.

Councillor Bass stated that the Council sympathised with residents who are affected by the inconsiderate parking of some drivers. As the Highways Authority, Essex County Council encourages, and it will continue to encourage, those undertaking work on the highway not to obstruct the footway, although, on occasions this cannot be avoided. However, it is not currently illegal outside of London to park on pavements and whilst Essex County Council can tighten parking restrictions this would need Government approval and we have been advised that the Department for Transport is opposed to a blanket ban. We are, however, in complete agreement with the underlying empathy and reasoning behind the question.

The Chairman thanked Mr Horslen for his contribution.

- b) Mr Everett, a resident of Frinton-on-Sea, had registered to ask the following question:

‘The Council will be aware that the provisions of the Equality Act 2010 (Section 88 Schedule 10) require it to produce, and keep up to date, an accessibility strategy (for schools). The Council has a very out of date strategy which is now in need of urgent updating.

- What steps are the Council taking to rectify this position?
- Has a draft Accessibility Strategy been prepared/and or drafted by officers?
- If a public consultation is to take place, who is to be included?
- In line with the requirements of the public sector equality duty what equality impact assessments (if any) or other assessments have been made to inform decisions taken on how (or whether) to address the current lack of an Accessibility Strategy (for schools)?’

The Chairman called upon the Leader of the Council to respond.

The Leader stated that the County Council is aware that under Section 88 Schedule 10 of the Equality Act 2010 there is a requirement to produce, and keep up to date, an accessibility strategy (for schools). Officers within the Strategy Assessment service are currently working on the plans to revise the strategy to be in place by early 2015. Parents, carers, children and young people will be consulted through contact with the Essex Carers Forum. In addition, schools will be asked to feedback through the weekly newsletter sent to schools in Essex. The strategy will also be available through the ‘Essex Local Offer Portal’ for the public to comment on. The Council will also consult with disability groups across Essex. Any consultation findings will be fed into the Council’s Equality Impact Assessment before the strategy is approved.

The Chairman thanked Mr Everett for his contribution.

1. Apologies for Absence

Apologies for absence were received on behalf of Councillors B Aspinell, G Butland, T Durcan, R C Howard and P Oxley.

2. Brightlingsea By-Election

The Chief Executive presented a report announcing that Councillor Alan Goggin had been elected to represent the Brightlingsea Division 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 Goggin would be a member of the Conservative Group on the Council.

Mr Goggin was welcomed by members of the Council and he responded accordingly.

The Chairman apologised for the late amendment and recirculation of the report. Councillors Mackrory and Young objected to the recommendations. The process would be reviewed in time for the Annual Meeting in May 2015.

Upon being put to the meeting the recommendations were agreed and it was therefore

Resolved:

- (1) That the revised political balance of the Council be noted.
- (2) That Councillor Alan Bayley be replaced on the Place and Economic Growth Overview and Scrutiny Committee by Councillor Dave Harris.
- (3) That Councillor Kerry Smith be replaced on the Essex Fire Authority by the nominee of the Leader of the Conservative Group.

3. Declarations of Interest

- Councillor K Smith declared a personal interest as a user of the members' restaurant. (Item 8 (Motions))
- Councillor D Kendall declared a personal interest as a representative and trustee on Brentwood Community Transport appointed by Brentwood Borough Council. (Item 8 (Motions))

4. Minutes of the meeting held on 8 July 2014

Resolved:

That the minutes of the meeting held on 8 July 2014 be approved as a correct record and signed by the Chairman.

5. Chairman's Announcements

Recent Death

The Chairman informed members that the former Chief Executive of Essex County Council Mr Robert Adcock CBE died on Friday 4 July. Mr Adcock was the Chief Executive from 1976-1995.

Members stood in remembrance.

Use of Microphones and Mobile Phones

The Chairman reminded members of the need to take care with the microphones in the Chamber, to avoid cutting off the current speaker by leaning on the on/off buttons.

He also reminded all those present to switch off their mobile phones.

Local Democracy Week

The Chairman reminded members that the following week was Local Democracy Week when Local Authorities encourage an exchange of ideas on local policies between citizens, staff and elected officials.

At Essex County Council events were to be hosted by the Chairman and Vice-Chairman engaging primary and secondary schools with local democracy and many members had agreed to answer questions from the young people in attendance.

Members were informed that 280 young people had been invited to the events and judging by past experience they would be lively and rewarding.

The Chairman encouraged all members to get involved.

Appointments

The Chairman congratulated Margaret Lee, Executive Director for Corporate and Customer Services, who had been appointed Vice-President of the Society of County Treasurers. It is a huge responsibility as the Society represents the chief officers of 27 county councils in England as well as 11 unitary councils and the local government sector at the highest levels of Central Government. From next year she would become President.

The Chairman welcomed Sonia Davidson-Grant who had recently been appointed Executive Director for Place Commissioning.

Councillor Derrick Louis

The Chairman welcomed the safe return of Councillor Derrick Louis to his role as Cabinet Member for Transformation and Corporate and Traded Services. Councillor Louis had been undertaking duties with the British Army in Afghanistan.

6. Presentation of Petitions

The Chairman received petitions:

- to request traffic calming measures from Horseshoe Hill to Crown Hill, Waltham Abbey, from Councillor Ricki Gadsby
- to 'Save Dovercourt Tip' from Councillor Ivan Henderson
- to keep a school crossing patrol near Leigh Beck Infant and Junior School from Councillor Dave Blackwell and

- to restore street lighting in Chigwell from Councillor John Knapman.

The Chairman passed the petition to 'Save Dovercourt Tip' to the Cabinet Member for Waste and Recycling and the other three to the Cabinet Member for Highways and Transportation.

7. Executive Statement

The Leader of the Council gave a statement concerning:

- the Brightlingsea Division by-election,
- the growth in the Essex economy,
- the reduction in those claiming Job Seeker's Allowance and the employment of the 3000th Essex Apprentice,
- the improved school exam results,
- the continuation of the energy switching campaign and the freezing of council tax for the fourth year,
- road repairs and improvements,
- the challenges and opportunities of partnership working with health providers,
- supporting local communities and
- a review of members' benefits, including the provision of the members' restaurant by the Independent Remuneration Panel.

8. Motions

1. Community Transport

It was moved by Councillor D Kendall and seconded by Councillor S Robinson that:

'This Council appreciates the very important role that Community Transport plays in providing a vital lifeline for many vulnerable residents living across Essex.

Whilst this Council has no statutory duty to provide funding to Community Transport schemes, Members call for the following:

1. A firm commitment from the Cabinet Member that this Council will continue to provide existing levels of Community Transport funding for the next financial year.
2. Any new funding agreements to be put in place for at least three years to give Community Transport providers sufficient time to develop solid business plans and ensure continuity of services.
3. A full review of the existing funding criteria to ensure that funds are allocated to Community Transport providers as fairly as possible.'

It was moved by Councillor Eddie Johnson and seconded by Councillor R Bass that the Motion be amended to read as follows:

‘This Council appreciates the very important role that Community Transport plays in providing a vital lifeline for many vulnerable residents living across Essex.

Whilst this Council has no statutory duty to provide funding to Community Transport schemes, Members acknowledge that a comprehensive review of the passenger transport services in Essex is underway with a full and open engagement with residents, partners and operators to ascertain needs and priorities. This will include:

1. A firm commitment from the Cabinet Member that this Council will continue to provide appropriate levels of Community Transport funding for the next financial year.
2. Any new funding agreements ideally to be put in place for at least three years to give Community Transport providers sufficient time to develop solid business plans and ensure continuity of services.’

Upon being put to the meeting the amendment was declared to be carried and so became the substantive Motion.

Upon being put to the meeting the substantive Motion was declared to be carried.

2. Fuel Poverty

Moved by Councillor J Young and seconded by Councillor I Henderson

‘That this Council;

- notes that fuel poverty is a significant public health issue in Essex which contributes to long-term illness and to excess winter deaths which totalled 31,100 in England and Wales for 2012/13;
- further notes that latest figures show the average fuel poverty gap for households in Essex is £451;
- recognises the concerns of the tens of thousands of households that are worst affected in Essex, households with one or more dependent child and residents aged over 60 who face an average fuel poverty gap of more than £500;
- is appalled that 1,000 elderly users of Meals on Wheels in Essex, will now face further financial pressure this winter due to a price increase by the administration to their nutritious meals;
- acknowledges recent publication of the Green Deal Report, which branded Government’s flagship policy to improve some of the key drivers behind fuel poverty, as having ‘failed to live up to expectation: its planning flawed, its funding inefficiently delivered and its implementation poor’;

- further acknowledges National Energy Action's assessment of Government cuts to the Energy Company Obligation which will now assist under 7% of fuel poor households nationally;
- believes the Administration should be doing much more to tackle fuel poverty in Essex.

Council therefore resolves to:

1. Seek partnership opportunities with social enterprise such as Warm Zone, to build sustainable area-based capacity for low-income households, maximising free home insulation, energy advice and income opportunities, following similar successful delivery of zones in London, the Midlands and the North East.
2. Explore opportunities to support Credit Unions in providing financial assistance such as energy saving low-interest loans to households.
3. Explore opportunities to redevelop and expand capital funding to the Community Initiatives Fund to incentivise the delivery of community micro-energy generation projects.'

It was moved by Councillor A Brown, Cabinet Member for Adults Social Care, Public Health and Wellbeing and seconded by Councillor T Cutmore:

'That This Motion be referred to Councillor Simon Walsh for detailed investigations to be carried out by the relevant Policy and Scrutiny Committee.'

Upon being put to the meeting the Motion moved by Councillor A Brown and seconded by Councillor T Cutmore was carried.

3. A Fair Deal For Essex

Moved by Councillor D Finch and seconded by Councillor M Buckley

'This Council welcomes the result of the Scottish Independence Referendum and the decision of the people of Scotland to remain as part of the United Kingdom.

This Council also welcomes calls across the majority of the political spectrum for a fairer settlement for the people of England.

In particular, this Council calls upon the Government to deliver:

1. fairer representation at Westminster for Essex MPs;
2. devolution of powers to Essex Local Authorities;
3. fair and consistent funding of public services for the residents of Essex.'

It was moved by Councillor K Gibbs and seconded by Councillor A Erskine that the Motion be amended to read as follows:

‘This Council welcomes the result of the Scottish Independence Referendum and the decision of the people of Scotland to remain as part of the United Kingdom.

This Council also welcomes calls across the majority of the political spectrum for a fairer settlement for the people of England.

In particular, this Council calls upon the Government to deliver:

1. fairer representation at Westminster for Essex MPs;
2. devolution of powers to Essex Local Authorities;
3. fair and consistent funding of public services for the residents of Essex;
4. rebalance of the Barnett Formula to reflect the needs of 86% of the population and thereby the people of Essex.’

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

Upon being put to the meeting the original Motion was declared to be carried.

4. Review of Member Dining Facilities

It was moved by Councillor J Abbott and seconded by Councillor M Hoy

‘This Council notes that there is continued downward pressure on local government finances which due to Government policy is likely to remain in place for some years.

Council further notes that the authority (Essex County Council) is having to review its services to find significant year on year savings and that this is impacting on its residents in a number of ways, such as the provision and cost of school transport.

In this context Council agrees that it is not appropriate that Members of the authority should continue to benefit from "free meals", which are a cost to the authority and hence to taxpayers.

Council agrees that a review of the provision will be conducted with the aims of retaining the service to Members but with a fairer and more appropriate mechanism for meeting the cost of meals.’

It was moved by Councillor D Madden and seconded by Councillor M Buckley that the Motion be amended to read as follows:

‘This Council notes that there is continued downward pressure on local Government finances which due to Government policy is likely to remain in place for some years.

Council further notes that the authority (Essex County Council) is having to review its services to find significant year on year savings and that this is impacting on its residents.

Council agrees to refer the matter of members' allowances and meal provision to the Independent Remuneration Panel with a view to reporting back to Full Council.'

Upon being put to the meeting the amendment was declared to be carried and so became the substantive Motion.

Upon being put to the meeting the substantive Motion was declared to be carried.

9. Adjournment

With the agreement of Council the Chairman adjourned the meeting for luncheon at 12:53pm.

The meeting reconvened at 13:45pm.

10. Motions (continued)

5. Support of Infrastructure to New Housing Developments Countywide

It was moved by Councillor N Le Gresley and seconded by Councillor A Erskine

'Given the tens of thousands of new homes that the Coalition Government is imposing on towns and villages throughout the County; and given the grave concern of Essex County residents that existing social, physical and highways infrastructure cannot cope with current housing development plans, let alone future development strategies, this Council will make the following firm pledges:

1. It will oppose any new housing development plans prepared by City, District and Borough Councils unless adequate financing and other resources are made available from developers, local councils and/or Government grants to enable highways to be improved, bypasses to be built, new primary and secondary schools to be provided, primary and secondary medical care to be significantly enhanced, antisocial parking to be addressed and utilities, especially sewage and drainage, to be fundamentally upgraded, as deemed needed by the residents of each affected community.
2. Where such ECC opposition is insufficient to prevent Government Inspectors from rejecting development strategies that have been adjusted to take account of such physical, social and highways infrastructure limitations, this Council will fully fund any shortfall in the financial resources needed to implement such infrastructure enhancements.'

It was moved by Councillor R Hirst and seconded by Councillor K Bentley that the Motion be amended to read as follows:

‘Given that tens of thousands of new homes are needed in towns and villages throughout the County and Local Authorities are currently considering this need as part of their Local (Development) Plans, and the concern of Essex County residents that existing social, physical and highways infrastructure is in many cases already under strain, this Council pledges that:

It will not support Local (Development) Plans unless adequate resources are identified from developers, local councils and/or Government grants to ensure that sufficient infrastructure, including roads, schools, medical facilities, parking, sewerage and drainage, is provided in timely manner and in a way that balances the needs to promote economic growth and provide housing for residents whilst protecting their quality of life.’

Prior to the amendment being put to the meeting the mover of the original Motion indicated his willingness to accept the amendment such that the Motion amended accordingly became the substantive Motion.

Upon being put to the meeting the substantive Motion was declared to be carried.

11. To consider a report of proposed amendments to the Constitution

The Chairman presented a report proposing changes to the Constitution.

In relation to item 2 (Changes to the Chief Officer Delegations) the Chairman asked Members to note that there was a correction to a typographical error in the recommendation.

Upon being put to the meeting the recommendations were agreed and it was therefore

Resolved:

1. Terms of Reference and Membership of the Essex Health and Wellbeing Board

That the Council approve the amendments to the membership of the Essex Health and Wellbeing Board and its terms of reference as set out in Annex “A” to the report for inclusion in Article 8 (Council Committees) of the Constitution.

2. Changes to the Chief Officer Delegations

That the Monitoring Officer be authorised to amend Article 4 (Officers) and the Officer Scheme of Delegation in Part 3 of the Constitution in line with the

changes to the Corporate Management Board approved by Cabinet on 23 September 2014.

12. To consider a report concerning Cabinet Members and Portfolios

The Leader presented a report concerning changes to Cabinet Members and Portfolios.

Upon being put to the meeting the recommendation was agreed and it was therefore

Resolved:

That the Portfolios agreed by the Leader and as set out in the Annex to the report be substituted for the Portfolios currently shown in Part 3 of the Constitution.

13. The Leader's Report of Cabinet Issues

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

Cabinet Members responded to questions as follows:

- (i) Proposed update and re-launch of the East Anglian Rail Prospectus (Councillor Abbott of the Cabinet Member for Highways and Transportation)

The Cabinet Member agreed that an improvement to the Braintree branch line was essential, but added that it was not as important as the need for a passing loop on the main line.

- (ii) Proposed update and re-launch of the East Anglian Rail Prospectus (Councillor Young of the Cabinet Member for Highways and Transportation)

The Cabinet Member agreed to urge Network Rail to make improvements to access for the disabled and review staffing levels to improve security at railway stations at night.

The report of Cabinet Issues was received and adopted.

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

The published answers to the 21 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 response:

- (2) Councillor D Kendall sought further clarification from the Cabinet Member for Highways and Transportation of the crime figures to which he had referred in his question as, contrary to the written response, they showed an increase in crime in Brentwood and would the Cabinet Member support a request from all Members to be provided with figures showing increases in crime between the hours of midnight and 5:00am?

The Cabinet Member replied that there was continued monitoring of crime carried out between 12 midnight and 5am and he was aware of the figures to which Mr Kendall referred but any increase during the hours of part-night lighting would have to be demonstrable over a period of months or quarters for it to be significant. However, there will be continual monitoring in conjunction with the Police over the ensuing months and years. If asked in the meantime by the Police to override the part-night lighting scheme in a given locality for any crime-related or safety-related reason that request will be seriously considered.

- (6) Councillor M Ellis sought further assurance from the Leader of the Council that there should be arrangements in the future to reduce the pay gap in the Council.

The Leader replied that pay levels were mindful of the need to recruit and retain skilled staff and mindful of the Council's proximity to London.

- (8) Councillor D Harris asked the Cabinet Member for Libraries, Communities and Planning to pass on his thanks to Member Enquiries and if they would consider supplying regular statistics.

The Cabinet Member agreed to pass on his thanks and to seek and provide statistics on a more regular basis.

- (11) Councillor K Clempner asked the Cabinet Member for Libraries, Communities and Planning who paid for the clean-up of Traveller sites?

The Cabinet Member stated that he did not have that information to hand but agreed to provide it to Councillor Clempner.

- (12) Councillor K Clempner thanked the Cabinet Member for Highways and Transportation for giving notice to the local Member when visiting a Division but wondered if he could give more than 24 hours advance notice?

The Cabinet Member replied that he would try to do so, certainly where the meeting was public, but asked Members to note that matters requiring his attention often arose urgently or at short notice.

- (13) Councillor M Danvers asked the Cabinet Member for Adults Social Care, Public Health and Wellbeing how could she be so sure that the public sector could not deliver at an appropriate cost the required services?

In the absence of the Cabinet Member the Leader replied that he would take the question back to her for an answer.

- (14) Councillor M Danvers asked the Cabinet Member for Adults Social Care, Public Health and Wellbeing why like Harlow District Council, Essex County Council could not make a start to negotiate with the carers companies for the payment of the living wage to staff?

In the absence of the Cabinet Member the Leader replied that funding the living wage would require £39.2million to extend it through the supply chain and to the care and auxiliary providers and therefore considerably increase the costs to the County Council.

- (15) Councillor J Young asked the Leader for an indication that an 'Essex Living Wage' be introduced to ensure that the minimum wage was received at least by Essex County Council staff.

The Leader replied that he had no plans for an 'Essex Living Wage'.

- (16) Councillor J Young noted that there had been an error in the statistics supplied in answer to the written question so she would be grateful if the Cabinet Member for Young People and Children would clarify those figures and also sought further assurances about what governance framework was in place to ensure that the services provided were maintained for all the children in Essex.

The Cabinet Member confirmed that the number of children's centres that were de-registered was 11 and apologised for the error in the written response. In relation to the monitoring of performance of the Children's Centres Councillor Madden confirmed that there was ongoing analysis of data collected from the service providers and that shortly there would be an evaluation of that data covering the first two full quarters of the new contracts including information on how the 'reach' into communities was being achieved. In terms of external inspection Councillor Madden confirmed that there had been two inspections by Ofsted under the new regime of 'area based approach' and both had resulted in a rating of 'good'. He offered to meet with Councillor Young in order to further explore the above.

- (17) Councillor K Smith asked the Cabinet Member for Highways Maintenance and Small Scheme Delivery if he acknowledged that some roads had poor quality kerbstones and residents were asking for a programme of replacement.

The Cabinet Member replied that he hoped Councillor Smith was reporting these matters using the Members Enquiries route. In Basildon there are

57 roads on schedule for repair and that includes kerbstones. Any unhappiness concerning the repair should also be reported through Members Enquiries.

- (18) Councillor J Whitehouse thanked the Cabinet Member for Highways Maintenance and Small Scheme Delivery for his written reply but although it mentioned the timescale for a review it did not mention the scope. Could he explain more?

The Cabinet Member replied that he could not yet provide such an answer as the scope of the work was yet to be agreed.

- (19) Councillor K Smith asked the Leader of the Council if he were sure that employers would not discriminate when engaging with the apprenticeship scheme in order to qualify for additional grant.

The Leader replied that the Council and its officers will not countenance any form of discrimination.

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

1. Councillor M Page sought clarification from the Cabinet Member for Economic Growth, Infrastructure, Waste and Recycling as to whether there was truth in the press report and current speculation about the closure of the Recycling Sites in Dovercourt and Kirby and if there was any intention that they should close.

Councillor Bentley replied that he had seen the press report and received a petition today but there was no intention to close any recycling sites.

2. Councillor C Pond asked the Cabinet Member for Highways and Transportation if he had considered the plight of those walking to railway stations between the hours of 5:00am and 6:00am in total darkness and was he aware that in Loughton and Buckhurst Hill there was to be a new 24hr train service commencing next year? Would he reconsider a revision of the part-night lighting times to reflect this development and the needs of the local community?

Councillor Bass replied that there already had been exceptional variations to the part-night lighting in the area to meet in part the concerns as expressed by Councillor Pond but he would look into this matter again. The exception criteria allow for the consideration of the needs of people in areas around stations and where people are likely to congregate.

3. Councillor J Lodge asked the Leader of the Council if he was pleased at the passing of the (amended) Motion in support of Infrastructure to new housing developments and the opportunity the Council now has. The

Uttlesford Local Plan has recently been submitted to the Inspector. Would particular attention be given to highways infrastructure and education and would he wish to join with local residents who are spending between £10,000 and £30,000 opposing the plans?

The Leader replied that he would need to see the details of the proposals and the objections of local residents before he made any comment.

4. Councillor T Higgins, while thanking Councillor Bass for keeping her well informed, asked the Leader if there was an agreed protocol that officers should inform local Members of events in their Divisions, such as for example, the opening of schools?

The Leader replied that officers of the Council are aware of the need to inform local Members of such events and public consultations.

5. Councillor K Twitchen asked the Cabinet Member for Economic Growth, Infrastructure, Waste and Recycling if he could describe the tangible outcomes of the Essex Means Business event that took place last week?

Councillor Bentley replied that there had been publicity for Essex and the Council and for local businesses; an opportunity to strengthen the County's position within the EU and abroad and there had been a deal signed with Jiangsu Province in China.

6. Councillor J Deakin asked the Cabinet Member for Highways and Transportation for the number of spaces at the Sandon Park and Ride that became unusable due to flooding.

Councillor Bass replied that the situation would be kept under review.

7. Councillor A Goggin thanked the Cabinet Member for Highways and Transportation for ensuring that potholes were repaired in his Division but wondered if this was because he was co-incidentally visiting the area?

Councillor Bass replied that he had been pleased to assist but that under normal circumstances Members should make use of the online reporting system, Members Enquiries, or contact directly the Cabinet Member for Highways Maintenance and Small Scheme Delivery.

8. Councillor Lady Newton asked the Cabinet Member for Economic Growth, Infrastructure, Waste and Recycling about the roll-out of superfast broadband which was very welcome.

Councillor Bentley replied that Phase 1 of the programme had ensured that 87% of households would have access to superfast broadband and Phase 2 would reach 91% of the households in Essex. But some areas would still remain 'hard to reach'. Nevertheless the programme was ahead of schedule.

9. Councillor I Henderson asked the Cabinet Member for Highways and Transportation if he had any plans to suspend the Part Night Lighting scheme over the early hours of New Year's Eve and New Year's Day so that revellers can find their way home through lit streets.

Councillor Bass replied that this question had arisen last year over the Christmas and New Year period and he was not convinced that it was needed, particularly in the central part of Harwich where the lights are illuminated all night anyway. But he acknowledged that the Town Council had written to him and he was speaking to the police and considering the request.

10. Councillor J Young asked the Cabinet Member for Children and Families regarding the policy on home to schools transport, why there had not been a business case to make changes to the existing system.

Councillor Gooding replied that this matter had twice been to Scrutiny and he could confirm that there were no plans to go back on the changes.

11. Councillor D Kendall asked the Cabinet Member for Highways and Transportation if he agreed that if a Local Highways Panel determined that there was a need for a school crossing patrol it could provide the funds?

Councillor Bass replied that he was not aware that ongoing revenue costs could be picked up by the Local Highways Panels but he believed they could fund one-off necessary capital costs.

12. Councillor D Kendall asked the Cabinet Member for Highways and Transportation if the Members could be given guidance about Local Highways Panels' budgets and what 'rules' applied.

Councillor Bass replied that there was no need for Members to be given guidance. The Local Highways Panels know what lies within their powers.

13. Councillor J Knapman asked the Cabinet Member for Children and Families what measures had been taken to ensure that similar abuse to that which had taken place in Rotherham did not occur in Essex?

Councillor Madden confirmed that no Essex children were resident in the Rotherham children's homes during the time that the incidents took place. He had commissioned an internal review of the Rotherham report to see what lessons could be learnt. There had been a presentation to Members and a sub-group of the Safeguarding Board had received a presentation and ten recommendations to ensure that there were no children involved. The situation will be reviewed at a later date by the Scrutiny Committee.

14. Councillor M Danvers asked the Cabinet Member for Highways and Transportation why there had been less than 24 hours' notice for a public meeting that had taken place in his Division and what publicity had been given. He also wished to know who had paid for the room.

Councillor Bass replied that he hoped Members would agree that he always had the courtesy to inform them when he was visiting their District but the public meeting to which Councillor Danvers referred had been arranged by District Councillors.

15. Councillor K Smith asked the Cabinet Member for Highways and Transportation if he was aware that the road-sign 'Welcome to Vange' had been stolen and asked if it could be replaced?

Councillor Bass replied that in the absence of a Parish Council and under the 1972 Act the signs would be provided by Local Highways Panels. If a District Council wished for a sign that said something other than just the name of the locality then this additional cost could be borne by the District Council.

16. Councillor J Abbott asked the Cabinet Member for Highways Maintenance and Small Schemes Delivery if there could be a number of improvements in the hamlet of Fuller Street where there were numerous potholes that required filling, nameplates to be replaced and the roads swept.

Councillor Johnson reminded Councillor Abbott that he had already sent him an email concerning the issues he had wished to bring to his attention and he had already instructed officers to make a site visit to examine the problems. He also reminded Councillor Abbott that there had been a memorandum sent to him and other Members that specified what works were to be undertaken in their Districts and those would be 'Priority One' and 'Priority Two' works. Lanes and minor roads would be done later when the 700 worst roads would be tackled.

17. Councillor M Mackrory asked the Leader of the Council to arrange a meeting of the Group Leaders to discuss matters of mutual interest and in particular matters of procedure that had arisen at today's meeting.

The Leader of the Council agreed that such a meeting should take place.

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

1. Councillor K Smith, whilst making reference to a recent and specific incident and thanking Mr Bass for his assistance, asked when the police were going to take the issue of illegal encampments and the problems created by travellers seriously.

Councillor Jowers replied that the services of a dedicated police officer were at the disposal of the Essex Countywide Traveller Unit, a service he wished Councillor Smith could have employed. The police have the ability to use legal powers to move Travellers quickly and without redress to courts on the basis that they can direct them to a site where they will be able to stay for a period of time.

2. Councillor J Knapman asked why Chigwell does not have a police station despite the local authority offering to pay for its operating costs.

Councillor Jowers replied that the police are rationalising their assets. He would speak to the Police Constable and the Commissioner about the idea but suspected it was less about the capital outlays for the provision of a police station and more about the ongoing revenue costs.

3. Councillor J Young asked about the new meeting structures being introduced by the Chief Constable to replace Neighbourhood Action Panels and whether they had been agreed by the Essex Police and Crime Panel.

Councillor Jowers stated that they were so agreed. He added that when the Neighborhood Action Panels were set up it was specified that they should not be chaired by an elected member. His view was that the outcomes of these Panels were 'mixed'.

4. Councillor J Whitehouse asked, further to the question above, if the Police and Crime Panel would be returning to the subject.

Councillor Jowers stated that it would and he would welcome Councillor Whitehouse's attendance at a Panel in order to bring such questions to the meeting.

17. To note the report of the Essex Fire Authority's meeting on 3 September 2014 and to ask questions of the Authority's representative

1. Councillor K Bobbin asked about the operational cost of attending a major fire in a wood pile in Thoby Lane, Mountnessing and was it still ongoing?

Councillor Hedley stated that the incident was still on-going and was likely to cost in excess of £200,000. He paid tribute to all those involved and the care taken to try and ensure that contaminated water was not discharged into the watercourse. The water had to be transported off-site. He offered to convey the costs of the final operation to any Member who expressed an interest.

2. Councillor A Naylor wished to thank the officers involved in the operation that took place in the centre of Thoby Lane, Mountnessing. She suggested that there were many similar sites around the County with poor access and wished to know how such sites obtained permission to operate.

Councillor Hedley thanked her for her remarks and agreed that there were similar sites and that they were currently being identified by Essex Fire Authority. He noted that this was the fourth incident of this kind and it was becoming clear that a number of sites were operating without the necessary planning permission.

3. Councillor J Abbott asked if Essex County Council was not the relevant waste planning authority for the approval of such sites.

Councillor Hedley replied that, unfortunately, as the representative of the Essex Fire Authority, he was not able to answer that question which should more properly be directed at the Cabinet Member for Waste and Recycling or the Cabinet Member for Planning, but he did believe that the Fire Authority would in the event of a planning application be formally consulted.

4. Councillor D Harris sought clarification of the review of the retained duty system and offered his support in efforts to persuade the NFU and others to come to the table and talk.

Councillor Hedley replied that across the County on average fifty percent of firefighters were 'retained' but this was higher in the north of the County. He will be raising this matter with Ministers as he believed it would encourage the recruitment and retention of such firefighters if there was a tax advantage to employers to encourage them to release staff for firefighting duties.

5. Councillor A Bayley noted that Canvey Island had just experienced its third recent flooding and the Fire Brigade were called but because the water was not going into houses the Fire Brigade would not pump the water away.

Councillor Hedley stated that he would investigate the matter but it was true that water would only be pumped away if there was a risk to life. The Fire Authority is expanding its community service and working with other authorities with a view to clearing culverts and drainage systems.

The report of the Fire Authority's meeting held on 3 September 2014 was received.

The meeting closed at 15:37.

Chairman
9 December 2014