

Thurrock: A place of opportunity, enterprise and excellence, where individuals, communities and businesses flourish

## **Cleaner, Greener and Safer Overview and Scrutiny Committee**

The meeting will be held at **7.00 pm on 8 October 2015**

**Committee Room 1, Civic Offices, New Road, Grays, Essex, RM17 6SL**

### **Membership:**

Councillors Roy Jones (Chair), Clare Baldwin (Vice-Chair), James Baker, Garry Hague, Michael Stone and Pauline Tolson

### **Substitutes:**

Councillors Terence Hipsey, Jane Potheary, Andrew Roast, Peter Smith and Deborah Stewart

### **Agenda**

Open to Public and Press

	<b>Page</b>
<b>1. Apologies for Absence</b>	
<b>2. Minutes</b>	<b>5 - 12</b>
To approve as a correct record the minutes of the Cleaner, Greener and Safer Overview and Scrutiny Committee meeting held on 28 July 2015.	
<b>3. Items of Urgent Business</b>	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
<b>4. Declaration of Interests</b>	
<b>5. Intercepting Unsafe Goods At Ports - Thurrock Trading Standards Work At Border Points</b>	<b>13 - 16</b>

**6. Update Discussion on Travellers in Thurrock**

**7. Work Programme**

**17 - 20**

**Queries regarding this Agenda or notification of apologies:**

Please contact Kenna-Victoria Martin, Senior Democratic Services Officer by sending an email to [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)

Agenda published on: **30 September 2015**

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# DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

Breaching those parts identified as a pecuniary interest is potentially a criminal offence

## Helpful Reminders for Members

- *Is your register of interests up to date?*
- *In particular have you declared to the Monitoring Officer all disclosable pecuniary interests?*
- *Have you checked the register to ensure that they have been recorded correctly?*

## When should you declare an interest *at a meeting*?

- **What matters are being discussed at the meeting?** (including Council, Cabinet, Committees, Subs, Joint Committees and Joint Subs); or
- If you are a Cabinet Member making decisions other than in Cabinet **what matter is before you for single member decision?**



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

any of your registered interests and in particular any of your Disclosable Pecuniary Interests?

Disclosable Pecuniary Interests shall include your interests or those of:

- your spouse or civil partner's
- a person you are living with as husband/ wife
- a person you are living with as if you were civil partners

where you are aware that this other person has the interest.

A detailed description of a disclosable pecuniary interest is included in the Members Code of Conduct at Chapter 7 of the Constitution. **Please seek advice from the Monitoring Officer about disclosable pecuniary interests.**

**What is a Non-Pecuniary interest?** – this is an interest which is not pecuniary (as defined) but is nonetheless so significant that a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest.

### Pecuniary

If the interest is not already in the register you must (unless the interest has been agreed by the Monitoring Officer to be sensitive) disclose the existence and nature of the interest to the meeting

If the Interest is not entered in the register and is not the subject of a pending notification you must within 28 days notify the Monitoring Officer of the interest for inclusion in the register

Unless you have received dispensation upon previous application from the Monitoring Officer, you must:

- Not participate or participate further in any discussion of the matter at a meeting;
- Not participate in any vote or further vote taken at the meeting; and
- leave the room while the item is being considered/voted upon

If you are a Cabinet Member you may make arrangements for the matter to be dealt with by a third person but take no further steps

### Non- pecuniary

Declare the nature and extent of your interest including enough detail to allow a member of the public to understand its nature



You may participate and vote in the usual way but you should seek advice on Predetermination and Bias from the Monitoring Officer.

**Vision: Thurrock:** A place of **opportunity, enterprise and excellence**, where **individuals, communities and businesses** flourish.

To achieve our vision, we have identified five strategic priorities:

**1. Create** a great place for learning and opportunity

- Ensure that every place of learning is rated “Good” or better
- Raise levels of aspiration and attainment so that residents can take advantage of local job opportunities
- Support families to give children the best possible start in life

**2. Encourage** and promote job creation and economic prosperity

- Promote Thurrock and encourage inward investment to enable and sustain growth
- Support business and develop the local skilled workforce they require
- Work with partners to secure improved infrastructure and built environment

**3. Build** pride, responsibility and respect

- Create welcoming, safe, and resilient communities which value fairness
- Work in partnership with communities to help them take responsibility for shaping their quality of life
- Empower residents through choice and independence to improve their health and well-being

**4. Improve** health and well-being

- Ensure people stay healthy longer, adding years to life and life to years
- Reduce inequalities in health and well-being and safeguard the most vulnerable people with timely intervention and care accessed closer to home
- Enhance quality of life through improved housing, employment and opportunity

**5. Promote** and protect our clean and green environment

- Enhance access to Thurrock's river frontage, cultural assets and leisure opportunities
- Promote Thurrock's natural environment and biodiversity
- Inspire high quality design and standards in our buildings and public space

## Minutes of the Meeting of the Cleaner, Greener and Safer Overview and Scrutiny Committee held on 28 July 2015 at 7.00 pm

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**Present:** Councillors Roy Jones (Chair), James Baker, Michael Stone and Pauline Tolson

**Apologies:** Councillor Garry Hague

**In attendance:** Councillor Jane Potheary, Cabinet Member for Public Protection and Communities  
Mike Heath, Head of Environment  
Gavin Dennett, Head of Public Protection  
Toni Barlow, Public Protection  
Superintendent Steve Robinson, Essex Police  
Sergeant Nick Hampson, Essex Police  
Jenny Shade, Senior Democratic Services Officer

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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.

### **1. Minutes**

The Minutes of the Cleaner, Greener and Safer Overview and Scrutiny Committee, held on 22 January 2015, were approved as a correct record.

Councillor Tolson raised the question that at this committee she made reference to the point that there should be at least two designated Council Officers that are contactable by the Police so that there is a link between Police and the Council. This was in reference to Item 13, Witness Session: Essex Police attending to discuss Fly-Tipping Issue.

The Clerk agreed to check the recordings from the 22 January 2015 committee.

### **2. Declaration of Interests**

No interests were declared.

### **3. Items of Urgent Business**

An item of Urgent Business was raised by the Chair on Travellers. This was raised due to the recent events that started last Friday, 24 July 2015, when travellers were moved on from the Dagenham and Barking area and made their way to Thurrock.

The Travellers first settled on the sports playing field at Lakeside and after causing much damage decided to move onto Belhus Park.

The Chair had been informed that the last of the travellers moved off Belhus Park late Monday night leaving a trail of destruction and waste on site which would cost a significant amount to clear up.

The Chair introduced Superintendent Steve Robinson and Sergeant Nick Hampson to the committee and asked for their report and to answer any questions that members may have on this subject.

Superintendent Steve Robinson thanked the Chair for the opportunity to speak and outlined the events of the weekend.

Superintendent stated that on Friday 24 July, the Metropolitan Police used their powers under Section 61 to evict a large group of travellers from the Barking and Dagenham area. The Travellers continued over the border into Thurrock and took up site at the Lakeside Sports Centre where there was Police presence and the group was moved on by the Police using the powers of a Section 61. The same group or elements of the group of travellers moved onto the Belhus Park (Impulse Leisure) where 72 caravans had gathered. The Superintendent stated that at this time a Section 61 would not be issued due to reasons of bad weather and there being children and families on site.

Over the weekend a further assessment and consideration of issuing a Section 61 was undertaken. Video footage was taken of the damage which has been estimated at £10,000. It was clarified that Impulse Leisure had instructed bailiffs using common law powers. At this time five crimes had been reported and the Police were in consultation with the Council.

With notice to quit issued on Monday 27 July the encampment dispersed.

Regular checks were being undertaken to ensure that no further breaches had taken place.

The Head of Public Protection had been in communication with the Chief Executive of Impulse Leisure and can confirm that they have commenced some target hardening of that site. Earth work type hardening to make it as difficult as possible to pull caravans onto.

A discussion took place on the expectations of the Police and an explanation on the grounds of when a Section 61 could have been used. It was agreed by Members that lessons needed to be learnt from this large group of travellers, the understanding of the Section 61 and how important it was to have a Council Liaison Officer.

Councillor Tolson asked the Superintendent if the Metropolitan Police escorted the travellers over the border into Thurrock. The Superintendent stated he had no information on this at this time. He stated that when travellers moved nobody was sure where they are moving on to.



The Head of Public Protection confirmed that as Barking and Dagenham and Thurrock have shared services, he heard about the group of travellers and travelled to Barking and Dagenham to assess the situation. It was then reported back to Thurrock Council that there may be a potential risk of the travellers coming to Thurrock.

The Superintendent confirmed that he will be holding a de-brief with the Silver Commanders that attended the site throughout the weekend to ensure that a consistent message around Section 61 and ensure that Essex Police are not passive in regards to Section 61.

Councillor Tolson asked the Superintendent how the travellers gained access to the Belhus site. The Superintendent confirmed that fencing was ripped and a lower rail had been removed.

Councillor Tolson then stated that this was criminal damage and why were no arrests made. The Superintendent confirmed that no arrests were made. This decision was made by the Dog Handler, the first Police Officer on site. The Superintendent agreed with this decision as one arrest at that time would not have helped the situation.

Councillor Tolson asked if vehicle registrations were taken. The Superintendent confirmed that video footage was taken of the site and that they have descriptions of vehicles.

A Detective Sergeant has been assigned to investigate the five crimes undertaken.

Councillor Tolson stated that the police attendance was far better than the fly-tipping incident which happened earlier in the year.

Councillor Stone asked the Superintendent how many Police Officers were involved. The Superintendent stated that he did not have the exact figures to hand but significant resource were on site at all times.

The Chair stated that it was important that Essex Police and Thurrock Council learn lessons from this event and work together on solutions on how to go forward in the future as residents of Thurrock were fed up with Travellers and the fly tipping that was left for tax payers to pay for.

Councillor Potheary thanked Councillor Jones for taking this urgent item and stated that she was surprised by the events over the weekend. Councillor Potheary confirmed that she was in the process of looking at the current position and how the policies and procedures apply.

Councillor Potheary asked the Superintendent if he would return to the Committee and brief the Members on the Section 61 debriefs. The Superintendent stated himself or another Police Officer would be happy to return and provide feedback.

Councillor Tolson stated that there appeared to be no headway from January 2015 meeting where Inspector Norris was invited to the Committee and that Thurrock could be seen as a soft touch.

The Superintendent stated that all crimes needed to be looked at, not just those that were carried out by the travellers but those crimes carried out at the same time by the settled community.

A member of the Public, a resident from Aveley, who has been in liaison with Police and the Council raised the question why do the Police team and Essex Police continue to choose not to enforce the Section 61 to move on these Travellers that are not welcomed by Thurrock residents. The recent encampment has had an impact on the settled community and that criminal damage was undertaken.

The Superintendent thanked the resident for her comments and that it adds to the picture of the community. He confirmed that the encampment had to have significant impact to the community and confirmed that amenities were being used generally as normally on that site over the weekend. He confirmed that the Police had to act without fear of favour and take into account the needs of the travellers and the community. The Superintendent agreed to take the residents points on board and will take into account when undertaking the de-brief. The Superintendent summed up that Section 61 was used appropriately on one site and it was not used appropriately on the other site.

Superintendent Steve Robinson, Sergeant Nick Hampson and Councillor Potheary left the meeting at 7.45pm.

#### **4. Terms of Reference**

The Cleaner, Greener and Safer Overview and Scrutiny Committee Terms of Reference were noted.

#### **5. Community Delivery of Environmental Services in Parks and Open Spaces**

The Head of Environment introduced the report which highlighted that as a result of significant reductions in the money received from Government and other pressures on services the Council will have to make, the Council can no longer afford to operate all of the services that it has historically provided and it has to focus its attention on delivery of its statutory functions. There are a number of activities and services that the Council has delivered in the past but can no longer fully fund that may be able to be delivered by the third party.

The report explored the options for community delivery of services and functions and highlighted examples of opportunities to empower groups to take ownership and responsibility for local facilities.

The Head of Environment referred Members to page 15, section 2.5, of the report that highlights two examples of organisations that have approached the council who wish to take responsibility for the functions.

Head of Environment also asked the Members if this is the route they want to take and recommend to Cabinet that Officers enter into detailed negotiations with groups who have expressed an interest in developing community based services.

Council Tolson asked what “ad-hoc assistance” covered. It was explained that this was the moving of heavy items, supply and delivery of soil and other pieces of assistance that the Council was best placed to help with.

It was further confirmed that these have no significant costs to the council but helps to keep the functions that are enjoyed by residents open.

The Chair asked the Head of Environment if these communities based services were required to have their own Public Liability Insurance. It was confirmed that yes each service must have this and in some instances this was covered by the council.

## **RESOLVED**

- 1. That the Community Delivery of Environmental Services in Parks and Open Spaces Report is noted.**
  - 2. That the Committee recommend to Cabinet that allows Officers to enter into detailed negotiations with groups who have expressed an interest in developing community based services.**
- 6. Thurrock Council Civil Protection COMAH (Control of Major Accident and Hazards) Site Report**

The Principal Officer for Civil Protection introduced the report which highlighted members to the current status of the off-site Control of Major Accident and Hazards (COMAH) plans for Thurrock’s COMAH sites along with the future plans for these sites by Civil Protection.

The Principal Officer referred Members to page 20 of the report which highlighted the COMAH sites in Thurrock and confirmed that 7 of the 8 COMAH sites had been exercised. The COMAH off-site plan work for Thames Enterprise Park will be undertaken once the site is able to go ahead with its intended use.

The Chair asked how regular the checks and reports are carried out. The Principal Officer confirmed that these are done every three years.

Councillor Baker asked if the Lorry Park in East Tilbury could be added to the list of COMAH sites. The Head of Public Protection explained the process of

COMAH and confirmed that the 8 sites in Thurrock are designated by legislation.

## **RESOLVED**

- 1. That the off-site plans for 7 of the 8 COMAH sites in Thurrock have been exercised and new plans have been distributed for 5 COMAH sites with the remainder to be distributed by the end of August 2015 to all relevant stakeholders are noted.**
- 2. That the COMAH off-site plan work for Thames Enterprise Park, Coryton remains outstanding due to non-development of the site and non-storage of COMAH products on site and this work will be completed once the site is able to go ahead with its intended use are noted.**

### **7. Waste Framework Directive**

The Head of Environment introduced the report which detailed the different options for the collection service to ensure compliance with the revised Waste Regulations 2011 which came into force on the 1 January 2015. Regulation 13 of the revised Waste Regulations requires all waste collectors in England and Wales to separately collect four waste streams, paper, metal, plastic and glass where it is necessary to meet the quality standards for the relevant recycling sector and Technically, Environmentally and Economically Practicable (TEEP).

The Head of Environment further explained the methods of collection used at the moment in Thurrock would not meet the TEEP standards and asked the Committee to approve the recommendations so that the most appropriate way forward for Thurrock can be achieved.

It was further stated that the life cycle of a refuse vehicle was 7 years, costing between £180,000-£200,000, and it was imperative that at the end of that cycle the new refuse vehicle is fit for purpose to accommodate the collection options to be proposed.

A discussion took place on some of the options and methods that could be implemented.

The Chair asked the Head of Environment what the timeframe would be for reviewing the collecting processes. The Head of Environment confirmed that normally it would be 20 months but some areas may be looked at earlier even with the option of refurbishing a refuse vehicle to make it last another 3 years, although doing this may come with a risk of intervention.

The Chair asked if we could look at options used by other councils. Head of Environment confirmed that all councils have different methods of collection

and that it is important to get the balance right between the cost, the waste collection method adopted and public acceptability.

## **RESOLVED**

**1. That the committee agreed to allow officers to develop an options appraisal of collection and disposal methods to ensure compliance with revised waste regulations, following the findings of the TEEP Report.**

**2. That the committee agreed to allow officers to develop a route map towards compliance with the revised waste regulations.**

**3. That the committee agreed to allow officers to report back their finding from this service review and implement a project plan for any proposed changes to the service.**

## **8. Work Programme**

The Committee noted the work programme.

## **RESOLVED:**

**That the Cleaner, Greener and Safer Overview and Scrutiny Committee work programme be noted.**

**The meeting finished at 8.09 pm.**

Approved as a true and correct record

**CHAIR**

**DATE**

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Democratic Services at [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)**

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<b>8 October 2015</b>	<b>ITEM: 5</b>
<b>Cleaner, Greener and Safer Overview and Scrutiny Committee</b>	
<b>Intercepting Unsafe Goods At Ports – Thurrock Trading Standards Work At Border Points</b>	
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Non Key
<b>Report of:</b> Charlotte Edwards – Principal Trading Standards Officer	
<b>Cabinet Member</b> – Cllr Jane Potheary– Portfolio Holder for Public Protection	
<b>Accountable Head of Service:</b> Lucy Magill – Head of Public Protection	
<b>Accountable Director:</b> David Bull – Director of Planning & Transportation	
<b>This report is</b> Public	

## **Executive Summary**

Thurrock Trading Standards are now in their third year of delivering the Safety at Ports project on behalf of the National Trading Standards Board (NTSB). This work is fully funded by an external grant from NTSB which is awarded on the basis of the size, scale and risk that border points present to the UK market in terms of the volume of unsafe goods coming through those points.

The Council’s team have received £55K funding for the current financial year 2015-2016 of which a large percentage goes towards testing costs.

### **1. Recommendation(s)**

- 1.1 That the Committee note the work the Trading Standards team have undertaken in support of the Product Safety at Ports project**
- 1.3 That the Committee continue to support Trading Standards and their work in relation to this project.**

### **2. Introduction and Background**

- 2.1 The National Trading Standards Board is accountable to the Government, via Department for Business, Innovation and Skills (BIS), the National Audit Office and ultimately to parliament via the Public Accounts processes, for the delivery of activities related to the BIS grant. Although the National Trading Standards Board has discretion over how Government funding is

used, it has to report regularly on its work, showing how it meets the requirements placed upon it and how it secures maximum value for money.

- 2.2 Thurrock Trading Standards first received a grant in October 2013 to fund their work at London Gateway and Port of Tilbury. Due to the success of the project and the continued risk of unsafe goods entering the UK via these routes, NTSB agreed to provide a further grant of £50,000 for the financial year 2014-2015 and £55,000 for the current financial year. This money will cover additional resources for the team such as an Apprentice, equipment costs and sample testing costs.
- 2.3 The work is undertaken in partnership with UK Border Force who set profiles to identify containers transporting potentially unsafe consumer goods. These profiles are set using various intelligence resources which include international, national and local sources. Paperwork is then scrutinised and visual examinations of the goods at the port are carried out. In a good percentage of cases the expertise of the officers means goods can be identified as unsafe or non-compliant during the initial examination and dealt with immediately. On more complex matters the goods need to be sent away for testing to identify unsafe aspects such as carcinogenic ingredients in cosmetics or lead in paint on toys for young children.
- 2.4 Since April 2013 to date, 9,809 carcinogenic skin lightening creams have been intercepted at Tilbury and Gateway ports. We are currently awaiting formal confirmation a further 136,800 units of cosmetics have being identified as containing cancer causing ingredients.
- 2.5 For the year from 1st April 14 to 31st March 15:  
The team have prevented 16 consignments of unsafe goods entering the UK, these consignments included 10,206 unsafe products. These goods included a range of cosmetics, toys and electrical items. By taking this action Trading Standards protected Thurrock and UK residents from harm and risk of injury.
- 2.6 The team have identified 77 non-compliant consignments including a total of 499,757 products. In most of these cases the matter was referred to the local Trading Standards of the business responsible for importing the items, to work with them to rectify problems. Where this was not possible goods were destroyed or placed under suspension notices prohibiting them from being supplied until they were made compliant.
- 2.7 In June 2014 Graham Farrant received a letter of thanks from Lord Toby Harris, chair of the National Trading Standards Board for the work the team had undertaken and the contribution to the UK economy.

### **3. Issues, Options and Analysis of Options**

- 3.1 No Issues or Options

### **4. Reasons for Recommendation**



4.1 For information

**5. Consultation (including Overview and Scrutiny, if applicable)**

5.1 No requirement for consultation

**6. Impact on corporate policies, priorities, performance and community impact**

6.1 The recommendations will have a positive effect on all the Council's priorities, particularly in relation to economic prosperity and health and well-being.

**7. Implications**

**7.1 Financial**

Implications verified by: **John Smith**  
**Consultant, Corporate Finance**

Any costs associated with the scheme for the current financial year are funded by a specific grant from the National Trading Standards Board.

**7.2 Legal**

Implications verified by: **Vivien Williams**  
**Planning & Regeneration Solicitor**

As this report is for noting only, there are no legal implications from this report.

**7.3 Diversity and Equality**

Implications verified by: **Natalie Warren**  
**Community Development and Equalities Manager**

No equality or diversity implications

**7.4 Other implications** (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

No other relevant implications

8. **Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

None

9. **Appendices to the report**

None

**Report Author:**

Charlotte Edwards

Principal Trading Standards Officer

Public Protection

## Work Programme

**Committee:** Cleaner, Greener & Safer Overview & Scrutiny

**Year:** 2015/2016

Item	Date Added	Request By (Members/Officers)	Lead Officer	Progress / Update required
<b>28 July 2015</b>				
Community Usage, Parks & Open Spaces	May 2015	Officers	Mike Heath	Members noted the report.
Contract Review	May 2015	Officers	Mike Heath	This item was reported jointly with the Waste Contract Review.
Waste Contract Review	May 2015	Officers	Mike Heath	Members noted the report.
Shaping the Council Budget Update Report	May 2015	Officers	Sean Clark	No Update Required – this is a standard item on the work programme
Work Programme	May 2015	Members/Officers	Democratic Services Officer	
<b>8 October 2015</b>				
Budget Savings	May 2015	Officers	Mike Heath	
Trading Standards Ports Work		Officers	Gavin Dennett/Charlotte Edwards	
Civil Protection Update on High Hazard Site testing	May 2015	Officers	Gavin Dennett / Toni Barlow	This item was presented to the Committee at the 28 <sup>th</sup> July meeting.  Members noted the report.
<b>Update:</b> Travellers in Thurrock	July 2015	Members/Officers	Gavin Dennett	
Shaping the Council Budget Update Report	May 2015	Officers	Sean Clark	
Work Programme	May 2015	Members/Officers	Democratic Services Officer	

## Work Programme

<b>12 November 2015</b>				
DAAT Performance	May 2015	Officers	Gavin Dennett/ Jim Nicolson	
Consultation on Integrated Risk Management Plan ( <b>Fire Authority</b> )	July 2015	Officers	Gavin Dennett	
Fees and Charges	September 2015	Officers	Laura Last/ Sean Clark	
Shaping the Council Budget Update Report	May 2015	Officers	Sean Clark	
Work Programme	May 2015	Members/Officers	Democratic Services Officer	
<b>21 January 2016</b>				
Shaping the Council Budget Update Report	May 2015	Officers	Sean Clark	
Work Programme	May 2015	Members/Officers	Democratic Services Officer	
<b>17 March 2016</b>				
Shaping the Council Budget Update Report	May 2015	Officers	Sean Clark	
Work Programme	May 2015	Members/Officers	Democratic Services Officer	

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<b>To Be Allocated</b>				
<b>Item</b>	<b>Date Added</b>	<b>Request By (Members/Officers)</b>	<b>Lead Officer</b>	<b>Committee Date</b>
An update on the latest situation regarding the Cory Wharf fly tipping	May 2015	Members		
Fly tipping & fly posting in the borough	May 2015	Members		
Cleaning up Town Centres	May 2015	Members		
Update on Climate Local	July 2015	Members		

## Work Programme

Agreement				
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Full details of Member's decisions can be viewed in the Minutes on the Council's Committee Management Information System - <http://democracy.thurrock.gov.uk/thurrock/>

### **FOR CONSIDERATION**

There are currently no items for consideration.

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