

MINUTES of the meeting of Cabinet held on 13 November 2013

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

In attendance: Councillor Anderson.

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.

The Leader welcomed those attending from Arthur Bugler Infant and Junior Schools, Ms Karen Wheeler, Head of Strategy and Mr Darren Henaghan, Director of Environment.

62. MINUTES

The Minutes of the Cabinet meeting, held on 4 September 2013, were approved as a correct record.

63. ITEMS OF URGENT BUSINESS

The Leader informed Cabinet that he had agreed to the consideration of an item of urgent business which related to the Banking Services Contract.

64. DECLARATION OF INTERESTS

Councillor Gaywood declared a non-pecuniary interest in Item 19 on the agenda, in that she is the Chair of Governors at Arthur Bugler Infant School and the Vice Chair of Governors at Arthur Bugler Junior School. She informed Members that she would leave the meeting after speaking on the item.

65. STATEMENTS BY THE LEADER

There were no statements by the Leader. However, the Leader took the opportunity to inform Members that he wished to take Item 19 as the next item of business.

66. DECISION 01104250 – PROPOSAL TO CONSULT ON THE AMALGAMATION OF ARTHUR BUGLER INFANT AND ARTHUR BUGLER JUNIOR SCHOOLS TO FORM A PRIMARY SCHOOL

The Leader of the Council and Cabinet Member for Education introduced the report which sought Cabinet approval to consult on the proposal to amalgamate both Arthur Bugler Infant and Arthur Bugler Junior schools and open a primary school on the existing site.

Cabinet were informed that the Council had been pursuing a programme of amalgamation for a while and that the proposed amalgamation of Arthur Bugler Infant and Junior Schools would be the last separate infant and junior schools set to merge to create a new primary school in the borough.

The Leader invited Councillor Gaywood to speak on the item, upon which she informed Members that the two schools had been working closely together for the past 18 months devising a plan where they share a leadership team and governing body and it was the governing body of both schools who had made the decision to amalgamate and had taken this proposal to the Local Authority.

Councillor Gaywood left the meeting at 7.03pm during the consideration of the item and returned after Members had agreed the recommendations contained with the report.

RESOLVED:

That Cabinet:

- 1.1 Agree to consult on a proposal to amalgamate by closing either Arthur Bugler Infant School or Arthur Bugler Junior School and expanding the other school to become a primary; or closing both schools to open a new school as an all through primary on the same site.**
- 1.2 Delegate authority to the Director of Children's Services to determine the final format and content of consultation in accordance with statutory requirements.**
- 1.3 Agree for an estimated capital investment of around £500,000 to be spent on linking the school together if amalgamation is approved. This will be met from the Authority's schools' building condition budget.**

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

66. CORPORATE PERFORMANCE SUMMARY – MONTH 5

Councillor P. Smith, Cabinet Member for Central Services, introduced the item which advised Cabinet of key performance issues arising from the monitoring of the Corporate Scorecard 2013-14.

Councillor Barbara Rice informed Members that in response to the amber rating for the 'rate of admissions to residential and nursing homes', a winter plan was underway which included daily bed trackers, an increase in staff numbers within the Re-enablement Team, more capacity in the Hospital Social Work Team and block booking of beds in nursing homes over the winter period.

Councillor Morris-Cook informed Members that there was continuous improvement in satisfaction received from tenants with regards to the housing repairs service.

RESOLVED:

That the content of the briefing note be noted.

67. ITEM OF URGENT BUSINESS – BANKING SERVICES CONTRACT

The Leader of the Council and Cabinet Member for Finance introduced the report which provided Members with an update on the position of the Council's Banking Services Contract with the Co-Operative Bank and which sought authority to enter into a tendering process and authority to let a new contract.

The Leader advised that the last tendering process saw tenders submitted by Barclays Bank and the Co-Operative Bank, and that he would be interested to see if the market had become more buoyant.

RESOLVED:

That Cabinet:

- a) Agree that the Council seeks to exit the current Banking Services contract with the Co-Operative Bank early.**
- b) Agree that the Head of Corporate Finance undertakes to secure a new provider of Banking Services at the earliest opportunity taking into account Procurement regulations.**

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

67. PETITIONS SUBMITTED BY MEMBERS OF THE PUBLIC

There were no petitions submitted.

68. QUESTIONS FROM NON-EXECUTIVE MEMBERS

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

- Question from Councillor Anderson in relation to Item 17, Peer Review 2011 Implementation Plan Progress Report.
- Question from Councillor Anderson in relation to Item 18, Localism Act: Community Rights.

Councillor Gledhill had submitted a question in relation to Item 14, Wholly Owned Housing Company, however he was unable to attend the meeting and had requested a written response to be provided.

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

69. MATTERS REFERRED TO THE CABINET FOR CONSIDERATION BY AN OVERVIEW AND SCRUTINY COMMITTEE – PCSO MATCH FUNDING OVERVIEW & SCRUTINY REVIEW PANEL

The Leader informed Cabinet that Councillor Wootton had sent his apologies for the meeting and invited Councillor Gaywood, Portfolio Holder for Public Protection to speak on the report which informed Cabinet of the findings of the PCSO Match Funding Overview and Scrutiny Review Panel.

Councillor Gaywood took the opportunity to thank Councillor Wootton, the Chair of the PCSO Match Funding Review Panel, members of the working party, the Forums and Thurrock Diversity Network for their input into the review.

Members were informed that Chief Superintendent Prophet had written to the Council stating that with effect from 1 April 2014 Essex Police would cease match funding arrangements for PCSO's, however confirmation had been received that despite this, there would be no reduction in PCSO numbers and no PCSO redundancies.

Councillor Gaywood subsequently proposed a further recommendation:

'That the Council write to Chief Superintendent Prophet to acknowledge his confirmation that Essex Police are ceasing match funding opportunities for PCSOs and welcoming his commitment that this will not mean any PCSO redundancies.'

Councillor Gaywood asked Members to consider Option 2 contained in the report and increase enforcement provision; that the Cleaner, Greener and Safer Overview & Scrutiny Committee be requested to look at all the options on enforcement and that the Head of Public

Protection be requested to look at the possible variations that would provide value for money and increase enforcement opportunities.

RESOLVED:

That Cabinet:

- 1.1 Note the PCSO Match Funding Overview and Scrutiny Review Panel report attached as appendix 1.**
- 1.2 Agree to Option 2 as outlined in the recommendations of the report.**
- 1.3 Agree that the Council write to Chief Superintendent Prophet to acknowledge his confirmation that Essex Police are ceasing match funding opportunities for PCSOs and welcoming his commitment that this will not mean any PCSO redundancies.**

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

70. DECISION 01104241 – 2013/14 REVENUE MONITORING REPORT

The Leader introduced the report, which provided Cabinet with an update on the Council's Revenue budget position as at month 6 for 2013/14 and which commented on the position for 2014/15.

RESOLVED:

That Cabinet:

- a) Note the revenue forecasts for the General Fund and Housing Revenue Account budgets;**
- b) Note the action taken by officers to identify savings to offset the overspends;**
- c) Agree that the variances set out in paragraph 2.3 be vired between services to reset the budget;**
- d) Note the approach to budget settings and the Overview and Scrutiny Committees for 2014/15; and**
- e) In accordance with Chapter 9, Part 3 of the Constitution, a sundry debt of £26,115.71 be written off.**

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

71. DECISION 01104242 – 2013/14 Capital Monitoring Report

The Leader presented the report, which set out the results of the Capital Monitoring exercise carried out for the period ending 30 September 2013.

RESOLVED:

That Cabinet:

- 1.1 Note that the General Fund Capital Programme is projected to have unused resources of £7.154m as at 31 March 2014 although this is likely to be carried forward to 2014/15 to fund schemes currently being developed or work in progress;**
- 1.2 Approve the virement from the Purfleet Primary school expansion scheme to the temporary classrooms project (£0.580m in 2013/14 and £0.020m in 2014/15);**
- 1.3 Approve the addition of the property purchase in Botany Way Purfleet (£0.300m) to the General Fund 2013/14 Capital Programme;**
- 1.4 Note the removal of the scheme for the purchase of land at Oliver Road (£1.500m) from the General Fund 2013/14 Capital Programme; and**
- 1.5 Note the current position of the Housing Revenue Account Capital Programme.**

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

72. DECISION 01104243 – MONTH 6 TREASURY MANAGEMENT REPORT

The Leader introduced the report which showed the results of Treasury Management activities undertaken in the first half of the year and reported on the forecast treasury outturn position for 2013/14.

RESOLVED:

The Cabinet note the results of Treasury Management activities undertaken in the first half of the year.

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

73. DECISION 01104244 – LOCAL COUNCIL TAX SUPPORT SCHEME

Councillor P. Smith, Portfolio Holder for Central Services presented a report which updated members of the results from the public consultation exercise the Council undertook that closed on the 20 October 2013.

Councillor Smith advised that individuals affected by the scheme would be given continued support and Members requested that the scheme be kept under review and that vulnerable residents be protected.

RESOLVED:

1.1 That the 2014/15 LCTSS for Thurrock remains the same as it is for this current year thereby containing the following elements:-

- **The first £25 per week of earned income will be disregarded when calculating levels of council tax support.**
- **The maximum capital limit is to be set at £6,000. This means anyone who has savings over £6,000 may not receive support with their Council Tax.**
- **Second adult rebate will no longer be awarded for working age claimants.**
- **For working age claimants, the maximum support that will be allowed will be 75% of the full Council Tax bill for the Banding of the property.**
- **Child Benefit and Child Maintenance received will not be included as income in the calculation of Council Tax Support.**
- **There will be a 100% disregard of military compensation payments, including War Disablement Pensions, War Widow's Pension and Armed Forces Compensation Scheme payments.**

1.2 For Overview and Scrutiny to consider the options available to the Council of adopting a one year Local Residency rule for the 2015/16 local council tax support scheme having undertaken an equality impact assessment.

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

**74. DECISION 01104245 – WHOLLY OWNED HOUSING COMPANY –
REPORT ON FINAL BUSINESS CASE**

Councillor Morris-Cook, the Portfolio Holder for Housing introduced the report on the Business Case for the proposal for the Council to establish a wholly owned housing company (Gloriana Thurrock Ltd) to assist in the delivery of the Council's housing development and regeneration objectives and to seek approval to set up the Company.

The Portfolio Holder thanked the members of the Development Board for their hard work.

The Leader requested that Gloriana Thurrock Ltd consider donating a small percentage of monies received from their housing developments towards public art in the borough and informed Members that it was hoped that each development would be named after an opera and supported by an appropriate piece of art.

RESOLVED:

That Cabinet:

- 1.1 Note the further work which has been undertaken in respect of the proposal for the Council to establish a Wholly Owned Housing Company to assist in the delivery of the Council's housing development and regeneration objectives.**
- 1.2 Agrees to delegate the authority to the Chief Executive in consultation with Head of Legal & Democratic Services to set up the Company under the name of " Gloriana Thurrock Ltd " and to execute any legal agreements and or documents necessary in pursuant to the set up and functioning of such a Company.**
- 1.3 Notes that the structure and development of the proposed Company shall follow the governance and scheme gateway process approved at the September Cabinet and thus further Cabinet approval to a site specific business case shall be obtained before the Company becomes operational including the availability of the site or funding is made to the Company.**
- 1.4 Note the letter and comments from Ernst and Young, the Council's External Auditor, on the proposal.**

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

75. DECISION 01104246 – PROCUREMENT OF VEHICLES BELOW 3.5 TONNES

Councillor Holloway, Portfolio Holder for Environment introduced the report which sought approval from Cabinet prior to tendering for a contract for the supply of vehicles below 3.5 tonnes.

RESOLVED:

That Cabinet:

- 1.1 Endorses the approach laid out in this report for procuring Vehicles with an axle weight of less than 3.5 tonnes for various council departments: for which capital expenditure was approved by Cabinet on 13th February 2013.**
- 1.2 Approves commencement of the tendering process for vehicles with an axle weight of less than 3.5 tonnes in accordance with EU procurement procedures for a term of 3 years.**

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

76. DECISION 01104247 – PUBLIC PROTECTION ENFORCEMENT POLICY

Councillor Gaywood, Portfolio Holder for Public Protection, introduced the report which requested Cabinet approve the revised Public Protection Policy.

RESOLVED:

That Cabinet approve the revised Public Protection Enforcement Policy.

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

76. DECISION 01104248 – PEER REVIEW 2011 IMPLEMENTATION PLAN PROGRESS REPORT

The Leader introduced the report which provided Cabinet with an outline of the progress against the recommendations of the peer review inspection report of December 2011.

Councillor Anderson asked the Leader what steps could be taken to develop cross party consensus prior to the consideration of financial details in the 2015 budget and was advised that although a four year cycle for local elections had its merits in that the costs would

considerably be reduced and a certain amount of political stability would be provided, the costs of general, European and Police Commissioner elections would still remain.

The Leader further advised that the proposal to move towards a four year cycle would be considered by the Corporate Overview and Scrutiny Committee during the forthcoming budget cycle and that the Chief Executive had been requested to submit a financial business case to the Governance Group to ensure that group leaders had accurate up to date information and to ensure that proper consideration could be given in advance of and during the overview and scrutiny process.

Councillor Anderson sought reassurance from the Leader that the Overview & Scrutiny Committee would consider the advantages and disadvantages of the non-financial aspects of the proposal. In response, the Leader reminded Members that the Council had been subject to an Improvement Board as a response to continued poor performance within the authority and poor member officer relationships and that in 2011 it was felt that the Council had made significant progress and that an independent peer review to validate this progress had been requested.

It was noted that the key messages from the review were that the Council was improving, there were strong and respected managerial and political leadership, improved officer and managerial relationships within the Council and that staff were motivated and engaged with Members.

The Leader requested that the original peer review team be invited to independently review the progress that had been made as there was concern that Recommendation 8 of the Peer Review was not being met.

The Leader was concerned that the foreign policy was not strong enough in respect of the Local Enterprise Partnership (LEP) and proposed the following amendment to recommendation 1.2 contained in the report:

“That Cabinet agrees the Foreign Policy in Appendix 2, subject to strengthening its content regarding the South East Local Enterprise Partnership and subject to agreement with the Leader.”

RESOLVED:

That Cabinet:

- 1.1 Notes the progress against the themes of the peer review inspection report of December 2011 in Appendix 1.**

- 1.2 **Agrees the Foreign Policy in Appendix 2, subject to strengthening its content regarding the South East Local Enterprise Partnership and subject to agreement with the Leader.**
- 1.3 **Agrees to invite members of the original peer review team to review the council's progress against recommendation 8.**
- 1.4 **Notes the Adult Social Care commissioned Local Government Association (LGA) Peer Review planned for November 2013, with the report coming to Cabinet in January/February.**

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

76. DECISION 01104249 – LOCALISM ACT: COMMUNITY RIGHTS

Councillor Worrall, Portfolio Holder for Communities presented the report which recommended the adoption of procedures to enable the Community Right to Bid and Community Right to Challenge to be available in Thurrock.

Councillor Anderson questioned whether the Council would be engaging with community groups to pro-actively identify a list of assets of community value and was advised that Thurrock Council were working with a number of partners, including the CVS, to strengthen communities as part of the Community Engagement Strategy and that the Council would be targeting community groups with promotional material to encourage them to nominate assets of community value in their area. Furthermore, residents would be provided information via the Council's website and invited to practical information sessions provided through ACE Learning.

RESOLVED:

That Cabinet approve the processes outlined in this paper in line with the statutory obligations in the Localism Act 2011.

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

77. DECISION 01104251 – OUTCOME OF THE STATUTORY CONSULTATION TO ENLARGE THE PERMANENT CAPACITY OF BONNYGATE PRIMARY SCHOOL

The Leader of the Council and Cabinet Member for Education introduced the report which informed Cabinet of the outcome of the statutory consultation to expand Bonnygate Primary School; and which sought approval to implement the proposal from 1 September 2014.

RESOLVED:

That Cabinet consider the outcome of the consultation to expand Bonnygate Primary School and approve the implementation of the expansion from 1FE to 2FE from September 2014.

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

The meeting finished at 8.17pm.

Approved as a true and correct record

CHAIR

DATE

**Any queries regarding these Minutes, please contact
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