

## **MINUTES of the meeting of Cabinet held on 10 July 2013**

**The deadline for call-in of the relevant decisions is 5pm on Friday 19 July 2013**

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**Present:** Councillors John Kent (Leader and Chair), Angie Gaywood, Victoria Holloway, Val Morris-Cook, Bukky Okunade, Andy Smith, Phil Smith and Lynn Worrall

**Apologies:** Councillor B Rice

**In attendance:** Councillors Phil Anderson, Rob Gledhill, Barry Johnson and Tunde Ojetola.

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Prior to the start of the meeting the Leader informed all in attendance at the meeting that the meeting would be recorded for publication to the internet.

### **25. MINUTES**

The Minutes of the Cabinet meeting, held on 5 June 2013, were approved as a correct record.

### **26. ITEMS OF URGENT BUSINESS**

The Leader raised the issue of the variation of services provided by Serco/Europa under the SSP Agreement.

It was reported that the Council and Serco had reached agreement in respect of bringing some services currently carried out by Europa back in house.

Members were informed that this was to ensure that the ambitions of the Council for both housing and sustainable transport would be delivered with appropriate governance, in a timely manner, with improved quality and with lower costs. Members were advised that a review had been undertaken in the past few months, which showed that there were significant areas for improvement, both operationally and financially.

It was reported that the deal would be completed by 1 August 2013 and that it would deliver improvements to services and create long term savings for the Council.

In addition, the Leader drew Members attention to the fact that the corporate scorecard had not been included on the Agenda. Members were informed that this was due to the fact that the information that could be presented was only for Month 1 and that there was no comparative data.

A briefing note was circulated at the meeting which confirmed those Key Performance Indicators that would be monitored for the remainder of 2013-14.

**27. DECLARATION OF INTERESTS**

Graham Farrant, Chief Executive, declared a non-pecuniary interest in relation to agenda item 13 as he had a relative who may be affected by the CPO process in Purfleet.

**28. STATEMENTS BY THE LEADER**

There were no statements by the Leader.

**29. PETITIONS SUBMITTED BY MEMBERS OF THE PUBLIC**

There were no petitions submitted.

**30. QUESTIONS FROM NON-EXECUTIVE MEMBERS**

The Leader informed the Cabinet that questions had been submitted as follows:

- Question from Councillor Johnson in relation to Item 9, 2012/13 Capital Outturn Report
- Question from Councillor Gledhill in relation to Item 12, Grays Town Centre Regeneration Vision
- Question from Councillor Anderson in relation to Item 13, Purfleet Centre Regeneration Project
- Question from Councillor Ojetola in relation to Item 20, Flexible Working
- Question from Councillor Anderson in relation to Item 21, Community Hubs -Implementation Phasing

The Leader advised that the questions would be taken with their corresponding agenda items.

**31. MATTERS REFERRED TO THE CABINET FOR CONSIDERATION BY AN OVERVIEW AND SCRUTINY COMMITTEE**

The Leader informed Members that no matters had been referred to the Cabinet by an overview and scrutiny committee.

### **32. DECISION 01104221 – 2012/13 CAPITAL OUTTURN REPORT**

The Leader introduced the report, which updated Members on the Council's financial position relating to the capital programme as at 31 March 2013.

Councillor Johnson asked the portfolio holder to explain why capital spending last year was over 40% under budget.

The Leader explained that the underspend fell into three broad areas:

- Multi-annual allocations, which accounted for £17.2m and covered schemes that were delivered over more than one year, where funding was allocated but not all spent in that year.
- The shortfall in Housing Revenue Account expenditure of £5.7m, after a decision had been taken to slow down expenditure over value for money concerns. It was reported that this had been resolved and that the delivery was being brought back in-house with the resources being directed to the enhanced capital programme that was agreed at in February.
- True underspends of £1.3m, where contracts were delivered under budget. It was reported that these were mainly in education and that the funding would be reallocated to the new schools programme agreed by the Cabinet in June.

Councillor Johnson felt that the “stockpiling” reserves was at a level he thought unnecessary and in not spending as the administration had told the public they were are going to, he asked whether the Leader was concerned that the public would not take him seriously.

The Leader explained that, when talking about public perception, he would prefer to maintain reserves at a sustainable level that allowed the Council to withstand any shocks, rather than spending to a level which put the financial stability of the Council at risk.

#### **RESOLVED:**

**That Cabinet:**

- 1. Note the outturn position for Capital;**
- 2. Agree to carry forward £34.362m of resources to support the 2013/14 and future capital programmes.**

Reason for Decision - as stated in the report  
This decision is subject to call-in

### **33. DECISION 01104222– 2012/13 REVENUE OUTTURN REPORT**

The Leader introduced the report, which advised the Cabinet of the General Fund and Housing Revenue Account outturns and the reserve positions as at 31 March 2013.

The Cabinet were informed that the report showed that for the third year running, a balanced budget had been delivered. It was reported that that this was getting harder with the scale of funding cuts, which had seen the grant from the government cut by £25m in the last three years and which would see a further £10m in this over the next two years.

It was reported that reserves were at a level where they were recommended to be. The Leader explained that with the partial retention of business rates, the Council would now be liable for 50% of the business rates of any business that failed during the year. The example was given of Tilbury Power Station, which could see a liability to the Council of £2.5m over the next two years, and stated that this showed the importance of maintaining reserves.

The Leader noted that delivering the budget without overspending was a significant achievement to and he thanked officers and portfolio holders for making this happen.

#### **RESOLVED:**

**That Cabinet:**

- 1. Note the Comprehensive Income and Expenditure and Movement in Reserves extracts from the Financial Statement demonstrating the link between net expenditure, technical accounting, financing and the General Fund unallocated balance;**
- 2. Note the Management Accounts outturn analysis in Appendices 1 and 2;**
- 3. Note the allocation of General Fund balances and reserves; and**
- 4. Note the allocation of Housing Revenue Account balances and reserves.**

Reason for Decision - as stated in the report  
This decision is not subject to call-in

**34. DECISION 01104223 – BORROWING AND INVESTMENT PERFORMANCE AND POLICY REVIEW 2012/13**

The Leader introduced the report, which asked the Cabinet to comment on the borrowing and investment performance for 2012/13.

The Leader commented that the report showed that borrowing was broadly stable and that the debt restructuring exercise had released funding to deliver services.

**RESOLVED:**

**That the borrowing and investment activity and report on the treasury outturn position for 2012/13 be noted.**

Reason for Decision - as stated in the report  
This decision is not subject to call-in

**35. DECISION 01104224 – GRAYS TOWN CENTRE REGENERATION VISION**

The Leader reminded Members that Appendix C to the report had been classed as being exempt. He advised all in attendance at the meeting that the Cabinet would seek to exclude the press and public to consider the information presented within this document.

The Cabinet Member for Regeneration, Highways & Transportation introduced the report, which provided an update on the work currently underway in Grays and which sought approval for:

- a vision for the regeneration of Grays to serve as a basis for an action plan/strategy
- for further development of regeneration projects.

Councillor Gledhill asked for the estimated costs of refurbishing the State cinema to a condition where it was suitable for leisure and entertainment purposes.

The Cabinet Member informed Councillor Gledhill that the information he sought could be found in the exempt appendix to the report and that the Cabinet would move into exempt session later in the meeting to consider this.

Councillor Gledhill commented that the exempt appendix outlined a figure and he asked whether it was fair for the responsibility for this to be with one Member. The Cabinet Member explained that this was not the way the Cabinet worked and that consultation would take place before any decision was taken.

Councillor Gaywood commended the recommendations in the report and, as her portfolio included parking, she offered to provide free parking on Saturdays in Grays to support the provision of specialist markets.

The Leader highlighted that with the new campus due to open to 3,500 students in September 2014, and with the funding that had been committed to the refurbishment of the Magistrates Court, public funding in the region of £50m would be coming into Grays. He asked the Cabinet Member how the Council could harness the extra footfall that would be coming into the town to make the best use of the conditions.

The Cabinet Member advised the Leader that he had spoken to local businesses and that there were lots of exciting opportunities for businesses in Grays. He added that he had also spoken to the Planning Team to see if it could be made easier for businesses to submit planning applications.

#### **RESOLVED:**

##### **That Cabinet:**

- 1 Approve the draft vision for Grays set out at paragraph 4.4 of the report and delegate authority for finalising the vision, following a final round of consultation with stakeholders, to the Assistant Chief Executive in consultation with the Portfolio Holder for Regeneration, Highways and Transportation;**
- 2 Acknowledge the work completed to date considering the potential to enhance the public realm in Grays South and support the continued discussions with Network Rail and others to secure the implementation of measures to upgrade the rail station and rail crossing as detailed within the report;**
- 3 Acknowledge the outcome of the enquiries made into the use of the Hogg Lane South site and support the development of proposals for its reuse which support the vision for Grays. These will be brought to a future meeting of the Cabinet for further consideration;**
- 4 Approve the Heads of Terms in appendix E for a £1.4m loan from Local Enterprise Partnership's Growing Places Fund to support the costs of refurbishing the Magistrates Court to provide business units.**
- 5 Approve the recommendations contained within exempt Appendix C.**

Reason for Decision - as stated in the report  
This decision is subject to call-in

**36. DECISION 01104225 – PURFLEET CENTRE REGENERATION PROJECT**

The Cabinet Member for Regeneration, Highways & Transportation introduced the report, which provided the Cabinet with a 6 month progress update on the Purfleet Centre Regeneration Project, as required by the Cabinet approval given on 13 June 2012.

Councillor Anderson asked the Cabinet Member whether he thought it likely that the current negotiations would lead to the appointment of a development partner.

The Cabinet Member advised that the negotiations were progressing and that it was hoped to have further news on the outcome of the process by early autumn. It was reported that this was an extremely complex negotiation and until it was completed there were no guarantees. Members were informed that the Council was taking steps to draw this to a conclusion so that it could continue to build on the momentum generated by the recent positive decision on planning.

Councillor Anderson sought assurances that pressure would be kept on to find a development partner to deliver the strategic vision for Purfleet. The Cabinet Member advised that the negotiation was being undertaken by officers and that the Council was committed to ensuring that the agreement delivered high quality sustainable development.

**RESOLVED:**

**That the progress made on the Purfleet Centre Regeneration Project since January 2013 be noted.**

Reason for Decision - as stated in the report  
This decision is not subject to call-in

**37. DECISION 01104226 – NATIONAL NON-DOMESTIC RATES – POOLING OPPORTUNITIES**

The Leader introduced the report, which outlined recent changes to local government funding mechanisms that had increased the importance of National Non-Domestic Rates (Business Rates) to the Council's overall funding position.

In addition, the report introduced the potential, recognising the Borough's anticipated business growth, to use pooling arrangements to increase the funding available to the Council.

**RESOLVED:**

**That Cabinet acknowledge the work which has been completed to date and, subject to the outcome of the Essex-wide pooling work, support the continuation of discussions with neighbouring Authorities with a view to submitting a proposal to form a Business Rate Retention Pool to Communities and Local Government.**

Reason for Decision - as stated in the report  
This decision is subject to call-in

**39. DECISION 01104227 – TO APPROVE FOR CONSULTATION THE “CORE STRATEGY FOCUSSED REVIEW OF POLICY CSTP7: NETWORK OF CENTRES AND LAND AT ARENA ESSEX, WEST THURROCK- ISSUES AND OPTIONS” CONSULTATION DOCUMENT**

The Cabinet Member for Regeneration, Highways & Transportation introduced the report, which sought the approval of the Cabinet for public consultation on the “Core Strategy Focused Review of Policy CSTP7: Network of Centres and Land at Arena Essex, West Thurrock – Issues and Options” Document.

Councillor Gaywood mentioned the road infrastructure that would be put in place and sought assurance that the issues experienced with cruisers at Lakeside would be taken into account in the new development. The Cabinet Member advised that work was being done in this area and that it needed to be looked at with some foresight.

Councillor Morris-Cook raised the issue of the grid-lock to the road network experienced earlier in the week and sought assurances that this was being taken into account in terms of the proposed new development. The Cabinet Member advised that a considerable amount of work was being done on improving the highway network for the future and that a lot of work had been done on encouraging people not to use their cars.

**RESOLVED:**

- 1. That the Cabinet agree for publication the “Core Strategy Focused Review of Policy CSTP7: Network of Centres and Land at Arena Essex, West Thurrock – Issues and Options” Consultation Document.**
- 2. That any minor drafting and formatting amendments as maybe required be delegated to the Director of Planning and Transportation in consultation with the Portfolio Holder for Regeneration, Highways & Transportation.**



Reason for Decision - as stated in the report  
This decision is subject to call-in

**40. DECISION 01104228 – LOWER THAMES CROSSING  
CONSULTATION OPTIONS**

The Cabinet Member for Regeneration, Highways & Transportation introduced the report, which provided the Cabinet with a summary of the Lower Thames Crossing Consultation options.

Members were informed that the report set out the Council's opposition to a Lower Thames Crossing in Thurrock and expressed the need for the consultation process to include all potential options, including no new crossing, and to take into account other proposed schemes and investment in the region.

Councillor Gaywood commented that she had attended the recent overview and scrutiny meeting with residents and that it was clear from this that they first wished to see the tolls lifted and the effect of this before. She added that residents in Thurrock did not want Options A-C and that they wanted Options D and E put back on the table.

The Leader agreed with the views expressed by Councillor Gaywood and felt that this summed up the position taken by the Council. He added that better use of existing roads needed to be made and that free flow tolling needed to be introduced as soon as possible.

The Leader encouraged local residents to have their say in the consultation before it closed.

**RESOLVED:**

- 1. That Cabinet notes the views of Thurrock residents and, therefore, reaffirms its policy on the Lower Thames Crossing, agreed by Council on 28 November 2012, that we should oppose any corridor for a new crossing in Thurrock.**
- 2. That, in light of the publication of the three corridor options for consultation by the Department for Transport, the Council records its disappointment that the Government has not given a specific option to reject the currently proposed options for a new crossing.**
- 3. That the Council urges the Government to investigate alternative options to the three under consultation, including options to the east of Option C and to identify highway improvement for investment on the strategic highway network to reduce congestion in the shorter term.**

4. **If the Minister is minded not to consider further options and is intent on making a decision on a preferred corridor later this year, as planned, then he should take note of the views set out in this Cabinet report and the findings of the O&S Regeneration ‘Select’ Committee meeting on 1 July.**
5. **That the “pros and cons” of the three proposed options, as set out in the report, be noted together with the related Thurrock requirements, for each option, should the Minister decide to proceed with a decision.**
6. **That a joint Council delegation comprising the Leader and Shadow Leader of the Council, with the Portfolio Holder and Shadow Portfolio Holder for Regeneration, Highways and Transportation, should meet with the Transport Minister to express the views of the Council and the Borough’s residents and businesses.**

Reason for Decision - as stated in the report  
This decision is subject to call-in

#### **41. DECISION 01104229 –ENVIRONMENTAL VISION AND POLICY**

The Cabinet Member for Environment introduced the report, which outlined a new framework for the Council's cross organisational work on the environment by:

- Providing a new high level Environment Vision beneath the Community Strategy priorities
- Defining the scope of the Council's work under the green agenda
- Setting out the Council's internal environment priorities through a refreshed Council Environment Policy

Councillor Gaywood raised the problems experienced with people parking on verges and offered to work with the Cabinet Member to look at introducing community planting on verges to deter parking on them.

The Leader asked how residents could replace trees and bushes that had been removed from verges. The Director of Environment advised that she would look into this and advise the Leader accordingly.

Councillor Morris-Cook enquired about what was being done to both protect and expand allotments. The Cabinet Member advised that she was working with the Allotment Association, with one of the things being looked at was the introduction of 10-year leases.

**RESOLVED:**

**That Cabinet adopts the Environment Vision and Environment Policy.**

Reason for Decision - as stated in the report

This decision is subject to call-in

**42. DECISION 01104230 – POST-16 EDUCATION TRANSPORT**

The Leader of the Council introduced the report, which provided feedback on the consultation on the review of Post 16 education transport and consider the recommendations going to Cabinet on 10 July regarding the future of Post 16 Transport based upon the results of the consultation.

The Leader of the Council commented that this was a difficult decision that had to be taken to ensure the Council delivered a balanced budget. It was reported that 165 people used the service at a cost of £200,000 per year. It was noted that two years ago, there were around 1,000 service users but most had taken advantage of the discounted bus pass scheme.

**RESOLVED:**

**That Cabinet agree:**

- 1. To decommission Post 16 transport at the start of the 2013 / 2014 academic year to in-borough colleges and encourage students to take up the offer of a discounted bus pass.**
- 2. For those students in rural areas and not near a bus route we will consider individual cases against an agreed eligibility criteria, where the lack of a commissioned service may prevent students from accessing college courses.**
- 3. For students who attend out of Borough colleges and travel by train the Council will continue to negotiate with the train companies for the discounted ticket offer but students will be expected to pay the full banded cost.**
- 4. For students who use other commissioned transport to out of Borough colleges, that will continue but again they will be charged the full banded cost.**
- 5. In all of the above the Council will continue to provide support to families/students on income support.**

Reason for Decision - as stated in the report

This decision is subject to call-in

#### **43. DECISION 01104231 – PROCUREMENT OF HOUSING ADAPTION CONTRACT**

The Cabinet Member for Housing introduced a report, which sought approval from Cabinet to enter into a procurement exercise for the Housing Adaptation Contract, to include: installation of level access showers, ramps and minor adaptation works within both council and privately owned housing stock. It was reported that the current contracts expired in September 2013.

##### **RESOLVED:**

##### **That Cabinet:**

- 1. Approve commencement of the tendering process for works associated with the Housing Adaptation Contract in accordance with EU procurement procedures for a term of 3 years.**
- 2. Approve delegation to award to the Director of Housing in consultation with Portfolio Holder for Housing to enter into and award any agreements and any other documents necessary for the Services, in pursuant to the delivery of the Housing Adaptation Contract.**

Reason for Decision - as stated in the report  
This decision is subject to call-in

#### **44. DECISION 01104232 – FLEXIBLE WORKING**

The Cabinet Member for Housing introduced a report, which outlined plans to implement flexible working in the Council. It was reported that flexible working would:

- enable the Council to improve its service to customers, reduce costs and increase staff productivity
- deliver operational efficiencies and free up buildings, including the Culver Centre, for disposal and generate capital receipts

Councillor Ojetola noted that this transformation project would see a spend of £37,500 for every additional staff member to be brought into the civic offices and asked the Cabinet Member whether she thought this represented value for money.

The Cabinet Member advised that the report had changed since it was withdrawn from the last meeting and that the figures quoted by Councillor Ojetola were inaccurate. It was reported that whilst one hundred people would be moving into the Civic Offices, the changes would affect over a thousand who already worked in the building.

The Cabinet Member advised that the proposals would achieve a range of savings that were significantly more than costs, including a one-off saving of £4m in the first year and around £1.4m in every year after. In addition to saving money, it was reported that the scheme would improve working conditions and make the Council's interactions with the public easier, better and quicker.

Councillor Ojetola advised that the report referred to potential savings and potential income and asked what guarantee was there that the project would not fail. The Cabinet Member responded by saying that if the Council wanted to do business, it needed to change the way it worked.

**RESOLVED:**

**That Cabinet:**

- 1 Note the plans to implement Flexible Working as a key feature of transforming the way the Council works and increase the operational space available in the Civic Offices.**
- 2 Approve the investment of £3.75m capital expenditure in the Civic Offices. Provision has already been made in the MTFs for £2m in 2013/14 and a further £2m in 2014/15 at a total of £4m.**
- 3 Note the immediate potential savings and operational efficiencies of £4.42m that will arise from this.**
- 4 Approve plans to commission building works for the Civic Offices refurbishment through the SmartEEast framework agreement.**
- 5 Approve delegation of authority to the Chief Executive and Director of Finance and Corporate Governance in consultation with the Portfolio Holder for Housing and Transformation to authorise spend of the investment budget.**

Reason for Decision - as stated in the report  
This decision is subject to call-in

**45. DECISION 01104233 – COMMUNITY HUBS -IMPLEMENTATION PHASING**

The Cabinet Member for Communities introduced a report, which set out the proposed programme for a phased implementation of

community hubs. In addition, the report outlined the progress of the South Ockendon pathfinder.

Councillor Anderson asked what council services were likely to remain in areas not identified for a community hub.

The Cabinet Member advised that Hubs were not replacing Council or other statutory services and all areas, whether they had a hub or not, would be treated the same and receive the same council service. It was reported that Hubs would enable services to modernise their delivery and the example was given of the South Ockendon Centre helped people who needed assistance to use self service via the web. Members were informed that there was no intention to offer different services to those areas with, or without, hubs so all areas would receive the same services and level of service.

Councillor Anderson raised the issue of the Corringham being identified as an area that did not want a Hub but that there was a strong interest in Corringham hosting a Hub. He asked if the Cabinet Member would commit to look at Corringham for a hub, along with the other areas identified in the report.

The Cabinet Members advised that all Community Forums had been invited to the initial meetings and that they would all be spoken to again.

**RESOLVED:**

**That Cabinet:**

- 1 Note the success of the South Ockendon pathfinder and the value this has created.**
- 2 Agree the proposed programme for a phased implementation of community hubs.**
- 3 Give delegated authority for future business cases to be developed and approved by the Assistant Chief Executive in consultation with the Portfolio Holder for Communities.**

Reason for Decision - as stated in the report  
This decision is subject to call-in

**46. EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED:**

**That, in accordance with Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item(s) of business, on the grounds that they could**

**involve the possible disclosure of exempt information as defined in paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information) for exclusion from Chapter 8 of the Constitution of Schedule 12A of that Act**

**47. GRAYS TOWN CENTRE REGENERATION VISION: APPENDIX C**

The Cabinet Member for Regeneration, Highways & Transportation introduced the exempt appendix to the report that was considered at Agenda Item 12.

The Cabinet discussed the issues and reaffirmed their support for the recommendations contained within Appendix C.

**RESOLVED:**

**That the recommendations contained within exempt Appendix C be approved.**

**The meeting finished at 8.22 pm.**

Approved as a true and correct record

**CHAIR**

**DATE**

**Any queries regarding these Minutes, please contact  
Steve Jones, telephone (01375) 652107,  
or alternatively e-mail [sjones@thurrock.gov.uk](mailto:sjones@thurrock.gov.uk)**