

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

## Corporate Overview and Scrutiny Committee

The meeting will be held at **7.00 pm** on **2 February 2016**

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

### Membership:

Councillors Shane Hebb (Chair), Graham Snell (Vice-Chair), Russell Cherry, Martin Kerin, Steve Liddiard and Deborah Stewart

### Substitutes:

Councillors Yash Gupta (MBE), Barry Johnson and Tunde Ojetola

### Agenda

Open to Public and Press

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To approve as a correct record the minutes of the Corporate Overview and Scrutiny Committee meeting held on 7 January 2016.	
<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>	
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Agenda published on: **25 January 2016**

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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 Corporate Overview and Scrutiny Committee held on 7 January 2016 at 7.00 pm

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<b>Present:</b>	Councillors Shane Hebb (Chair), Graham Snell (Vice-Chair), Russell Cherry, Steve Liddiard and Deborah Stewart
<b>Apologies:</b>	Councillors Martin Kerin
<b>In attendance:</b>	Steve Cox, Assistant Chief Executive Sean Clark, Head of Corporate Finance Roger Harris, Corporate Director of Adults, Housing and Health Jackie Hinchliffe, Head of HR, OD & Transformation David Lawson, Monitoring Officer Carmel Littleton (Director of Children's Services) Richard Parkin, Head of Housing and Interim Head of Environment Natalie Warren, Community Development and Equalities Manager Karen Wheeler, Head of Strategy & Communications Sarah Welton, Strategy & Performance Officer Demus Lee, Chair of the Thurrock Fairness Commission Board Jessica Feeney, 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.

### **24. Minutes**

The Minutes of the Corporate Overview and Scrutiny Committee, held on 19 November 2015, were approved as a correct record, subject to amending Paragraph 10, agenda item 21 (Training and Development – Officers) to read that semi-independent care homes for those over 16 years were not statutorily bound to register with the local authority.

### **25. Items of Urgent Business**

There were no items of urgent business.

### **26. Declaration of Interests**

Councillor Snell declared a non-pecuniary interest in respect of Agenda Item 6, 'Fairness Commission Update', as he is a member of the Fairness Commission Board.

### **27. Mid-Year Corporate Progress and Performance Report 2015/16**

The Strategy and Performance Officer introduced the report which set out the performance against the corporate scorecard with progress against the related deliverables as outlined in the Corporate Priority Activity Plan 2015/16. This was used to monitor the performance of key priorities of the Council and enables Members, Directors and other leaders to form an opinion as to the delivery of these priorities.

The Committee was informed that 82% of indicators were currently meeting their targets or close to them and 96% of deliverables are progressing in line with projected timelines or within tolerance. It was added that although many of the Children's Services indicators were red, they had actually set very high standards which, in turn, had improved performance. For the future the service would continue to stretch targets to hopefully compete with some of the best performing services in the country.

Councillor Snell questioned who determined the acceptable tolerance and asked for clarity as to how performance was measured against it.

The Committee were informed that Key Performance Indicators (KPI's) were given a 'Red', 'Amber' or 'Green' status and that 'Amber' KPI's were better than the previous year but did not hit the set target, however the measurement of key deliverables was more subjective and determined internally by service area.

The Chair of the Committee felt that if a KPI was above the target but stretching towards a target set to enhance further improvement it should be marked as green as it had hit the target and was above the national average. The Committee asked the Performance Officer to note the difference between a target and stretched target in future reports. The Chair of the Committee also felt that 'Amber' KPI'S on an upwards trend shouldn't be discussed in detail, and that the Committee should concentrate on KPI's in the 'Red'.

The Committee examined the Red Key Performance Indicators and the following comments were made regarding each measure.

The Committee discussed the percentage of primary schools judged 'good' or better. The Director of Children's Services informed the Committee that Ofsted did not make any visits in the current term and that reinspections were expected to take place in the next term. Members were enlightened that a complaint was made to Ofsted from the Director of Children's Services due to previous Ofsted inspections being poor. Councillor Hebb requested that a gentle reminder was given to Ofsted to carry out these inspections in the next term.

The Director of Children's Services explained that there was a small cohort of children eligible to take GCSE's when looking at the Looked after Children KS4 Attainment – 5+A\*-C (including English and Maths) – It was explained that a number of looked after children were unaccompanied asylum seekers at an early age of learning English and therefore not yet able to take GCSE's. The Committee were informed that Thurrock secondary schools senior teams

had agreed to focus on 'narrowing the gap' for disadvantaged groups, including those in the care of the local authority which was also prioritised in the new 2015/16 School Development Plans.

The Director of Children's Services explained that a deliberate high target of 70% was set to enable 19-21 year old care leavers in education employment or training in Thurrock to outperform the rest of the country. Since this data was submitted, the level of education employment or training has increased to 54.5%. This was above the national average for 2014/15 (47.8%) and would therefore be re-graded as "Amber" due to the significant improvements. The Chair of Committee Councillor Hebb requested a graph to provide the share of education employment and training in the 54.5% of 19- 21 year olds.

Members of the Committee discussed the percentage of house waste reused recycled and composed, the Head of Housing explained that the recycling performance this year continued to lag behind target with the current projected outturn being circa 39%. It was explained that in Thurrock, the levels of recycling were lower in many areas due to the high proportion of flats (30% of all properties) with communal bins, and that residents use their blue bins to dispose of general waste rather than recyclable materials. This had led to an increase in the contamination level of recycling and as a result many loads have been rejected from the recycling processing plant and have had to be disposed of as residual waste. It was added that a communication and engagement project was underway within the department to tackle the levels of contamination with detailed information of the materials that can be recycled provided to every household.

Councillor Liddiard questioned if three waste collection bins were scheduled into the planning policy, the Head of Housing was unaware but agreed to investigate.

Councillor Snell also suggested a waste collection scheme which would enable members of the public to return used bottles and items of waste in return for money, the Head of Housing also agreed to look into this and feedback to the Committee.

The Chair of the Committee discussed that an element of trust was required in the quality of the service and between the local authority and residents; it was felt that missed bin collections and bins being misplaced after collections generated apathy. It was added that residents would be more respectful about recycling requirements if the service appeared to be of a higher standard. The Chair of the Committee felt that the Councils service had the potential to be platinum standard.

The Committee discussed the Percentage of municipal waste sent to landfill, it was explained that since the beginning of September 2015 the Council had been working under a renewed disposal contract. The impact of this was that all waste collected from households would now be diverted to energy recovery and therefore not landfilled. Therefore the level of waste being landfilled had fallen to 11% in September and was likely to continue at that rate for the

foreseeable future, the Head of Housing explained that this indicator is well within target by the end of the year.

**RESOLVED:**

- 1. That Corporate Overview & Scrutiny Committee members commented on and noted the performance at this mid-year stage, and raised concern that the data provided for the data provided for the “red flag” report showed KPI’s which were not meeting internal stretch targets and did not focus on KPI’s with a declining performance trend / not meeting the mandatory targets. Moving forward Committee will expect to review KPI’s which show these trends/results.**
- 2. That Corporate Overview & Scrutiny Committee members request an update on the proposed changes of measurement of KPI’s, as insitigated in Committee on 17 September 2015.**
- 3. That the Corporate Overview & Scrutiny Committee are content to share the report to other relevant Overview & Scrutiny Committee Chairs.**

**28. Fairness Commission Update**

The Community Development and Equalities Manager and the Chair of the Thurrock Fairness Commission Board introduced the report explaining that in April 2014 Cabinet agreed to establish a Fairness Commission for Thurrock as recommended by the Corporate Overview and Scrutiny Committee Task and Finish Group. The Fairness in Thurrock Review made a number of recommendations to progress a Fairness Commission as the most relevant mechanism for progressing equalities in Thurrock. From its first meeting the Fairness Commission highlighted the need to understand more about local perceptions of fairness. The Commission undertook a ‘Summer of Listening’ from June – October 2015, capturing over 300 comments from events across the Borough, along with 200 responses to an on-line survey.

The Committee were informed that one resident representative left the Fairness Commission shortly after its first meeting. It was not possible to fill the post for a disability group representative, something the Commission had aimed to achieve.

The Commission made a number of recommendations and would be formally requesting agencies working in Thurrock to respond. Thurrock Council endorsed the recommendations made by Thurrock’s Fairness Commission and the following initial response was likely to result in the following actions.

- Principles of Fairness - The Council will support by issuing press releases, publicising the principles and promoting the process to support residents who have reason to complain about something against the principles.

- Strengthening Communities - The Council will arrange a summit of partners to consider how best to design a campaign. This will include businesses and the potential for inward investment. It will also include Stronger Together a partnership supporting asset based community development of which the Council is a partner.
- Improved Communications - Thurrock Council will be developing a new Customer Service Strategy in 2016. The strategy will be informed by recommendation 1 and 3.
- Residents Survey - Thurrock Council agrees that a regular survey would support policy development and will be exploring the feasibility of this in the coming months.
- To provide feedback to those consulted – The Council will publish the report on the website.
- Review Thurrock’s Single Equality Scheme – The Council welcomes the observations provided by the Commission and will be reviewing the Single Equality Scheme accordingly.

Councillor Stewart queried whether the recommendations made by the Thurrock Fairness Commission board were seen as the Council's difficulties. The Community Development and Equalities Manager explained that the recommendations were formed on residents' perception of the borough not just Council services, it was added that these perceptions were usually due to a lack of knowledge.

Councillor Liddiard agreed with the recommendations and proposed that if implemented the Council must ensure that different service areas emphasize fairness but avoid duplicating workloads.

Councillor Snell asked Chair of the Thurrock Fairness Commission Board to explain what fairness meant to the residents of Thurrock, It was explained to the committee that feedback from direct engagements was gathered together with survey results received during the course of the online consultation. The key themes that emerged from the Summer of Listening campaign were:

- The environment – the look and feel of the Borough
- A growing population
- Activities for children, young people and families
- Public transport

The Committee commended the Thurrock Fairness Commission Board on their hard work.

The Committee felt that communication was a key issue between residents and the Council. The Chair of the Committee felt that the recommendations were something that the Council should already be adhering to, it was added that the residents of Thurrock should not need to complete a survey to enforce changes.

Councillor Stewart queried how confident departments were when looking to extend workloads to ensure that these recommendations were adhered to. All Senior Officers confirmed that these recommendations were already practiced

in their workload but agreed that this was a helpful boost to emphasise fairness.

The Chair of the Committee felt cautious about setting objectives and priorities formed upon small percentage of data. Chair of the Thurrock Fairness Commission Board explained that the percentage of people who completed the survey at the event was very high it was added that it would be difficult to receive the opinion of the whole community. The Head of Strategy and Communications felt that this was reflected in the wording of the 'Residents Survey' recommendation which recognised that fairness was a borough wide issue for many which would require methodology and resources, it was added that the 'Summer of Listening' had given confidence in the quality of data due to the quantity of information collated in a small timeframe, which could be used to build upon questionnaires such as the residents survey.

Councillor Stewart questioned if the Council could look at complaints reviews to examine the difficulties and source where there had been a lack of communication. It was also questioned if the complaints coincided with the perceptions of the residents from the Fairness survey and whether this data could be used to broaden the survey to save expenditure on other surveys. The Head of HR, OD & Customer Strategy explained that there was already a complaints service review in place, but added that the Fairness Commission was looking for a broader approach of the borough rather than just residents who had experienced difficulties with the Council. The Committee were informed that the Council could look to integrate data from the Fairness Commission Survey in relation to complaints regarding poor communication and lack of response.

Councillor Liddiard suggested that a working report which presented methodology, expenditure and savings, would be helpful to Members.

Councillor Snell felt that there was greater need to focus on what the fairness commission was.

Members voted unanimously in favour of the recommendation, the following observations were agreed by the committee for Cabinet to consider;

- That the outreach of the Fairness Commission was just 0.18% of Thurrock residents, and therefore there are risks that it would be premature to adjust strategies and priorities for the council with limited data.
- Directors and Heads of Service confirmed that the findings that had been collated mimic existing council priorities and do not present a strategic direction change requirement for any Directorate.
- The intent behind the word "fairness" should be clarified, and be made contextual and relevant to a community before it can be expected that many residents would engage with a survey.
- The Committee felt that further work on this project is endorsed by Cabinet to allocate more resource to the project, the Committee questioned over what the Commission is seeking to achieve differently

from what is in place now, given most of the work streams emerging are related to better outward communication and are, at this stage, only useful as an indicator that existing corporate priorities are aligned to what the data returns are telling the Council.

**RESOLVED:**

**That the Corporate Overview and Scrutiny Committee noted the contents of the report and gave consideration to how the Council responds to the recommendations detailed at 3.8 prior to the report being presented at Cabinet in February 2016.**

**29. Review of Pre-Election Period Guidance**

Deputy Head of Legal & Monitoring Officer introduced the report explaining to the Committee, that 'Purdah' was a political convention, which formally applied to government ministers and civil servants in central government during the period immediately before a general election, which was designed to prevent actions being taken by government or local authorities in the run up to an election being used (or perceived to be used) to influence the outcome of an election. It was added that during this time the Council (staff and councillors) should, unless circumstances dictate otherwise, refrain from taking decisions or making policy announcements which are significant and may be viewed as politically contentious.

The Committee were enlightened that the restriction on decision making was largely a political convention, which was confirmed in the Local Government Association' 2015 guidance "Purdah: A short guide to publicity during the pre-election period" councils can, "continue to discharge normal council business (including determining planning applications, even if they are controversial)."

The Committee were requested to review the following advice and guidance in relation to press releases;

- that all press releases will be signed off by legal and the Chief Executive during a pre-election,
- that in the vast majority of such releases a lead officer should be used instead of a Member;
- that where a Member is used for civic announcements or where there is a genuine need for a Member level response - such as an emergency situation or an important event beyond the Authority's control - in such special cases the Mayor can be used in line with the flexibility acknowledged in the code;

Councillor Stewart questioned what the consequences would be if the pre-election guidance was not adhered to in order to receive political gain, the Deputy Head of Legal & Monitoring Officer explained that this would potentially ground a challenge at the Election Court.

Councillor Snell queried if the 'Committee' could be referred to in press releases, The Committee were informed that press releases could and will continue during purdah but the main difference were that they will not quote or be in the name of councillors but rather will quote senior managers and be checked for controversiality.

The Chair of the Committee made the point that decisions about the cancellation of meetings should be made pragmatically, and that there had historically been an over excessive application of the purdah convention, giving examples where meetings were cancelled which had business not related to the ward where an election was taking place.

Councillor Snell questioned how press releases would be monitored; the Deputy Head of Legal & Monitoring Officer explained that an audit log of communications during purdah could be created.

The Corporate O & S Committee suggested that the Standards and Audit Committee acknowledge the following points.

- It was suggested that all media releases communicated by council during pre-election periods are to be collated and reviewed at the proceeding Standards and Audit Committee, after the said election, to ensure that there has been consistent application of the 2011 code of practice. The Monitoring officer agreed that this was possible.
- The Chair noted that between the Chief Executive, the Monitoring Officer, and the leaders of all political groups look to review all meetings inside a purdah window and make a pragmatic, reasoned decision about what meetings and agenda items can continue to proceed during purdah.

**RESOLVED:**

**That comments made by the Committee through the discussion of the current Pre-Election Period guidance are taken into consideration when the guidance for the 2016 elections is prepared**

**30. Fees and Charges 2016/17**

The Head of Corporate Finance informed the Committee that the report sought approval to revise fees and charges for Thurrock Council with effect from 1 April 2016. It was explained that the report provided a narrative for all discretionary charges for each directorate, it was added that there was a wider review of commercial opportunities across the Council in progress. Members were informed that any proposed price changes proposed as part of the wider review will be managed under the delegated authority of the Chief Executive and relevant Cabinet Member.

The Committee were informed that licencing fees had been increased to recover their costs to the Council. Councillor Stewart felt that the Committee could not consider the target set to recover cost without knowing the actual cost of licences to the Council. Councillor Stewart suggested that a RAG

status would enable a better understanding of the percentage tolerances in relation to target reaching and the discretionary services that were recovering cost. The Head of Corporate Finance confirmed that the use of a RAG Status would be investigated to show how cost recoverable the fees were in the fees and charges report.

**RESOLVED:**

1. That the committee considered the proposed charges as detailed in the appendix
2. The Committee suggested that the Corporate Overview and Scrutiny Committee make data-based commentaries on each line, that the cost to the local authority for each item needed to be presented on a subsequent report, and all reports moving forward.

**31. Work Programme**

The Committee examined the work programme for the meeting on the 2 February 2016, The Head of HR, OD & Customer Strategy explained that the update on the Council's temporary, contract and agency staff performance ratings was unable to go to Committee in February due to being unable to collate the data required. The Committee agreed that this would be moved to the March Corporate Overview and Scrutiny Committee. The Chair of the Committee explained that the Committees work programme was circulated at the beginning of the municipal year; however it was added that there had regrettably been lots of changes to the work programme since then.

**RESOLVED:**

**That the work programme be noted.**

**The meeting finished at 9.18 pm**

Approved as a true and correct record

**CHAIR**

**DATE**

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## Corporate Overview and Scrutiny Action List Update

Date	From	Action	Status	Lead Officer	Resolved?
25 June 2015	Cllr Hebb	An update on the development of a pop-up window on the Corporate website to enable users to provide feedback regarding functionality.	An update was provided to the Committee on 19 November. It was reported that this function was now live and web users could provide feedback.	Jackie Hinchliffe	CLOSED
25 June 2015	Cllr Hebb	That a summary of the work undertaken by the Budget Review Panel, once concluded, be referred to the Committee for consideration and comments.	It is anticipated that an update will be referred to the Committee in January 2016.	Sean Clark / Steve Cox	OPEN
17 September 2015	Cllr Stewart	For officers to investigate whether blue recycling and brown garden waste bins were combined together when collected, for example if they were collected on the same refuse trucks.		Richard Parkin	OPEN
17 September 2015	Cllr Liddiard	For a vision of Community Hubs to be shared with the Committee outside of the meeting.		Steve Cox	OPEN
17 September 2015	Cllr Stewart	For a list of statutory and discretionary services to be shared with the Committee so that Members could be more informed of the impact of the budget savings. Officers explained that the slide pack from the budget review panel process could be circulated.		Steve Cox / Sean Clark	OPEN
17 September 2015	Cllr Hebb / Cllr Liddiard	It was agreed that officers could obtain further detail of what Cllr Hebb wanted to achieve from changing the reporting mechanism from outside of the meeting, following which both reporting mechanisms could be considered by Performance Board and the findings presented to the Committee at a later meeting.  In relation to this Councillor Liddiard requested:  For officers to investigate the viability, cost impact and ability to change the currently RAG (Red, Amber, Green) reporting system and consider the wider implications.		Sarah Welton / Karen Wheeler	OPEN
17 September 2015	Cllr Hebb	How the target of the number of apprentices employed by the Council was set.		Sarah Welton	OPEN

## Corporate Overview and Scrutiny Action List Update

17 September 2015	Cllr Hebb	Whether the geographical areas with the most contaminated recycling waste loads had been identified and if communication could be targeted in these areas to mitigate the volume of contaminated waste.		Richard Parkin / Karen Wheeler	OPEN
17 September 2015	Cllr Hebb	What other accreditations the authority could undertake to demonstrate performance against the priority of a 'well-run organisation'.		Jackie Hinchliffe	OPEN
19 November 2015	Cllr Hebb	To circulate a weekly progress tracker regarding the Serco transition to identify whether key milestones were on or off track.		Matthew Essex	OPEN
19 November 2015	Committee	To investigate whether an audit of training records could be undertaken by the internal audit team as a due diligence exercise and included on the annual audit work programme as appropriate.		Jackie Hinchliffe / Wendy Allen	OPEN
19 November 2015	Committee	That officers undertake a benchmarking exercise to determine how Thurrock's investment in training compares with other similar sized unitary authorities. The results of any such exercise can be updated to Members in the form of a briefing note.		Jackie Hinchliffe / Wendy Allen	OPEN
19 November 2015	Committee	That officers form a working group with Members to identify innovate and accessible ways to enhance the Member Development and Training Programme.		Stephanie Cox / Democratic Services	OPEN
19 November 2015	Committee	That each Political Group nominate a "Training Advocate" to act as a lead liaison between Elected Members and Democratic Services in order to help identify which skills Members wish to develop and promote the training courses on offer.		Stephanie Cox / Democratic Services	OPEN
7 January 2016	Committee	To note the difference between a target and a stretched target in future performance reports.		Sarah Welton	OPEN
7 January 2016	Committee	That Ofsted is given a gentle reminder to carry out various school inspections during the Spring Term		Carmel Littleton	OPEN

## Corporate Overview and Scrutiny Action List Update

7 January 2016	Committee	To deliver a graph that provides the share in the 54.5% of 19-21 year old care leavers in either education employment or training in Thurrock.		Carmel Littleton	OPEN
7 January 2016	Committee	To investigate the integration of data from the Fairness Commission Survey in relation to complaints regarding poor communication and lack of response.		Jackie Hinchliffe	OPEN
7 January 2016	Committee	To investigate if thee bins had been scheduled into the corporate planning policy.		Richard Parkin	OPEN
7 January 2016	Committee	The investigation of a waste collection scheme which would enable members of the public to return used bottles and items of waste in return for money.		Richard Parkin	OPEN
7 January 2016	Committee	The use of a RAG Status to be investigated to show how cost recoverable the fees were in the fees and charges report.		Sean Clark	OPEN

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<b>2 February 2016</b>	<b>ITEM: 5</b>
<b>Corporate Overview and Scrutiny Committee</b>	
<b>Review of Electoral Arrangements and Existing Boundaries</b>	
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Key
<b>Report of:</b> David Lawson, Deputy Head of Legal Services and Monitoring Officer	
<b>Accountable Head of Service:</b> Fiona Taylor, Head of Legal Services	
<b>Accountable Director:</b> Lyn Carpenter, Chief Executive	
<b>This report is public</b>	

## Executive Summary

This report advises of the ability of the council to change its electoral cycle and opt for whole-council elections, rather than by the current method of election by thirds.

Issues and options associated with moving to whole-council elections are set out within the report. The notional costs/savings of such a change have also been included, together with the relative advantages and disadvantages of each method of conducting elections.

The Committee is asked to consider the information provided and decide whether a change to the current electoral cycle should be recommended.

The report also provides information on local government boundary reviews.

### 1. Recommendation(s)

**1.1 Members are requested to consider whether to recommend a change to the electoral cycle of the council and move to whole-council elections every four years, rather than electing by thirds.**

**1.2 Officers were asked to provide an analysis on the current ward boundaries and confirm what Members are legally required to do in terms of a boundary review whereby Members will discuss and debate the information and make recommendations.**

### 2. Introduction and Background

- 2.1 The Corporate Overview and Scrutiny Committee reviewed the Election Arrangements in Thurrock at its meeting on 20 March 2014, where Committee Members resolved to inform and update their respective groups around the report and its contents and seek to progress debate on the issue in the new municipal year. Minutes of the meeting are attached at **Appendix 1** for information.
- 2.2 Subsequently, Councillor Hebb submitted a motion to Full Council on 22 October 2014 which read as follows and is attached at **Appendix 2**:
- “Thurrock is an area which is thirsty for regeneration, and needs political stability to attract investment. It therefore needs to demonstrate a more stable; consistent; lower-cost governance system.*
- Following a number of years of being in No Overall Control (NOC) Thurrock Council resolves to investigate and implement a move to a Four Yearly Election model”.*
- 2.3 Following debate at the meeting on 22 October 2014 the motion was lost, detailed at **Appendix 3** (minute number 67 refers). Since this time the matter has not been progressed further, however further information is set out for Members information and consideration.
- 2.4 Section 85 of the Local Government Act 2000 provides principal authorities with three options for holding local elections, as set out below:
- whole-council elections, where an election is held every four years and all councillors are to be elected
  - elections by halves, where an election is held every two years and half of the councillors are to be elected on each occasion
  - elections by thirds, where elections are held three years out of every four and one third of the councillors are to be elected on each occasion.
- 2.5 Thurrock Council currently elects by thirds and the Committee are therefore requested to consider whether to recommend a move towards whole-council elections every four years.
- 2.6 Prior to 2008, the process of changing the electoral cycle of a local authority involved seeking approval from the Secretary of State. The Local Government and Public Involvement in Health Act 2007 made it easier for principal authorities to change their electoral arrangements and gave councils the opportunity to decide this issue for themselves, subject to certain restrictions as to the years the whole-council election could be held.
- 2.7 Section 24 of the Localism Act 2011 has since amended the provisions in the 2007 Act and now allows councils that currently elect by thirds or halves to resolve, at anytime, to move to whole-council elections.

- 2.8 If the council wishes to move to whole-council elections under Section 32 of the 2007 Act, it must carry out the following actions in the order listed:
- Take reasonable steps to consult with such persons as it thinks appropriate on the proposed change;
  - Convene a special meeting of council;
  - Pass a resolution at that special meeting to change the electoral cycle by a two thirds majority of those voting. The council must pass the resolution before 31 December to allow all-out elections to be held in the following May (Section 34);
  - Publish an explanatory document on the decision and make this available for public inspection (Section 35); and
  - Give notice to the Electoral Commission that it has passed the resolution (Section 36).
- 2.9 When seeking to pass such a resolution, Section 24(3) of the Localism Act 2011 requires the council to specify the year in which it will hold its first election and elections will then be held every fourth year thereafter.
- 2.10 If the council were to seek to change its electoral cycle and move to whole-council elections, the earliest opportunity for these to be held will be in May 2017. In order to do this, the council must pass a resolution to do so before 31 December 2016.
- 2.11 The council may seek to change its electoral cycle at any time in the future and until such time as legislation is amended, must follow the steps set out in paragraph 2.8 above.

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

#### **Forthcoming elections in Thurrock**

- 3.1 The scheduled timetable of elections in Thurrock from 2016 to 2020 includes the following types of election:
- Local
  - Parliamentary
  - European Parliamentary
  - Police and Crime Commissioner
- 3.2 There will also be a Referendum called before the end of 2017. The current timetable of elections up to 2020 is set out below:

2016-17	2017-18	2018-19	2019-20	2020-21
Local	-	Local	Local	Local
-	-	-	-	General
-	-	-	European	-
PCC	-	-	-	PCC
Referendum before end 2017				

3.3 Should the cycle of local elections be changed to whole-council elections, for example from 2017, the number of local elections required to be held will be reduced by three (in 2018/19, 2019/20 and 2020/21). The timetable of elections in Thurrock will therefore be as follows:

2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
Local (by thirds)	Local (whole council)	-			Local (whole-council)
-	-	-	-	General	
Possible Referendum	Possible Referendum before end 2017	-	European	-	
PCC	-	-	-	PCC	

### Strengths and weaknesses of different electoral cycles

3.4 The primary strengths and weakness of the move to whole-council elections, rather than elections-by-thirds, are set out below.

Strengths:

- The council has a clear mandate for 4 years, allowing it to adopt a more strategic, long term approach to policy and decision making and focus less on yearly election campaigning. Indeed, Lord Heseltine's 2012 report on economic growth "No Stone Unturned in Pursuit of Growth" makes a strong recommendation for whole Council elections based on his views that 4 year term authorities are better placed to take long term strategic decisions;
- It avoids election fatigue and the results are simpler and more easily understood by the electorate. There would be a clear opportunity for the electorate to change the political composition of the council once every four years;

- Greater publicity of whole council elections may generate higher turnout. The Electoral Commission suggests that electorates associate more clearly with whole-council elections;
- It may appear to be cheaper for the council and political parties as well as less disruptive to public buildings used as polling stations excluding those years where there is a standalone, non local election; and
- Causes less disruption and ensures the council is working 12 months per annum not 10 in 3 out of every 4 years when an election is to be held

#### Weaknesses:

- Electors would lose the opportunity to influence and hold the Council to account on an annual basis;
- Smaller parties may find it harder to resource the “whole Council” elections process
- It may be harder for independent candidates standing on a matter of strong local interest to get elected without an annual poll
- Perceived lack of continuity if there are a lot of new Councillors at one election, although this has not been a problem in any councils operating the system;
- Higher potential for by-elections;
- Additional cost of consultation on any proposals to change the electoral cycle; and
- Additional cost of publicity on the new system and what this means for electors.
- Additional cost of whole council election in 2017/18 (unplanned for) and a whole council election in 2021/22 will not be part funded by a Parliamentary election
- Whole council elections in 2017/18 and 2021/22 will not be assisted by national publicity for Parliamentary elections and may not benefit from the higher local turnout at these elections.

3.5 The primary strengths and weakness of retaining elections-by-thirds are set out below.

#### Strengths:

- Avoids electing a complete change of councillors with no experience and allows continuity of councillors;
- More likely to be influenced by local rather than national politics, and this national influence will increase given the trend toward Parliamentary elections being held on the same day as local elections;
- Encourages people into the habit of voting, and voting for one person is well understood by voters. Voting for two or three councillors under whole-council elections could cause confusion;
- Allows judgement of a council annually rather than every four years and allows the electorate to react sooner to local circumstances, thereby providing more immediate political accountability;

- Regular booking of polling facilities and use of staff on election duties increases effectiveness of training and retention of polling facilities;
- Electors are familiar with an election every year and a change to whole-council elections is likely to cause confusion; and
- In 2 out of the 3 years the cost of the local election will be part funded by a Parliamentary election. In 2019/20 this will be a 50% cost for a local election. In 2020/21 this will be approximately 33% cost as there will be three elections scheduled.

#### Weaknesses:

- Current system encourages short-term thinking and lack of planning; and
- Costs of holding elections in three out of every four years. However, if whole elections were held in 2017 the local election costs will be funded in full by the local authority for 2017 and 2021 as there is no scheduled Parliamentary election.

### **The cost of running local elections**

3.6 Under the current system of electing by thirds, the cost of running a local election has been estimated as follows:

- |  |          |
|--|----------|
| • Local election, not combined with another election (see 2018 on the current timetable of elections)      | £200,000 |
| • Local election, combined with another election (see 2016 and 2019 on the current timetable of elections) | £120,000 |
| • Local election, combined with two other elections (see 2020 on the current timetable of elections)       | £100,000 |

3.7 The cost of running a whole-council local election has been estimated as follows:

- |  |          |
|--|----------|
| • Local election, not combined with another election (2017 and 2021 on the proposed revised timetable) | £230,000 |
|--|----------|

3.8 If the council moved to whole-council elections from May 2017, and every four years thereafter, the next scheduled local election would take place in 2021. It should be noted that the local elections would not be combined with the Parliamentary elections.

3.9 It has been estimated that, under the current system of electing by thirds, the cost of holding local elections in each applicable year from 2016 to 2021 will be in the region of £540,000.

<b>Cost</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>Estimate cost to 2020/21</b>
	Local	-	Local	Local	Local	
	-	-	-	-	General	
	-	-	-	European	-	
	PCC (Police Crime and Commissioner)	-	-	-	PCC	
<b>Cost to Local Authority</b>	<b>120,000</b>	<b>0</b>	<b>200,000</b>	<b>120,000</b>	<b>100,000</b>	<b>£540,000</b>
	Referendum before end 2017					

3.10 The estimated cost of holding local elections in the same time period under a whole-council system would be in the region of £350,000, an estimated saving of £190,000 as shown below:

<b>Cost</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>Estimate cost to 2020/21</b>
	Local (by thirds)	Local (whole council)	-			
	-	-	-	-	General	
	Possible Referendum	Possible Referendum before end 2017	-	European	-	
	PCC	-	-	-	PCC	
<b>Cost to Local Authority</b>	<b>120,000</b>	<b>230,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>£350,000</b>

**By-elections (and associated costs)**

- 3.11 The term of office of a councillor is four years. A by-election is required when a vacancy on the council has to be filled between regularly scheduled elections.
- 3.12 The cost of holding a by-election to fill a single vacancy has been estimated in previous reports as between £10-12,000. The recent by election for West Thurrock & South Stifford in September 2015 cost approximately £13,000. A by election in a ward with temporary polling stations (for example The Homesteads) would be around £20,000.

	<b>West Thurrock &amp; South Stifford (2015)</b>
Staffing	£4,500
Buildings	£550
Postal voting	£950
Ballot papers & Postal Packs	£1,434
Poll cards & postage	£4,358
Miscellaneous	£1,000
<b>Total</b>	<b>£12,792</b>

#### **Implications of any change on the running and management of already scheduled elections**

- 3.13 The practical impact of organising separate elections on the same day needs to be considered carefully, particularly if the scale of the local election was to increase owing to a move to the full council being elected rather than a third of members of the authority.
- 3.14 The turnout figures for local elections are likely to be boosted by association with a high profile election. However, that association could obscure local issues for voters when casting their vote in the local elections. Whole council elections from 2017 would not schedule the local elections in line with a national election.
- 3.15 Considerable expertise and organisation will be required to ensure these crucial events are run well. The risk to the council's reputation is substantial, so the professionalism and experience of staff in producing a transparent and accurate result is crucial.
- 3.16 A change to the electoral cycle in 2017, or a year thereafter, is likely to have the following implications:
- There is a high risk of elector confusion, as they will be asked to vote for more than one candidate when this has not previously been the case in Thurrock. This could cause problems on the day of the election. However Thurrock has many new communities who may be familiar with this approach.

- Staff training will need to be reviewed and resources increased to ensure the nomination process is managed effectively with the increase in candidate numbers and a change to ballot papers with voting for more than one candidate.
- The cost of ballot papers will increase due to the increased number of candidates and potentially increase the number of ballot boxes required.
- The nomination process and timeframe will require additional staff resources to check and input nomination papers.
- Count venue costs and staffing costs may increase due to lengthened count process.
- There is a risk of rushing to implement any change in 2017. Electoral Services and electors are adjusting to Individual Elector Registration (IER). Consultation may need to be resourced corporately and is likely to involve additional costs.
- Retention of staff knowledge and training on local elections may be difficult to sustain with a four year cycle.
- Electors will not be expecting an election in 2017. Considerable publicity and resources will be required to highlight a change to the electoral cycle and voting process within Thurrock.

### **Implications of any change on the work of Electoral Services**

- 3.17 With the current cycle of elections, as shown in paragraph 3.2, Electoral Services will have one year where no elections are scheduled to be held, 2017-18. Any change to the cycle of elections is likely to have implications for the work of the team.
- 3.18 It is important to note that throughout the course of any given year, the team continue to undertake vital work to support both the electoral registration and election process. Those years where an election is not scheduled to be held provide an opportunity for statutory and other more time-consuming project work to be undertaken.
- 3.19 The types of work usually undertaken by the team are:

#### Statutory Annual Canvass:

- Canvass all households according to the current legislation. This is typically a 5 month project
- Publication of the revised register by 1 December each year

#### Compilation of the Register of Electors on behalf of the Electoral Registration Officer, including:

- Monthly updates by statutory dates
- Maximising registration – data mining, tracking and inviting new residents to register, including statutory requirement to follow up non responders and personally visit non responding electors

- Accuracy of register – reviewing existing electors following receipt of information and removing from register if required
- Maintaining the property register
- Provision of data to credit agencies and other persons permitted to receive the register by legislation
- Reporting on performance standards to the Electoral Commission

#### Project work:

- Review of processes in non election years
- Refresh of paperwork including storage of forms / scanned images
- Audit and refresh of election equipment
- Statutory Absent Vote Refresh. This is typically a 3 month project
- Statutory Polling Place and District Reviews. This is typically a 4 month project at a minimum. The next review must commence by October 2018.
- At any time there is the potential for By elections, Community Governance Reviews, Referendums and Council Tax referendums

- 3.20 A proactive approach is required by the Service throughout the year in order to maintain accurate and complete registers, ensuring as far as possible that all eligible persons are on the register and that all non eligible persons are removed. The Electoral Registration Officer has a duty to maintain an accurate register and the service undertakes activity throughout the year to identify people who are not registered individually and encourage them to register.
- 3.21 The Service implemented Individual Elector Registration (IER) in 2014 and carried out the first annual canvass under IER in 2015. 2015/16 will be the first 'normal' year of operation under IER. One implication of IER is the requirement to continuously data mine to identify electors who are not registered and send up to three reminders and personally canvass potential electors who do not respond to initial invitations.

#### **Transition to whole council elections**

- 3.22 If the council pass a resolution to move to whole-council elections, the term of office of all councillors will come to an end in May of that year, irrespective of the councillors' length of service at that time.
- 3.23 This will need to be explained to both serving councillors who have not served their full four year term of office, together with any candidates who wish to stand in a local election the year before a change to the electoral cycle comes into effect. This would therefore impact on the forthcoming local election in May 2016/17 and bring forward a local election in a year scheduled for no election (2017/18).

#### **Boundary Reviews**

- 3.24 The Local Government Boundary Commission for England (LGBCE) is responsible for conducting reviews for local government.
- 3.25 Electoral reviews are a review of electoral arrangements of local authority and may include the number of councillors, the names, number and boundaries of wards and electoral divisions and the number of councillors to be elected to each.
- 3.26 An electoral review is initiated primarily to improve electoral equality and to ensure that as far as is reasonable the ratio of electors to councillors in each electoral ward or division is the same.
- 3.27 The commission is responsible for putting any changes to electoral arrangements into effect and does this by making a Statutory Instrument or Order. The local authority then conducts local elections on the basis of the new arrangements set out in the order.
- 3.28 The electoral arrangements of every principal local authority in England must by law, be reviewed from time to time. These reviews are known as periodic electoral reviews (PERs). The Commission decide when there is a need to conduct a programme of such work. The last round of PERs commenced in 1996 and was completed in 2004. The Commission is not currently undertaking PERs but has a rolling programme of electoral reviews undertaken for a number of different reasons.
- 3.29 The Commission undertake electoral reviews when the electoral variances in representation across a local authority become notable. The criteria for initiating a review in those circumstances are as follows:
- more than 30% of a council's wards/divisions having an electoral imbalance of more than 10% from the average ratio for that authority; and/or
  - one or more wards/divisions with an electoral imbalance of more than 30% *and*
  - the imbalance is unlikely to be corrected by foreseeable changes to the electorate within a reasonable period.
- 3.30 To put this in to context within Thurrock, the Electoral Services Manager has provided an analysis of variances across the borough based on electorate figures in 2015. The officer is not aware of the calculations used by the Commission; the figures and calculations used are one possible way to provide an analysis for debate and to put any request for a review in perspective.
- 3.31 For the purposes of this analysis, the 20 wards have been split into two and three member wards. The average number of electors per councillor was calculated based on whether the ward had two or three members. It was then possible to see how many electors were served by one member and what the variance was against the average variance. These calculations are shown in Appendix 4.

- 3.32 The analysis provided that three of 20 wards had an average variance more than 10%. Three wards were more than the average whilst one ward (Tilbury St Chads) was under the average ratio.
- 3.33 The commission states that to initiate a review, more than 30% of a council's wards should have an electoral imbalance of more than 10% from the average ratio for that authority. By following this analysis the imbalance is only 15%. This does not appear to meet the criteria outlined by the commission.
- 3.34 The other criteria for initiating a review is that one or more wards has an electoral imbalance of more than 30%. The largest (negative) imbalance is within the ward of Chafford and North Stifford. However, this ward is still below the 30% threshold by approximately 373 electors per member.
- 3.35 There is no upper limit in legislation regarding the number of councillors that may be returned from each ward or division. However the Commission's view is that wards or divisions returning more than three councillors results in a dilution of accountability to the electorate and they will not normally recommend a number above that figure. There are currently no principal authority wards or divisions in England returning more than three councillors.
- 3.36 Members have requested information relating to the current boundaries for Thurrock and for officers to recommend changes. Although this would be the remit of the Commission some context and statistics have been provided. Appendix 5 outlines a draft timeline and actions provided by the Commission. However, the analysis provided in Appendix 4 suggests that the criteria for requesting the Commission to carry out a review would not be met.

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

- 4.1 At the request of the Chair of the Corporate Overview and Scrutiny Committee, the report sets out the options to change the model of local government elections cycle in Thurrock and information on local government boundary reviews.
- 4.2 The Committee are requested to consider making a recommendation whether to progress the change the electoral cycle of the authority and so enable the council to take a decision and
- 4.3 The Committee are requested to discuss and debate the information provided on the terms of a boundary review and make recommendations.

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

- 5.1 There has been no consultation undertaken in respect of this report.

5.2 Should the Committee decide to make a recommendation to move to whole-council elections, the council is required to take reasonable steps to consult with such persons as it thinks appropriate on the proposed change.

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

6.1 There is no impact at this stage. Any proposal to change the cycle of elections will be the subject of a report to the full council and, if approved, will also be subject to public consultation.

## **7. Implications**

### **7.1 Financial**

Implications verified by: **Jonathan Wilson**  
**Chief Accountant**

The cost of an election is met by the body or bodies whose representatives have been elected and therefore, any occasion where a local election is combined with another would see a reduction in costs to the council.

The costs associated with running an election and a by-election have been estimated and are set out in the report. Any move to whole council elections would generate an estimated saving of £190,000 over the next 4 years.

Any savings that may be associated with a proposal to change the cycle of elections would be dependent upon the year in which the new cycle was to commence, as this would determine when local elections may be combined with others and therefore see a reduction in costs.

### **7.2 Legal**

Implications verified by: **David Lawson**  
**Monitoring Officer and Deputy Head of Legal & Governance**

The legal implications associated with changing the electoral cycle of the Council are set out in the body of the report.

It may be observed that the financial impact is dependent on the combination of polls and thware election cycle of Parliamentary elections which are fixed in law. Whilst savings may be achieved there will be a budget impact initially if the electoral cycle is changed to whole council elections pursuant to any relevant governance change in this respect .

### **7.3 Diversity and Equality**

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

Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

In considering this report, Members must consider whether the decision will or could have a differential impact on: racial groups; gender; people with disabilities; people of a particular sexual orientation; people due to their age; people due to their religious belief.

An Equality Impact Assessment has not been undertaken in respect of this report and this is because it is not considered that there will be an adverse impact arising from changing the cycle of elections held by the Council. However, if a decision is taken to change the cycle of elections, an Equality Impact Assessment will be conducted to help inform the implementation of this decision.

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

None

**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):

- No Stone Unturned in Pursuit of Growth. Lord Heseltine. 2012 (recommendation 14)  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/34648/12-1213-no-stone-untuned-in-pursuit-of-growth.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/34648/12-1213-no-stone-untuned-in-pursuit-of-growth.pdf)
- The Local Government Boundary Commission for England – Electoral Reviews, Technical Guidance April 2014  
[https://www.lgbce.org.uk/\\_data/assets/pdf\\_file/0006/10410/technical-guidance-2014.pdf](https://www.lgbce.org.uk/_data/assets/pdf_file/0006/10410/technical-guidance-2014.pdf)

**9. Appendices to the report**

- Appendix 1 – Excerpt of the minutes of the Corporate Overview and Scrutiny Committee – 20 March 2014
- Appendix 2 – Motion submitted by Councillor Hebb to the meeting of Full Council on 22 October 2014
- Appendix 3 – Excerpt of the minutes of the meeting of Full Council, 22 October 2014.
- Appendix 4 – Boundary Analysis 2015
- Appendix 5 – Stages for a Requested Electoral Review

**Report Author:**

Elaine Sheridan

Electoral Services Manager

Legal Services, Democratic and Electoral Services

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**EXERPT OF MINUTES of the meeting of the Corporate Overview and Scrutiny Committee held on 20 March 2014 at 7.00pm**

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**Present:** Councillors Richard Speight (Chair), Barry Johnson, Wendy Curtis, Terry Hipsey and Yash Gupta

**Apologies:** Councillor Charlie Key

**In attendance:** S. Welton- Performance Officer  
K. Wheeler – Head of Strategy  
F. Taylor – Head of Legal Services  
S. Clark– Head of Finance  
R. Harris – Director of Adults, Health and Commissioning  
J. Hinchliffe – Head of HR OD & Customer Strategy  
R. Parkin – Head of Housing  
M. Boulter – Principal Democratic Services Officer

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**37. REVIEW OF ELECTORAL ARRANGEMENTS**

The Committee noted that two thirds of the whole council membership needed to vote in favour of a four yearly election for it to come into practice. Members queried the process should certain Members not be present at the full council meeting in which the vote would be taken. How would they cast their vote? The Monitoring Officer noted this point and stated she would come back to the committee to clarify.

The Committee noted the well written report but felt they could not make a decision at the meeting as the issue needed to be discussed with groups. There were many implications to consider.

The Committee asked for clarification around when the Police Crime Commissioner elections would take place and whether they would be held in November or with the other elections in May.

**RESOLVED that the Committee inform and update their respective groups around the report and its contents and seek to progress debate on the issue in the new municipal year.**

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## **Motions Submitted to Council**

### **In accordance with Chapter 2, Part 2 (Rule 15) of the Council's Constitution**

#### **Motion 2**

##### **Submitted by Councillor Hebb**

“Thurrock is an area which is thirsty for regeneration, and needs political stability to attract investment. It therefore needs to demonstrate a more stable; consistent; lower-cost governance system.

Following a number of years of being in No Overall Control (NOC) Thurrock Council resolves to investigate and implement a move to a Four Yearly Election model”.

##### **Monitoring Officer Comments:**

Before 2008, the process of changing the electoral cycle involved seeking the approval of the Secretary of State.

The Local Government and Public Involvement in Health Act 2007 gave Councils the opportunity to decide this issue themselves, subject to certain restrictions as to when whole-Council elections could take place.

The Localism Act 2011 amended the provisions of the 2007 Act to give greater ability to Councils to decide which year the system of whole-Council elections could be introduced.

The 2007 Act sets out the steps that would need to be taken to move to whole- Council elections. The Council would be required to undertake a public consultation exercise on the proposed change. The legislation does not specify the type of consultation that should be carried out or how long the consultation process should take.

However, the good practice guidance on consultation exercises suggests that a 12 week consultation period would be appropriate.

Following the conclusion of the consultation period, if it is decided to move to all-out elections, an Extraordinary Council meeting will be needed to pass a resolution to change to whole-Council elections.

There is a requirement that the resolution must be passed “by a majority of at least two thirds of the Members voting on it” (Section 33 (3)(b) of the 2007 Act). The resolution would need to specify the year the elections would first be held.

If, at the Extraordinary Council meeting, it is decided to move to whole-Council elections, then as soon as reasonably practicable, an explanatory document has to be produced setting out details of the new electoral arrangements. In addition, the Electoral Commission would need to be advised that the Council has passed a resolution to change to all-out elections.

**Section 151 Officer Comments:**

The subject of this motion has previously been considered by Overview and Scrutiny with the report demonstrating that a four yearly model did reduce the overall cost over the four year period. The total amount is difficult to estimate with any accuracy as it depends on whether there are any by-elections, timing of other elections, etc. However, the Overview and Scrutiny report did provide an estimated saving of £380,000 over the period 2015-2020 as an indication.

**Is the above motion within the remit of Council to approve?**

Yes

**EXCERPT of the Minutes of the meeting of Council held on 22 October 2014 at 7.00pm.**

**67. Motion submitted by Councillor Hebb**

The Motion, as printed in the Agenda, was proposed by Councillor Hebb and seconded by Councillor Halden. The Motion read as follows:

*“Thurrock is an area which is thirsty for regeneration, and needs political stability to attract investment. It therefore needs to demonstrate a more stable; consistent; lower-cost governance system.*

*Following a number of years of being in No Overall Control (NOC) Thurrock Council resolves to investigate and implement a move to a Four Yearly Election model”.*

Councillor Hebb introduced the motion and in doing so made the following key points:

- That a four year election model would make Thurrock more stable and allow time for the ruling group to drive forward and embed their policies.
- That a move to a four year election model would save approximately £400,000 to the Council every four years.
- That it would improve political turnout and engagement.

During the course of debate on the Motion, the following key points were raised both in support and opposition:

- Councillor Gerard Rice felt that in his experience a 4 year election model did not work well or was in the best interests of the electorate, and recounted that some political groups had become complacent for 3 years out of 4 after winning an election. He felt that the current model provided more opportunity for challenge.
- Councillor Speight remarked on the achievements in Thurrock and felt that the electorate wanted more cross-party working not shutting people’s voices out for an additional year.
- Councillor John Kent questioned how elections by thirds created instability, and highlighted a number of regeneration success stories which had been achieved under the current model. He felt that the election by thirds model provided stability.
- Councillor Ray agreed that regeneration was important but felt that the political balance had little effect. He added that there was no evidence to support the claim that a 4 year election model was good for residents and instead stated that it was of paramount importance to let residents have their say.
- Councillor Johnson felt that there would be greater turnout on general election years and that a 4 year election model supported zero based budgeting.

- Councillor Coxshall felt that the 4 year election model would give more time for policies to embed and for the political majority to deliver their manifesto.
- Councillor Snell explained that the 4 year model would give residents less of a voice and that the current system worked well to keep Members on their toes.

Upon being put to the vote, 15 Members voted in favour of the Motion, and 30 Members voted against, whereupon the Mayor declared the motion was lost.

## Boundary Review - Analysis

**Three member wards**

	<b>Electorate per ward</b>	<b>** Average ratio for 2015 (61258/27 cllrs)</b>	<b>10% variance</b>	<b>No. Electors per cllr 2015</b>	<b>Variance 2015</b>
1 Aveyley & Uplands	6632	2269	227	2211	-58
2 Belhus	6739	2269	227	2246	-23
3 Chadwell St Mary	7042	2269	227	2347	78
7 Grays Riverside	7256	2269	227	2419	150
8 Grays Thurrock	6265	2269	227	2088	-181
11 Ockendon	7012	2269	227	2337	68
14 Stanford East & Corringham Town	6355	2269	227	2118	-151
17 The Homesteads	6447	2269	227	2149	-120
20 West Thurrock & South Stifford	7510	2269	227	2503	234
	61258				

\*\* total electorate of all three member wards divided by no. of three member wards

**Two member wards**

	<b>Electorate per ward</b>	<b>***1 Average ratio for 2015 (50637/22)</b>	<b>10% variance</b>	<b>No. Electors per cllr 2015</b>	<b>Variance 2015</b>	<b>30% variance</b>
4 Chafford & North Stifford	5238	2302	230	2619	317	691
5 Corringham & Fobbing	4334	2302	230	2167	-135	
6 East Tilbury	4594	2302	230	2297	-5	
9 Little Thurrock Blackshot	4702	2302	230	2351	49	
10 Little Thurrock Rectory	4481	2302	230	2241	-62	
12 Orsett	4842	2302	230	2421	119	
13 South Chafford	4562	2302	230	2281	-21	
15 Stanford le Hope West	4580	2302	230	2290	-12	
16 Stifford Clays	5066	2302	230	2533	231	
18 Tilbury Riverside & Thurrock Park	4255	2302	230	2128	-175	
19 Tilbury St Chads	3983	2302	230	1992	-311	
	50637					

\*\*\*1 Total electorate of all two member wards divided by no. of two member wards

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**Stages for a Requested Electoral Review**

<b>Stage</b>	<b>Action</b>	<b>Duration*</b>
Before agreeing to the Review	Commission will meet with Chief Executive and Leader of the council to establish <ul style="list-style-type: none"> <li>• The reason for the request</li> <li>• The likely scope of the review</li> <li>• The commitment and capacity of the council to meet the requirements for information in a timely manner</li> </ul>	
<b>If agreed:</b>		
Preliminary Period	Informal dialogue with local authority. Focus on gathering preliminary information including electorate forecasts and other electoral data. Commissioner-level involvement in briefing group leaders on the issue of council size. Meetings also held with officers, group leaders, full council and, where applicable, parish and town councils. At the end of this process, the council under review and its political groups should submit their council size proposals for the Commission to consider.	Up to 6 months in advance of formal start of review
Council size decision	Commission analyses submissions from local authority and /or political groups on council size and takes a 'minded to' decision on council size.	5 weeks
<b>Formal start of review</b>		
Consultation on future warding / division arrangements	The Commission publishes its initial conclusions on council size. General invitation to submit warding/division proposals based on Commissions' conclusions on council size.	12 weeks
Development of draft recommendations	Analysis of all representations received. The commission reaches conclusions on its draft recommendations.	12 weeks
Consultation on draft recommendations	Publication of draft recommendations and public consultation on them.	8 weeks
Further consultation (if required)	Further consultation only takes place where the Commission is minded to make significant changes to its draft recommendations and where it lacks sufficient evidence of local views in relation to those changes.	Up to 5 weeks
Development of final recommendations	Analysis of all representations received. The Commission reaches conclusions on its final recommendations.	12 weeks
* Time periods shows are the expected typical duration of stages. They are not standards or undertakings. The progress of a review will be determined by the nature of the issues to be addressed and the availability of information to underpin sound decision-making, not by a determination to complete a review within any given period.		

Source: Electoral reviews, Technical guidance, April 2014  
The Local Government Boundary Commission for England

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<b>2 February 2016</b>	<b>ITEM: 6</b>
<b>Corporate Overview and Scrutiny Committee</b>	
<b>Capital Budget Proposals</b>	
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Not Applicable
<b>Report of:</b> Councillor John Kent, Leader of the Council	
<b>Accountable Head of Service:</b> Sean Clark, Director of Finance and IT	
<b>Accountable Director:</b> Lyn Carpenter, Chief Executive	
<b>This report is Public</b>	

## **Executive Summary**

This report sets out the capital bids that have been received that are being met from Council resources, namely prudential borrowing provisions.

These largely represent what officers consider to be essential to maintain current services, including limited provisions for the Thameside whilst longer term plans are developed.

Officers recognise the need for a longer term and aspirational programme that will both support growth throughout the borough and ensure that the Council is able to transform itself into a more modern authority that also reflects the changes that are inevitable to achieve financial self-sustainability.

### **1 Recommendation(s):**

- 1.1 That Corporate Overview and Scrutiny Committee note and comment on the bids included within this report; and**
- 1.2 That Corporate Overview and Scrutiny Committee comment on the proposed delegations to Cabinet as set out in section 4.**

### **2 Background and Information**

- 2.1 The majority of the Council's capital programme is funded from grants in terms of both schools and highways and from rents and grants for the Housing Revenue Account.
- 2.2 For the remainder of the General Fund or, indeed, to supplement the above, the following sources are available:

- a) Capital Receipts – these are the receipts realised from the disposal of capital assets such as land and buildings. Members will be aware that the Council reviews its asset base and there is a programme of disposals being progressed;
  - b) Grants and Contributions – these could be ad hoc grants awarded from government or other funding agencies or contributions from developers and others;
  - c) Prudential Borrowing – the Council is able to increase its borrowing to finance schemes as long as they are considered affordable. The MTFS assumes repayments on £3m of borrowing per annum; and
  - d) Revenue – this approach is not recommended as it has an immediate and costly impact on the general fund.
- 2.3 Attached at Appendix 1 are the schemes that are being brought forward by officers and have been approved by Directors' Board. They have been considered within the following criteria:
- a) Sign off by individual Directors;
  - b) Whether they are categorised under Health and Safety, Statutory, Invest to Save or desirable; and
  - c) Through a scoring process covering the Council's priorities.
- 2.4 However, officers do recognise that these are all schemes that are unavoidable in the short term and that a more ambitious programme needs to be compiled for a longer term programme that will both support growth throughout the borough and ensure that the Council is able to transform itself into a more modern authority that also reflects the changes that are inevitable to achieve financial self-sustainability.
- 2.5 These could include budgets for a new theatre, town centre regeneration, support to businesses, etc. Schemes to support revenue generating opportunities will also be developed.

### **3 An Overview**

- 3.1 Operational Buildings – these have been proposed at a level to ensure that the buildings remain operational and fit for purpose for the short term, whilst plans for the Thameside are developed further. These proposals provide funding for various schemes but will only be spent where absolutely necessary. Funding is also requested for Collins House to carry out essential works but to also carry out a feasibility study into whether the building would be best served through a major refurbishment.
- 3.2 Environment – there are budgets for the essential items such as replacement household bins, vehicles and plant. There are also other schemes for enhancing open spaces and for efficiency improvements. Although not

included within these proposals, Members should be aware that officers are working on the re-tendering of the waste contracts. The current fleet is approaching the end of its life and consideration will be given during the tender process for replacement vehicles.

- 3.3 IT – now that the service has been brought back in-house, a comprehensive programme is being developed to improve stability, both for normal operational purposes but also for Business Continuity and Disaster Recovery purposes. Bids also include works to major applications, such as Oracle, that will improve efficiency throughout the workforce to compliment the staffing reductions.
- 3.4 Community Environmental Development Fund (CEDF) – Members will be aware that, as a result around the debate on the creation of a Parish Council for the Frost Estate, Cabinet agreed that there should be a bid for a CEDF. This is for communities to bid under criteria being developed for capital enhancements to their areas.

#### **4 Other Considerations**

- 4.1 There are three areas where the Council has previously given Cabinet delegation to approve additional schemes and this is being recommended again for 2016/17:
  - a) Additional Funding – throughout the year, the Council quite often receives additional funding through, for instance, government grants and developers' contributions;
  - b) Invest to Save – these schemes could only be approved where the reduction in ongoing expenditure or increased income exceeds the cost of repaying the prudential borrowing required for the scheme; and
  - c) Gloriana – Members will be aware that there are a number of governance gateways before approval for a scheme is considered by Cabinet. These gateways include discussion within a governance group consisting of the three group leaders, the Chief Executive and the Director of Finance and IT.
- 4.2 The delegation requested is that any approval is deemed to be part of the capital programme and that the necessary prudential indicators set out in the Treasury Management Strategy are amended accordingly.
- 4.3 This approach means that estimated amounts for schemes that may or may not take place are not included in the programme, removing the need for speculative provisions.

## **5 Issues, Options and Analysis of Options**

- 5.1 The issues and options are set out in the body of this report in the context of the latest MTFS and informed by discussions with the Leader of the Council, Group Leaders and Directors' Board.

## **6 Reasons for Recommendation**

- 6.1 Corporate Overview and Scrutiny Committee are being asked for their comments to inform Cabinet at their meeting on 10 February 2016.

## **7 Consultation (including Overview and Scrutiny, if applicable)**

- 7.1 The proposals have been considered by Directors' Board.

## **8 Impact on corporate policies, priorities, performance and community impact**

- 8.1 The Capital programme is integral to the delivery of all of the services that the Council provides.

## **9 Implications**

### **9.1 Financial**

Implications verified by: **Sean Clark**  
**Director of Finance and IT**

The proposals set out in this report are within the currently agreed budget envelope.

### **9.2 Legal**

Implications verified by: **David Lawson**  
**Deputy Head of Legal & Governance - Deputy Monitoring Officer**

Local authorities are under an explicit duty to ensure that their financial management is adequate and effective and that they have a sound system of internal control and management of financial risk. This budget report contributes to that requirement although specific legal advice may be required on each projects business case.

### 9.3 **Diversity and Equality**

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

There are no direct diversity implications arising from this report. Equality implications will be assessed as individual capital projects are developed

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

Health and Safety requirements have been considered when prioritising these proposals.

### 10 **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):

- Funding requests held in Corporate Finance

### 11 **Appendices to the report**

- Capital Proposals

### **Report Authors:**

Sean Clark, Director of Finance and IT, Chief Executive's Office

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**2016/2017 Capital Bids  
Summary and Scoring**

Lead Manager	Scheme	2016/17	2017/18	2018/19	Category
Ian Rydings	Civic Offices 1 - Air Handling Unit replacement	150	-	-	Buildings
Ian Rydings	Civic Offices - Renew Main Public Entrance and Public Area Automatic Doors	36	-	-	Buildings
Ian Rydings	Universal Power Systems - ICT Server Room	33	-	-	Buildings
Ian Rydings	Thameside - Various Works	180	-	-	Buildings
Ian Rydings	Civic & Thameside - Electrical Wiring Inspections	20	-	-	Buildings

*Comments*

<p><b>Business continuity requirement due to age &amp; condition of Air Handling Unit. In the event of major failure AHU repair may not be feasible and building would technically be uninhabitable by Council staff and any tenant(s).</b></p>
<p><b>Health &amp; Safety recommendation due to age and condition of current units resulting in reliability and performance issues. Consider as part of the ground floor refurbishment project.</b></p>
<p><b>Business continuity requirement due to age of current systems batteries (at 7 yr life expectancy). In the event of a mains power failure current battery backup may fail resulting in loss of server room systems. Significant operational impact as this would result in loss of all ICT servers.</b></p>
<p><b>Various works have been identified including electrical upgrades, ventilation enhancements, ad hoc window replacements and roofing works. This is a contingency and will only be drawn down where necessary as feasibility work continues on an alternative facility.</b></p>
<p><b>Health &amp; Safety requirement regulation require that inspections are performed every 5 years of electrical systems. This must be performed for the council to remain complaint with regulations during 2016/17.</b></p>

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**2016/2017 Capital Bids  
Summary and Scoring**

Lead Manager	Scheme	2016/17	2017/18	2018/19	Category
Ian Rydings	Civic Offices - Implementation of water controls and Sub-Meter systems for Utilities (Water & Electricity)	61	-	-	Buildings
Ian Rydings	Civic Offices Lift Replacement and Updates	254	240	-	Buildings
Ian Rydings	Civic Offices Underground Parking Area - Sprinkler System Flow Rate Enhancement	62	184	-	Buildings
Ian Rydings	Civic Offices 1 - Staff, Public and member areas toilet facilities Refurbishment	173	-	-	Buildings
Ian Rydings	Civic Offices 1 - LED Lighting upgrade	127	-	-	Buildings
Ian Rydings	Civic Offices - Security Bollards Loading Bay and Main Entrance Areas	10	-	-	Buildings

<i>Comments</i>
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<p>Energy Efficiency and more accurate sub metering of water &amp; electrical costs and recharges to tenants. Draw down in line with plans to let areas within CO1 as part of increasing income generation.</p>
<p>Health &amp; Safety current systems are at the end of normal life cycle, and are not fit for purpose due to increased demand from hot-desking introduction. This would modernise the lifts and repurpose internal goods lift to be used by staff also.</p>
<p>Health &amp; Safety recommendation due to limited flow-rates meaning that not all sprinkler heads can trigger simultaneously to contain a large or multi-area fire.</p>
<p>Additional provision to be used in conjunction with the Civic Office ground floor project.</p>
<p>Consider the availability of Salix funding to support this project. Should only be progressed in line with commercial discussions on the letting of CO1.</p>
<p>Should only be progressed as part of the Civic Office ground floor programme.</p>

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**2016/2017 Capital Bids  
Summary and Scoring**

Lead Manager	Scheme	2016/17	2017/18	2018/19	Category
Jenny Meads	Libraries - Replacement of all staff and public pc's	30	70	-	Libraries
Jenny Meads	Libraries - Provision of Radio Frequency Identification (RFID) units	140	-	-	Libraries
Murray James	ICT - Upgrades to major line-of-business systems	42	51	60	ICT
Murray James	ICT - Contact Centre Telephony	200	-	-	ICT

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*Comments*

The PC's in Thurrock's libraries have been in place for over 4 years and whilst they have recently been upgraded to Windows 7 if we want to offer our communities an exceptional digital service we need to start considering replacing our current PC's with newer updated technology.

Setting up RFID units in Aveley, Blackshots, East Tilbury, Stanford and Tilbury or Purfleet.

These units will allow visitors to borrow and return items, pay fines and charges themselves. Printing can also be added to these units so that prints can be selected and paid for without staff intervention.

Major line-of-business systems include BACS, SX3, Northgate, Oracle. Without regular version upgrades the Council could find itself running unsupported versions of key Line of Business Applications and the Council would not be PSN Compliant and could lose use of its key systems and its connection to the Public Services Network which would severely hamper the ability of the council to work with other PSN connected public sector organisations (e.g. DWP), and lose the ability to send sensitive information using GC mailboxes.

Replace the outdated legacy Contact Centre telephony solution with a fit-for-purpose, modern fully supportable solution that will support the Council's Channel Shift strategy.

**2016/2017 Capital Bids  
Summary and Scoring**

Lead Manager	Scheme	2016/17	2017/18	2018/19	Category
Murray James	ICT - Strategic Infrastructure	550	550	-	ICT
Murray James	ICT - Smartphones Tech Refresh	-	80	-	ICT

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*Comments*

The majority of the existing ICT infrastructure does not allow for a “24/7” operation due to it being hosted in a single, on-premise data centre that has no capability for continual business operation out of hours for several reasons. The current infrastructure does not also provide a suitable level of Business Continuity or Disaster Recovery because it is hosted in a single location (Civic Office) and no off-site replication of data or systems is in place.

Replacements for the current smartphone estate of 800 devices.

The existing smartphones will be end-of-life and are unlikely to be able to receive updates to the operating system and apps. Specifically, the Enterprise mobile apps are unlikely to be patchable.

2016/2017 Capital Bids  
Summary and Scoring

Lead Manager	Scheme	2016/17	2017/18	2018/19	Category
Tony Bulmer	ICT - Oracle Improvement Project	680	-	-	ICT

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*Comments*

This project is designed to address both technical / configuration issues with the system as well as the business processes necessary to optimise the value and integrity of the system. In addition it will address the skills and structures necessary to maintain the integrity of the system moving forward.

This project has been designed around 2 phases, an initial phase to make the Oracle e-Business Suite a fit-for-purpose system, configured to maximise its value and usability, with business processes designed to optimise the potential of the system.

A second phase, to be developed once a stable fit-for-purpose environment has been delivered, will focus on maximising the potential of the Business Intelligence capabilities of the Oracle system to support and drive future business capabilities and decisions.

**2016/2017 Capital Bids  
Summary and Scoring**

Lead Manager	Scheme	2016/17	2017/18	2018/19	Category
Geoff Galdwin	Infrastructure improvements in parks, burial grounds and open spaces, including recycling bins etc.	250	250	250	Environment
Geoff Galdwin	Replacement of Council-owned vehicles and plant	1,916	1,352	341	Environment

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Enhanced paths, roads and other infrastructure aspects of our facilities will improve public access and help to mitigate the safety and visual impact of reduced maintenance within parks, burial grounds, etc, necessary to meet revenue savings targets.

An effective number of litter/dog waste bins sited in appropriate locations helps to reduce the volume of waste discarded in streets, parks and other public areas. This improves the visual amenity of the borough, encourages more use of parks facilities, and reduces the dependence on front line teams to manually sweep and litter pick.

An effective vehicle and plant fleet is essential in enabling front line services to be delivered efficiently and continuing to operate vehicles and plant beyond their optimum economic life increases both the downtime of front line teams due to breakdowns and the cost of repairs and maintenance.

**2016/2017 Capital Bids  
Summary and Scoring**

Lead Manager	Scheme	2016/17	2017/18	2018/19	Category
Geoff Galdwin	Bartec Unit Upgrades	50	-	-	Environment

*Comments*

**The fleet of Refuse Collection Vehicles are fitted with in-cab devices that allow the drivers to report the completion of their rounds. The devices that are currently in the vehicles are reaching the end of their life (installed over 5 years ago) and may need to be replaced during the course of 2016-17.**

**Accurate reporting of missed bins is an essential part of customer service for the waste collection team. Use of the Bartech system enables that data to be reported to residents in real time – reducing contacts with the Council.**

**Additionally, the Bartech system is an important tool, used by the Collection Supervisors in managing their teams.**

2016/2017 Capital Bids  
Summary and Scoring

Lead Manager	Scheme	2016/17	2017/18	2018/19	Category
Daren Spring	Implementation of back office and mobile working solution for Street Services teams.	70	-	-	Environment
Daren Spring	Replacement and additional wheeled bins for waste collection service	120	120	120	Environment

Daren Spring  
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Comments

Currently there is not a back office system that can be used for scheduling, monitoring and reporting on the work undertaken on street cleansing, grounds maintenance, arboriculture and related activities. A business case has been approved by Digital Board for the Department to investigate potential solutions. This work has identified some options that are being further reviewed.

By not having a robust back office system, the Department will continue to be in a position where work cannot be efficiently scheduled, allocated and reported on. Some of the inefficiencies inherent in the current paper based systems will be retained. The ability of the front line teams to maintain acceptable standards of street cleanliness and grounds maintenance across the borough will be impeded.

Wheeled bins are required for each household to enable the Council's waste collection service to operate. Bins have a finite functional life due to wear and tear, damage etc, and new bins (dry recycling, food/garden waste, and residual waste) are required to meet the growth in domestic properties.

2016/2017 Capital Bids  
Summary and Scoring

Lead Manager	Scheme	2016/17	2017/18	2018/19	Category
Roger Harris	Improvement works to Collins House	100	-	-	Social Care

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David Bull	Improvements to Thurrock Signage throughout the borough	100	-	-	Highways
David Bull	Community Environmental Development Fund	250	250	250	Highways

<b>Total Capital Bids</b>	<b>5,604</b>	<b>3,147</b>	<b>1,021</b>
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<i>Comments</i>
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Collins House is directly run by the Council and provides 45 bedspaces for vulnerable older people. We have identified a number of essential upgrade items – washrooms, dining areas, toilets etc – that need essential maintenance and improvement. These are essential to ensure we meet CQC registration standards but also that we maintain occupancy. We need to maintain 95% occupancy to meet our income targets. Estimate cost £ 75k

In addition we want to undertake an initial feasibility study to either expand or relocate the existing building but on the same overall footprint. This will be in order to consider a larger number of beds, redesign to meet modern standards e.g. providing en-suite facilities, or possibly enable us to market the beds to external partners e.g. the NHS. Estimated cost £ 25k

Signage, especially into the Borough, is in need of replacement. This will include the replacement of the Welcome to Essex signs and open up opportunities for sponsorship.

This scheme will support street-scene infrastructure and environmental improvements which have demonstrable local priority.

**2016/2017 Capital Bids  
Summary and Scoring**

Lead Manager	Scheme	2016/17	2017/18	2018/19	Category

<i>Comments</i>
-----------------

Buildings	1,106	424	0
ICT	1,472	681	60
Libraries	170	70	0
Environment	2,406	1,722	711
Social Care	100	0	0
Highways	350	250	250
	<b>5,604</b>	<b>3,147</b>	<b>1,021</b>

<b>Available Resources</b>			
- New Prudential	3,000	3,000	3,000
- Existing Prudential	3,195	147	-
- Grant	140	-	-
	<b>6,335</b>	<b>3,147</b>	<b>3,000</b>

<b>2 February 2016</b>	<b>ITEM: 7</b>
<b>Corporate Overview and Scrutiny Committee</b>	
<b>General Fund Proposed Budget</b>	
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Not Applicable
<b>Report of:</b> Councillor John Kent, Leader of the Council	
<b>Accountable Head of Service:</b> Sean Clark, Director of Finance and IT	
<b>Accountable Director:</b> Lyn Carpenter, Chief Executive	
<b>This report is Public</b>	

## Executive Summary

There have been a number of reports considered by Cabinet throughout the municipal year on the progress to meeting the 2016/17 forecast deficit of £9.966m that was reported to Council in February 2015.

This report summarises the key changes to this forecast and results in a balanced budget approach for 2016/17, as considered by Cabinet on 13 January 2016.

Whilst most of the changes are a matter of fact, the Corporate Overview and Scrutiny Committee are asked to comment specifically on two areas: the recommended increase in Council Tax; and the issue on bus subsidies, in part linked to the motion that was carried at the Council meeting on 25 November 2015.

### 1 Recommendation(s):

- 1.1 That Corporate Overview and Scrutiny Committee note and comment on the key changes to the 2016/17 base budget;**
- 1.2 That Corporate Overview and Scrutiny Committee provide Cabinet with a view to the proposed 2% increase in Council Tax relating to the Social Care Precept;**
- 1.3 That Corporate Overview and Scrutiny Committee provide Cabinet with a view to the proposed 1.99% increase in Council Tax relating to the overall budget; and**
- 1.4 That Corporate Overview and Scrutiny Committee note the comments regarding the Director of Finance and IT's Section 25 considerations as set out in section 6 of this report.**

## **2 Shaping the Council**

- 2.1 The Comprehensive Spending Review (CSR) announced on 25 November 2015 and the subsequent grant announcement on 17 December 2015 was very clear on a number of financial points:
- a) That, as Thurrock Council has budgeted, the Revenue Support Grant (RSG) will be abolished over the life of this parliament through a continuation of year on year reductions in addition to the £29m lost between 2010/11 and 2015/16;
  - b) That, as a result of this, Council's will be reliant on raising necessary funding locally through Council Tax, Business Rates and other Income Generation;
  - c) That Business Rates collected in any one area will still be subject to tariffs and top ups – in other words, for Thurrock Council, the Council will still have to pay a significant proportion of the Business Rates it collects to central government for redistribution; and
  - d) That, as a result of more Business Rates being available to councils nationally, there will be added obligations for councils to meet. These new duties have not yet been announced and will be subject to consultation over the coming months but it is likely that any increased funding will be absorbed by these new requirements.
- 2.2 It is clear from the above that councils will have to rely more on local income generation, particularly from Council Tax, to meet a growing range of services going forward. Members will be required to consider difficult challenges throughout 2016, the first being the need to agree Council Tax increases for 2016/17 and these are set out later in this report.
- 2.3 It will also be essential that 2016/17 includes a budget provision for the preparation that will be required to:
- a) Increase income through both existing charges and securing additional income streams;
  - b) Continue the work on rationalising the Council's assets to reduce costs and maximise income potential;
  - c) Drive efficiencies through better ways of working;
  - d) Finance spend to save initiatives;
  - e) Investigate and implement new Delivery Models; and
  - f) Finance organisational change where necessary.
- 2.4 The proposals in this report include a budget for this purpose.

### 3 Provisional Grant Settlement

- 3.1 The 2016/17 provisional finance settlement represents the fourth year in which the Business Rates Retention (BRR) scheme is the principal form of local government funding. As in the previous three years, the provisional settlement provides authorities with a combination of provisional grant allocations and their baseline figures within the BRR scheme.
- 3.2 The provisional figures are expected to be confirmed in late January/early February 2016 (within the final settlement announcement).
- 3.3 A new methodology for determining authorities' Revenue Support Grant (RSG) allocations has been proposed within the provisional settlement. Rather than applying the same percentage cut to all authorities, the new approach takes into account individual authorities' council tax raising ability and the type of services provide.
- 3.4 Even considering the above, the reductions to Thurrock Council's grant support are significant and further support the need for change going forward:

Financial Year	£m Reduction
2010/11-2015/16	29.0
2016/17	6.5
2017/18	6.0
2018/19	4.0
2019/20	3.9
	49.4

- 3.5 In terms of the New Homes Bonus (NHB), it appears that there are no changes to the scheme planned before 2018/19 and the amounts for 2016/17 and 2017/18 would be consistent with authorities receiving allocations as per the current system. However, indications are that there will be reductions in NHB over the life of this settlement and that the scheme itself could well be scrapped.
- 3.6 Thurrock Council had planned on £3.31m in 2016/17 increasing to £4.345m in 2019/20. This has proven to be optimistic due to a lower number of properties

being brought into use and the MTFs will be adjusted to reflect these reduced amounts.

- 3.7 Although there are indications that any future reductions in NHB will be redistributed, the basis and mechanism for this is unknown. As such, the revised MTFs to be presented in February will look to phase out the dependency on this funding stream and this is in keeping with the direction towards financial self-sustainability.
- 3.8 Public Health Grant – There remains some uncertainty over the level of cut in the Public Health Grant (PHG) next year. The Autumn Statement confirmed that the ring fence would continue for a further 2 years – 2016/17 and 2017/18 but then stated that the PHG would be reduced by approximately 4%. It is not clear whether this 4% reduction is in addition to the in-year cut of 6.2% imposed during this financial year or is the final reduction. The Department of Health has also recently consulted on a new formula for distributing the PHG – based more on local need rather than previous PCT expenditure levels. A needs based formula would benefit Thurrock but it is not clear when this will be introduced. A further report on the PHG will be submitted to Health and Well-Being Scrutiny Committee when the position is clearer but in line with the previous policy any reductions in the PHG will have to come out of the services commissioned by the PHG.
- 3.9 There is no additional Better Care Funding (BCF) in 2016/17. Although the provisional settlement demonstrated growth for the BCF by 2019/20 it should be remembered that the current BCF was formed from existing council and CCG budgets. There has been no clarification as yet as to whether this is new funding or not.
- 3.10 There was no additional funding, through the RSG or new burdens funding, for other financial liabilities that the Council faces next year as a result of government legislation:
- a) Changes to National Insurance and the introduction of the Apprentice Levy increases costs by circa £0.5m; and
  - b) The minimum wage increases has been estimated to impact Adult Social Care contract provision by £1.5m.

### **Council Tax**

- 3.11 The grant announcement confirmed that there would no longer be a freeze grant offered to councils. As the MTFs had assumed a grant would be available, this makes the Council's financial position worse by £0.6m.
- 3.12 The government's spending power calculation for all councils with adult social care responsibility assumes increases of 3.75% representing a general council tax increase of 1.75% per annum over the life of the settlement, in line with CPI, plus the additional 2% Social Care precept. This is a complete reversal from previous government policy on council tax with the settlement

assuming increases in Council Tax for both general purposes and for the additional 2% available under the Social Care precept.

- 3.13 When considering Council Tax increases, Members should be aware of Thurrock Council's position nationally in terms of the funding available to it to provide the wide range of services, including the need to manage increases in demand for both Children's and Adults' Social Care whilst also needing to meet further pressures from those government decisions set out in paragraph 3.10.
- 3.14 Out of 55 Unitary Authorities, Thurrock Council has the third lowest Council Tax Band D. Then, out of the lowest ten Council Tax Unitary Authorities, Thurrock Council:
- Is only able to raise the third lowest amount of Council Tax;
  - Receives the third lowest level of RSG;
  - Has the third lowest net budget; and
  - Has the fifth lowest net budget per head of population.
- 3.15 This clearly demonstrates that the Council has one of the lowest levels of budgets in the Country for the range of services the Council must provide, before even considering any discretionary services that Members may want to provide.
- 3.16 For Thurrock Council, a referendum will be triggered where council tax is increased by 4% or more above the authority's relevant basic amount of council tax for 2015/16. Due to the loss of assumed freeze grant and the Council's low budget base as set out in paragraphs 3.14 and 3.15, **a 3.99% increase is recommended** that will raise some £2.2m in 2016/17 and make some headway towards the more difficult task of balancing 2017/18 and beyond.
- 3.17 A 3.99% increase in Council Tax equates to £44.82 for a Band D property in Thurrock. Some 70% of properties in Thurrock are Bands A-C where the increase ranges from £29.88 - £39.84 per year or £0.57 - £0.77 per week. The table below sets out the impact on the various bands for Thurrock households:

Thurrock Only				
Band	2015/16	Increase	2016/17	Weekly
A	749.76	29.88	779.64	0.57
B	874.72	34.86	909.58	0.67
C	999.68	39.84	1,039.52	0.77
D	1,124.64	44.82	1,169.46	0.86
E	1,374.56	54.78	1,429.34	1.05
F	1,624.48	64.74	1,689.22	1.25
G	1,874.40	74.70	1,949.10	1.44
H	2,249.28	89.64	2,338.92	1.72

3.18 In a survey carried out amongst Municipal and Unitary Treasurers in early January, there were two specific questions and these are set out below along with the response:

a) Is your Council minded to increase Council Tax by 2% for Adult Social Care?

Yes	76.19%
No	1.59%
Undecided	22.22%

b) In addition, is your Council minded to increase the general Council Tax element?

No Increase	6.82%
0.00 – 0.99%	4.55%
1.00 – 1.49%	0.00%
1.50 – 2.00%	70.45%
Undecided	18.18%

3.19 This survey demonstrates a strong approach nationally that reflects the recommendations being put forward for the 2016/17 budget.

#### 4 Changes to the 2016/17 Budget

4.1 Recent years have seen a number of consultations across all services that have proposed a wide range of service reductions and price increases.

4.2 Whilst all of the Overview and Scrutiny Committees have received reports on fees and Charges that has also set out a more challenging income generation target, this budget proposes no further budget reductions to front line services but instead, provides the time and a budget to prepare the Council for the financial challenges to be met from 2017/18.

4.3 The table below sets out the key changes that have either been implemented already or are proposed to bridge the gap of £9.966m as reported to Council in February 2015:

	£m	
February 2015	9.966	The MTFs forecast as reported to Council
Social Care Precept	(1.099)	A 2% increase on the current Council Tax level
General Council Tax	(1.093)	A 1.99% increase on the current Council Tax

	£m	
Increase		level
Council Tax Freeze Grant	0.600	Freeze grant no longer available
Grants	(1.746)	An improved position on estimated settlement
Prior Year Council Tax and Business Rates Reconciliation	(1.121)	Every year the Council has to estimate the surplus or deficit in terms of amounts collected against originally estimated. There are still significant pressures on Business Rate appeals that leaves the Business Rate position in deficit but the Council Tax position continues to have a positive impact
Increased Income Generation	(0.700)	As reported to the various Overview and Scrutiny Committees, an additional £0.5m has been built into the base budgets over increases that had already been targeted. This is an essential component of the Council's move towards financial self-sustainability
Pay Related	1.048	Recognises the inclusion of Serco as Thurrock workforce, the changes to NI and the Apprentice Levy
Inflation	(1.018)	Reductions in contract and utility inflation provisions recognising the low rates and cost reductions
Treasury	(4.054)	The Council has been proactive in achieving technical accounting efficiencies such as an annual reduction in the Minimum Revenue Provision and also making significant increases in investment income through CCLA and Gloriana
Environmental Services	1.460	Includes the decision not to implement the charge for green bins and the increased costs arising from the closure of the recycling facility.
Serco	(3.400)	The net saving resulting from the termination of the Serco contract
Growth	1.500	The MTFs assumes annual increases for demographic growth of £3m. However, with the increase in the minimum wage and unprecedented increases in demands for both Children's and Adults' Social Care, further provision is required
Staffing Cost Reductions	(1.200)	Savings have been identified through the senior management restructure, the savings from the Serco management that did not transfer to the Council and the opportunities to achieve efficiency savings from Thurrock

	£m	
		Online
Bus Subsidies	0.190	The issue of bus subsidies has been the subject of a motion at Council on 25 November 2015 and it was also raised as a concern in a budget consultation meeting with the Community Forums on 20 January 2016. Tenders have now been received back and have included the following: – Service 11 to offer a 90 minute service including Horndon on the Hill; – Service 374 to offer a 90 minute service commercially with a de minimus payment from the Council; and – Service 14 to offer Fobbing a limited service to Corringham and Basildon.
Other	0.252	Other minor amendments in terms of technical items, Council Tax base assumptions, etc
Balance	(0.415)	Available to finance the various initiatives required towards financial self-sustainability

- 4.4 It is clear from the table above that, if the Council is to balance the budget for 2016/17 without having to make further reductions to services, the Council Tax increases are required.
- 4.5 Any reduction in the first instance would reduce the budget required for change as set out in paragraph 2.3 and would then require budget reductions to service budgets. The first service reduction would have to be the reinstated bus subsidies budget as it is a previously agreed saving and an area not yet contractually committed.

## 5 Medium Term Financial Strategy (MTFS)

### The Medium Term

- 5.1 As previously reported, the Council faces a further £25.5m over the period 2017/18 to 2019/20, with a pressure of £11.1m in 2017/18 alone.
- 5.2 Should the above position for 2016/17 be realised, this would provide a reduction to the pressure in 2017/18 and there may well be further changes as a result of the indicative grant settlements for future years that have been issued.
- 5.3 These will all be set out in a revised MTFS in February 2016 but what is already clear is that a significant reduction to the Council's net expenditure is required.

- 5.4 It is clear that both revenue and capital investment will be required over the coming months to support the levels of change required to meet these medium term pressures. The contingent sum set out in previous paragraphs along with strong control of growth pressures is essential to achieve this.

## **6 Section 25 Statement**

- 6.1 When setting the Council Tax and budget, the Council has a statutory obligation to consider the Responsible Financial Officer's (S151's) Section 25 Statement. This statement sets out the robustness of the budget set but also whether the S151 Officer has confidence in the future financial position of the Council.
- 6.2 When making this judgement, the S151 Officer will consider the Council's position on Council Tax, the ability to make cost saving decisions and the robustness of plans for the future.
- 6.3 This meeting of the Overview and Scrutiny Committee and the Cabinet meeting on 10 February 2016 will inform this opinion.

## **7 Issues, Options and Analysis of Options**

- 7.1 The issues and options are set out in the body of this report in the context of the latest MTFs and informed by discussions with the Leader of the Council, Group Leaders and Directors' Board.

## **8 Reasons for Recommendation**

- 8.1 The Council has a statutory requirement to set a balanced budget annually. This report sets out the need to achieve financial self-sustainability and the Committee's views on Council Tax will help shape this.

## **9 Consultation (including Overview and Scrutiny, if applicable)**

- 9.1 This report has been developed in consultation with the Leader, Portfolio Holders and Group Leaders and Directors Board.
- 9.2 Consultation meetings have taken place with the voluntary sector, Community Forum chairs and Business Board in January 2016 to discuss the budget position and savings the Council needs to make in the next few years.
- 9.3 New webpages have been created, with a link from the home page of the Council's website, setting out the reduction in Government grant since 2010, how the Council is funded and things that residents can do to help reduce costs such as recycle and access services online. These pages will be added to throughout the budget planning process and will provide a basis for other communication activity through to budget setting in February including providing information to every household with the Council Tax bills.

## **10 Impact on corporate policies, priorities, performance and community impact**

- 10.1 The implementation of savings proposals has already reduced service delivery levels and our ability to meet statutory requirements, impacting on the community and staff. Delivering further savings in addition to those previously agreed is particularly challenging in light of the cumulative impact of such a significant reduction in budget and in the context of a growing population and service demand pressures within children's and adult social care and housing, and legislative changes. As such, a new approach aims to establish sustainable and innovative ways of delivering services in the future to mitigate this impact.
- 10.2 There is a risk that some agreed savings may result in increased demand for more costly interventions if needs escalate particularly in social care. This will need to be closely monitored. The potential impact on the Council's ability to safeguard children and adults will be kept carefully under review and mitigating actions taken where required.

## **11 Implications**

### **11.1 Financial**

Implications verified by: **Sean Clark**  
**Director of Finance and IT**

The financial implications are set out in the body of this report.

Council officers have a legal responsibility to ensure that the Council can contain spend within its available resources. Regular budget monitoring reports will continue to come to Cabinet and be considered by the Directors Board and management teams in order to maintain effective controls on expenditure during this period of enhanced risk. Austerity measures in place are continually reinforced across the Council in order to reduce ancillary spend and to ensure that everyone is aware of the importance and value of every pound of the taxpayers money that is spent by the Council.

This report does not just set out the actions required to set the budget for 2016/17 but provides a financial framework to facilitate change going forward.

### **11.2 Legal**

Implications verified by: **David Lawson**  
**Deputy Head of Legal & Governance - Deputy Monitoring Officer**

There are no direct legal implications arising from this report.

There are statutory requirements of the Council's Section 151 Officer in relation to setting a balanced budget. The Local Government Finance Act 1988 (Section 114) prescribes that the responsible financial officer "must make a report if he considers that a decision has been made or is about to be made involving expenditure which is unlawful or which, if pursued to its conclusion, would be unlawful and likely to cause a loss or deficiency to the authority". This includes an unbalanced budget.

### **11.3 Diversity and Equality**

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

There are no specific diversity and equalities implications as part of this report. A comprehensive Community and Equality Impact Assessment (CEIA) will be completed for any specific savings proposals developed from the Panel's discussions and informed by consultation outcomes to feed into final decision making. The cumulative impact will also be closely monitored and reported to Members.

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

Any other significant implications will be identified in any individual savings proposal business case to inform the consultation process where applicable and final decision making.

### **12 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):**

- Budget working papers held in Corporate Finance
- Budget Review Panel papers held in Strategy and Communications

### **13 Appendices to the report**

- None

### **Report Authors:**

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Chief Executive's Office

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**CORPORATE OVERVIEW AND SCRUTINY COMMITTEE  
WORK PROGRAMME 2015-16**

*Meeting Dates: 24 March 2016*

<b>Report Name</b>	<b>Lead Officer</b>	<b>Meeting Date</b>
An update on the Council's temporary, contract and agency staff, performance ratings.	Jackie Hinchliffe / Mykela Hill	24 March 2016
Qtr 3 Corporate Performance Report 2015/16	Sarah Welton	24 March 2016
Budget Update	Sean Clark	24 March 2016
Digital Programme Update	Jackie Hinchliffe	24 March 2016
Review of support services and facilities available to members to enable them to perform their role as ward representatives	Fiona Taylor / Matthew Boulter	24 March 2016
Fair Debt Policy	Sean Clark	24 March 2016
Update on the outcomes from the Budget Review Panel	Sean Clark / Karen Wheeler	To be included in budget update standing item as appropriate.

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