

Minutes of the Meeting of the Council held on 26 July 2017 at 7.00 pm

Present: Councillors Tunde Ojetola (Mayor), Michael Stone (Deputy Mayor), John Allen, Chris Baker, James Baker, Jan Baker, Russell Cherry, Colin Churchman, Gary Collins, Mark Coxshall, Jack Duffin, Tony Fish, Leslie Gamester, Oliver Gerrish, Robert Gledhill, James Halden, Graham Hamilton, Shane Hebb, Clifford Holloway, Victoria Holloway, Deborah Huelin, Roy Jones, Cathy Kent, John Kent, Martin Kerin, Steve Liddiard, Brian Little, Susan Little, Sue MacPherson, Ben Maney, Bukky Okunade, Terry Piccolo, Jane Potheary, David Potter, Joycelyn Redsell, Barbara Rice, Gerard Rice, Angela Sheridan, Peter Smith, Graham Snell, Luke Spillman, Aaron Watkins and Kevin Wheeler

Apologies: Councillors Tim Aker, Clare Baldwin, Garry Hague, Tom Kelly, Sue Sammons and Pauline Tolson

In attendance: Lyn Carpenter, Chief Executive
Sharon Bayliss, Director of Commercial Services
Sean Clark, Director of Finance & IT
Jackie Hinchliffe, Director of HR, OD & Transformation
David Lawson, Deputy Head of Legal & Monitoring Officer
Rory Patterson, Corporate Director of Children's Services
Matthew Boulter, Democratic Services Manager and Deputy Monitoring Officer
Jenny Shade, Senior Democratic Services Officer

Before the start of the Meeting, all present were advised that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council's website.

The Mayor invited Reverend Ruth Cartwright to lead those present in prayer.

30. Minutes

Councillor Jones requested that Appendix A referred to in the minutes be made available to Members.

Councillor Okunade's comment on Page 21, Item 29, Motion submitted by Councillor Spillman should read "Councillor Okunade stated that as Chair to the Children's Services Overview and Scrutiny Committee and her involvement in Corporate Parenting that it was paramount that no child should suffer and that Members should be assured that authorities have the right processes in place. Based on this Councillor Okunade would be unable to support the Motion".

Following the above amendment, Members approved the Minutes of the Meeting of Council held on the 28 June 2017 as a correct record.

31. Items of Urgent Business

The Mayor informed the Council that he had not agreed to the consideration of any items of urgent business.

32. Declaration of Interests

Councillor C Kent declared a non-pecuniary interest as she was an Outside Body representative on the Essex Fire Authority.

Councillor Watkins declared a non-pecuniary interest as he was an Outside Body representative on the Essex Fire Authority.

Councillor Redsell declared a non-pecuniary interest as she was a Member on the Essex Police and Crime Panel.

33. Announcements on behalf of the Mayor or the Leader of the Council

The Mayor invited all those present to reflect on and remember Thurrock's fallen of World War One.

The Mayor thanked Thurrock MPs Jackie Doyle-Price and Stephen Metcalfe, along with Councillors Halden, Jones, Okunade and Coxshall and the numerous residents who attended the Civic Service held on the 2 July 2017. The Mayor stated that the event had been well attended by Mayors from nearby boroughs and thanked Reverend Barlow, Laosun and Ruth Cartwright for officiating the service.

The Mayor stated how impressed he had been with the Thurrock 100 events that had taken place over the last month, with 23 schools participating in an art competition with the results proudly being displayed at the Thurrock Thames Art Studio in Mucking. These artists had agreed to display their work in the Mayor's Parlour in the future.

The Mayor referenced the first graduation of the National College for the Creative and Cultural Industries that had been held in July with Thurrock leading the way on the level of training and that he looked forward to seeing the new students accommodation building.

The Leader of the Council, Councillor Gledhill, updated Members on the following:

On Monday 31 July, a commemorative event will take place at the Grays War Memorial from 11.00am in respect of the Battle of Passchendaele which began 100 years ago.

Councillor Gledhill stated that since the introduction of Clean It, Cut It the Council had collected 57,183 bags of litter, 333 litter bins had been emptied, over 1550 fly-tips had been collected which had equated to 345,627 kilograms, over 27,500 hectares of grass had been cut and from 79 parks and green spaces approximately 17,200 bags of rubbish had been removed from these sites.

Councillor Gledhill stated that 2,082 pot holes had been filled since April 2017 having acquired extra money from Government.

That 1858 fixed penalty notices had been issued for rubbish and dog fouling with 35 individuals being successfully prosecuted with £8394.00 in fines, £8574.00 in costs and a £1134.00 victim surcharge. Councillor Gledhill encouraged residents not to ignore a fine, pay up and stop dropping rubbish on Thurrock streets.

Councillor Gledhill stated that from 24 July 2017, the first phase of gas works in London Road, Grays would commence and apologised to residents for the inconvenience this may cause.

Councillor Gledhill confirmed that no London Borough would be bulk purchasing properties in the St Chads development with two thirds of the properties in phases one and two being fully let and social housing properties being available soon.

Councillor Gledhill formally announced the change of Portfolio Holder for Environment to Councillor Watkins who would be responding to questions later this evening.

34. Questions from Members of the Public

At 7.15pm, Councillor Collins requested a Point of Order in relation to Rule 14.12, Questions without Notice. He asked the Monitoring Officer to clarify whether Council Members had sight of public questions before any decision had been made to accept or reject them. The Monitoring Officer, David Lawson, confirmed that when Member or Public questions were received they were regarded as strictly confidential. Once questions had been approved they were forwarded to the relevant Officer for response with a very strict understanding that questions received from Members or the Public should never be shared with other Members or the Portfolio Holder until after the deadline to receive questions had passed.

A copy of the transcript of questions and answers can be viewed under the relevant meeting date at <http://democracy.thurrock.gov.uk/thurrock> and are attached at Appendix A to these minutes.

35. Petitions from Members of the Public and Councillors

The Mayor informed Members that in accordance with the Council's Petition Scheme no notices of petitions had been received.

36. Petitions Update Report

Members received a report on the status of those petitions handed in at Council Meetings and Council Officers over the past six months.

Councillor Redsell requested an update on Petition 487 with regard to double yellow lines on the access road to 36-72 Lodge Lane, Grays.

Councillor Duffin requested an update on Petition 480 with regard to parking in Limeslade Close; Petition 481 with regard to parking in Plashet Close and Southend Road and Petition 484 with regard to insufficient parking in Plaistow Close.

Councillor Duffin stated that the process for dealing with Petitions should be reviewed.

37. Appointments to Committees and Outside Bodies, Statutory and Other Panels

The Mayor enquired whether Group Leaders wished for any changes to be made to the appointments previously made to Committees and outside bodies, statutory and other panels.

The Leader of the Council, Councillor Gledhill, informed the Chamber that he wished to make the following changes:

Councillor Collins to become a permanent Member on the Children's Services Overview and Scrutiny Committee to replace Councillor Watkins.

Councillor Watkins be removed as Substitute Member on the Corporate Overview and Scrutiny Committee.

Councillor Redsell to become a permanent Member on the Health and Wellbeing Overview and Scrutiny Committee to replace Councillor Watkins.

Councillor Snell, Leader of the UKIP Group, informed the Council Chamber he had no further changes to make.

Councillor Gerrish, Leader of the Labour Group, informed the Council Chamber he had no further changes to make.

RESOLVED:

- 1. That Councillor Collins be appointed as Member of the Children's Services Overview and Scrutiny Committee.**
- 2. That Councillor Watkins be removed from the Corporate Overview and Scrutiny Committee.**

3. That Councillor Redsell be appointed as Member of the Health and Wellbeing Overview and Scrutiny Committee.

38. Lower Thames Crossing

Councillor Gledhill, Leader of the Council, stated that this was the first opportunity to present the report to Council on events following the Secretary of State's announcement on the 12 April 2017 of a preferred route for a Lower Thames Crossing. That the purdah period had prevented debate and that the announcements were required so that Thurrock could move forward onto the next stage. Councillor Gledhill stated the decision on the route had been the wrong one and that Members and the public would also agree that this decision was the wrong one.

The report had been presented at Full Council to maintain the Council's continued stance that it was opposed to any new river crossing and associated new road in Thurrock. As the Council continued to oppose the principal of the new crossing it had to be recognised that any damage it may do to the borough should be minimised as far as possible. In a statutory role, the Council will continue to engage with Highways England and to ensure that the responses put together are backed up with solid facts and figures from independent air quality testing.

The voices of Thurrock will continue to be heard as Thurrock residents would feel the negative impact of this scheme whilst everyone else would get the potential benefits. To ensure that Thurrock residents got a fair representation as the process continued, the Council had agreed a £50,000 budget each year to help residents get the best deal from the decision. Councillor Gledhill stated that this figure should be matched by Highways England and not be reliant on one authority to pay for work needed to get the best for the residents that it affected the most.

A clear time table had been set by the Council to ensure that Highways England informed the Council of any advance notices and details of any information, events or correspondence relating to the crossing.

Councillor Gledhill agreed to endorse the amendment to recommendation 1.6 as proposed by Councillor Gerrish and that became the substantive recommendation. The amended recommendation 1.6 read as follows:

That General Services Committee be invited to establish a cross party Lower Thames Crossing Task Force and to agree its Terms of Reference at the next General Services Committee meeting; or alternatively consider a change to the constitution to include a new overview and scrutiny committee to look expressly at the Lower Thames Crossing and if agreed bring a report to Full Council as to its possible Terms of Reference, the financial and legal implications including any impact on political balance calculations and payment of special responsibility allowances.

Councillor Gledhill agreed that all Members should have the opportunity to take part in this debate.

Following this Full Council meeting, the Secretary of State will be contacted on how the Council want to take this proposal forward. It would be equally important that the three Group Leaders meet with Highways England to discuss the next steps.

Councillor Gledhill stated that the Council had some challenging decisions to make but agreed that the Council was here for the whole of Thurrock and it would be in the residents' interests that the Council agree to the recommendations.

Councillor Gledhill commented that residents had been very forthcoming with views and that it was absolutely right that they should continue to do this but this should be facilitated as best as it could be.

Councillor B Rice stated that she spoke on behalf of the residents and that it was a shame that not all public questions were heard. The Council should stand united and represent the residents of Thurrock that there are no more crossings in Thurrock. Councillor Rice was in agreement with the amendment that it was important that such a specialised committee be set up and that the Council should be ready for any legal challenges it may face.

Councillor Jones echoed Councillor Rice's comments and that Thurrock had the worst air quality in the country and that fully independent air quality tests should be undertaken.

Councillor B Little stated that with heavy heart he agreed with the recommendations but had been opposed to the proposed crossing for the last eight years fighting for residents of his Orsett Ward. Efforts had been made to further other proposals and that this option would not be the solution to the current congestion issues. The Chair of the Highways England should communicate more with the Council, Road User Groups and the public so that they can understand the timings and the proposals being put forward.

Councillor Spillman stated that the Council should, where legally possible, prevent any new further crossings in Thurrock in the future.

Councillor Gerrish reaffirmed the opposition of the Labour Group to the new Lower Thames Crossing in Thurrock and had been consistent in both administration and opposition in arguing that the crossing would be wrong for Thurrock. That the details of the route are incorrect and damaging and that the Council should continue to fight the plans and step up on the responsibilities of fighting for this specific route. Councillor Gerrish stated that there was now some urgency for the Council to respond to the proposal and that the proposed Task Force Group or Overview and Scrutiny Committee would ensure that the pressure be kept on and to escalate the fight. Either of these groups should allow residents input to ensure that outside opinions are heard.

Councillor G Rice stated that the Council will continue to fight as this decision would affect the whole borough and that full independent air quality tests should be undertaken so that facts and figures would be made available when requested.

Councillor Fish accepted the amendment and that it was important that the proposal received the proper scrutiny that it deserved that gave all Members and the public the opportunity to contribute and get involved.

Councillor J Kent stated that the Council should remain united and remain opposed to the crossing and stated that this report had come too late, it should have been presented either at the June Full Council or a Special Meeting of Council during April or May 2017. Councillor J Kent had concerns not only with the damage the crossing will have on Thurrock but also with the infrastructure and housing associated with the crossing that will be developed over time. Improvements had to be made to the Highways England consultation and this Council must hold them to account.

Councillor Duffin questioned whether recommendation 1.3 should include all data not just the data that made it into the report. Thurrock Council should stand opposed to the proposal and continue to fight and get the best deal for residents.

Councillor Piccolo stated he had been opposed to the proposed crossing from the start but working with Highways England could enable the Council to have some inside knowledge as to what was being proposed and how best the Council could fight against any decisions.

Councillor Allen stated that Thurrock Council should continue to oppose the proposed crossing and do everything in its power to fight and challenge it.

Councillor S Little had campaigned since 2008 for any further crossings in Thurrock and stated that this proposal would not sort out the current congestion issues. Councillor S Little had concerns that communications from Highways England was very unacceptable in letting residents know what was happening and that this had to be improved, as had the Council's communication efforts.

Councillor Redsell agreed it was good that all Members were in agreement and that the public be made more aware that they can ask questions at overview and scrutiny committees.

Councillor Wheeler stated that the UKIP fought hard against the Lower Thames Crossing as part the general election campaign.

Councillor Hamilton stated that further independent assessments should be carried out by those with no vested interests.

Councillor V Holloway stated that she would be supporting the amendment but questioned what more could be done to stop the decision made by the Secretary of State and asked what influence the two Thurrock MPs were having on Government. The Council needed to work with residents and fight more to say no to the proposed crossing.

Councillor Okunade supported joint working against this crossing and would continue to vigorously fight for residents.

Councillor Smith commented that it was a shame that the passion and anger demonstrated in the Chamber tonight had not been reflected in the recommendations.

Councillor Snell stated he had stood opposed to the crossing from day one. That Highways England should be challenged more as to the intention of the data received and that early engagement and challenge was vital. The participation of the public at overview and scrutiny committees and Members on outside bodies was vital to ensure the voice of residents could be heard.

Councillor Gledhill thanked all Members for their comments and support and agreed that residents had the right to speak and that participation at overview and scrutiny committees was vital.

Councillor Gledhill stated that the Council were not resigned to the proposed crossing but full structured answers based on facts had to be prepared and ready for representation. That data from independent assessments would need to be undertaken as part of this.

Councillor Gledhill agreed that the Council should stand united which in turn would result in a much stronger argument.

The process to make the Council's voice heard by those Members who had been elected to represent every resident, would start today by approaching Highways England to ensure that the process started to get proper engagement, proper information and proper data.

Councillor Gledhill stated that a direct mail would be sent to all 160,000 Thurrock residents to ensure that everyone had the right to comment.

The Mayor adjourned Full Council at 8.14pm due to a general disturbance making orderly business impossible.

Councillor Coxshall left the Chamber.

Full Council reconvened at 8.20pm.

On a Point of Order, Councillor Redsell stated that swearing was unacceptable in the Chamber and that Councillor Wheeler should stand up and apologise. Councillor Wheeler responded by apologising for the bad language used.

At 8.22pm, Councillor Jones requested a Point of Order that Councillor Coxshall had behaved disrespectfully to Members and members of the public by laughing throughout the disturbance.

Councillor Coxshall returned to the Chamber.

The Mayor called a vote on recommendation 1.6 as amended and the Leader stood to confirm this had been accepted by him as the new recommendation.

Upon being put to the vote, 39 Members voted in favour of the recommendations with 4 Members against, whereupon the Mayor declared the recommendations carried.

RESOLVED:

- 1. That Thurrock Council maintains its opposition to any new river crossing and associated new road in Thurrock and that any engagement by the Council with Highways England does not constitute acceptance of the overall scheme.**
- 2. That the Council utilises Highways England's scheme development process in order to continue its opposition to the scheme, fulfil its statutory responsibilities as a planning and highway authority, as a consultee and as a landowner, and to protect the interests of residents in Thurrock.**
- 3. That the Council ask Highways England to jointly establish with the Council a process for independent air quality testing and to provide the Council with access to all data used to reach decisions.**
- 4. That the Council request financial support from Highways England or Government in order to meet its responsibilities and to represent the interests of Thurrock's residents.**
- 5. That Highways England be informed that the Council requires at least 1 weeks advanced notice and details of any information, events or correspondence relating to the Lower Thames Crossing in Thurrock.**
- 6. That General Services Committee be invited to establish a cross party Lower Thames Crossing Task Force and to agree its Terms of Reference at the next General Services Committee meeting; or alternatively consider a change to the constitution to include a new overview and scrutiny committee to look expressly at the Lower Thames Crossing and if agreed bring a report to Full Council as to its possible Terms of Reference, the financial and legal implications including any impact on political balance calculations and payment of special responsibility allowances.**

- 7. That the three Group Leaders write to the Secretary of State for Transport setting out the Council's position following full Council and that Highways England be invited to meet with the three Group Leaders as soon as possible.**

39. Questions from Members

At 8.24pm, Councillor Coxshall requested a Point of Order that Members should not be named whilst they were not present in the Chamber.

The Mayor informed the Chamber that 2 questions to the Leader of the Council had been received and 5 questions to Cabinet Members.

A copy of the transcript of questions and answers can be found at Appendix A to these minutes.

40. Reports from Members representing the Council on Outside Bodies

Councillor Ojetola invited Members to the Annual AGM of the Thurrock Community Leisure Limited/Impulse Leisure Limited on the 23 August 2017 and that previous AGM minutes would be sent to Members for information.

41. Minutes of Committees

The Minutes of Committees as set out in the Agenda were received.

42. Update on motions resolved at Council during the previous year

Members received an information report updating the progress in respect of Motions received at Council over the last year.

43. Motion submitted by Councillor C Kent

At 9.00pm, the Mayor moved a motion to suspend Council Procedure Rule 11.1 to allow the meeting to continue beyond the 2.5 hour time limit until 9.30pm. Members indicated their agreement to the proposal.

The Motion, as printed in the Agenda was proposed by Councillor C Kent and seconded by Councillor C Holloway. The Motion read as follows:

This Council urges the Essex Fire Authority and the Police Crime Commissioner to urgently review the crewing of all special appliances such as the Aerial Ladder Platform by recruiting full time firefighters so these appliances are available whenever they are needed.

Councillor C Kent explained that a proposed amendment had been received by Councillor Watkins and read as follows:

This Council urges the Essex Fire Authority and the Police Crime Commissioner to urgently review the crewing of all special appliances in Thurrock.

Councillor C Kent confirmed that in the spirit of Members working together she would accept the amendment and stated that the Motion had been submitted to ensure the safety of Thurrock residents. Councillor C Kent stated that the Aerial Ladder Platform was a specialised piece of apparatus that was crucial in any fire incident but would be crewed by firefighters outside of Grays. Pressure should now be put on the Police Crime Commissioner that all crew be trained to ensure that the Fire Service are ready if the worse should happen.

Councillor C Holloway stated that this was a practical motion addressing the correct use of apparatus and regard should also be given to the dangers of fire at all infrastructures in the borough. Practical risk assessments should be undertaken to understand where the demand for apparatus fell.

Councillor Watkins thanked Councillor C Kent for agreeing to the amendment and that her passion for the Fire Service was very evident. Councillor Watkins stated that he would fully support the Motion and fully support the Fire Service but stated a full review should be undertaken with the Fire Service to understand the history of events, the statistics and operational requests made by the Fire Service for such apparatus.

Councillor Jones stated that he would be supporting the Motion and that it was vital that industrial infrastructures in the borough should form part of any review undertaken by the Fire Service.

Councillor Piccolo agreed that the Fire Service should undertake a wider review on all specialist and vital firefighting apparatus.

Councillor C Kent thanked Members for their support and stated that the Fire Service had been very close to her heart and thanked all the firefighters in Essex who continued to keep residents safe.

The Mayor called a vote on the Motion as amended.

Following a clear majority in favour, the Mayor declared the Amended Motion carried.

The Mayor declared the Motion was carried.

The meeting finished at 9.15 pm

Approved as a true and correct record

CHAIR

DATE

**Any queries regarding these Minutes, please contact
Democratic Services at Direct.Democracy@thurrock.gov.uk**