

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

General Services Committee

The meeting will be held at **6.00 pm** on **24 August 2017**

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

Membership:

Councillors Robert Gledhill, Shane Hebb, Mark Coxshall, Oliver Gerrish,
Gerard Rice, Graham Snell and Roy Jones

Substitutes:

Councillors Brian Little, James Halden, Bukky Okunade, Jack Duffin and Peter Smith

Agenda

Open to Public and Press

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1. Apologies for Absence	
2. Minutes	5 - 10
To approve as a correct record the minutes of General Services Committee meeting held on 3 May 2017.	
3. Items of Urgent Business	
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.	
4. Declarations of Interests	
5. Amendment to Polling Place: Polling District F - Belhus Ward	11 - 18
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Information for members of the public and councillors

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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.

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 aspirations and attainment so that local residents can take advantage of job opportunities in the local area
- Support families to give children the best possible start in life

2. Encourage and promote job creation and economic prosperity

- Provide the infrastructure to promote and sustain growth and prosperity
- Support local businesses and develop the skilled workforce they will require
- Work with communities to regenerate Thurrock’s physical environment

3. Build pride, responsibility and respect to create safer communities

- Create safer welcoming communities who value diversity and respect cultural heritage
- Involve communities in shaping where they live and their quality of life
- Reduce crime, anti-social behaviour and safeguard the vulnerable

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
- Empower communities to take responsibility for their own health and wellbeing

5. Protect and promote our clean and green environment

- Enhance access to Thurrock’s river frontage, cultural assets and leisure opportunities
- Promote Thurrock’s natural environment and biodiversity
- Ensure Thurrock’s streets and parks and open spaces are clean and well maintained

Minutes of the Meeting of the General Services Committee held on 3 May 2017 at 7.00 pm

Present:	Councillors Robert Gledhill, Shane Hebb, Mark Coxshall, Barbara Rice, Graham Snell and Angela Sheridan (Substitute)
Apologies:	Councillors John Kent and Roy Jones
In attendance:	Lyn Carpenter, Chief Executive Jackie Hinchliffe, Director of HR, OD & Transformation David Lawson, Deputy Head of Legal & Monitoring Officer Karen Wheeler, Director of Strategy, Communications and Customer Service Matthew Boulter, Democratic & Governance Services Manager and Deputy Monitoring Officer

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

19. Minutes

The meeting of the General Services Committee held on 7 December 2016 was approved as a correct record.

20. Items of Urgent Business

The Chair highlighted to the committee that a response to the consultation on merging Fire and Police governance arrangements had been emailed to group leaders. Roger Hirst, the Police Crime Commissioner (PCC) for Essex, was invited to speak and informed the committee that his office was supporting a collaborative option between the two services. A business case had highlighted the potential to save £30 million through this collaboration.

The committee debated the issue and through this debate it was confirmed that a collaborative option would maintain the distinct professional roles of Fire and Police services but would look to merge legal, HR and other back office functions, including the potential to merge control rooms. It was added that trades unions had been consulted and there was particular enthusiasm in the Fire Service for new governance arrangements following recent events.

Essex County Council and Southend Council had supported the collaborative option and it was hoped a preferred option could be presented to the Home Office in the autumn. Councillor Rice clarified that collaboration would not mean a 'blank cheque' for the PCC and there would be no fire station closures and staff terms and conditions would remain unchanged.

21. Declarations of Interests

There were no declarations of interest

22. Review of Electoral Arrangements - Outcome of Public Consultation

The Monitoring Officer introduced the report stating it represented the outcome of the twelve week public consultation. The Chair noted that 60% of respondents were in favour of the change to four yearly elections with 40% favouring the current system of election in thirds. Councillor Rice and Snell both highlighted that the response rate was incredibly low and if the responses of councillors and their close contacts were removed, then the response was even lower.

The committee recognised this fact but Councillor Coxshall suggested that governance and elections would not be a popular or engaging subject for the electorate and only those specifically interested in it may engage in the consultation.

Councillor Rice felt four yearly elections could lead to political parties struggling for quality candidates but other Members felt this was an issue for the parties and that the electorate would ultimately decide the quality of the candidate through the vote. There was discussion on whether four yearly elections could result in a large inexperienced body of Members but it was counter argued that there was always Members who held onto their seats and therefore there would always be an experienced element in the chamber.

Councillor Hebb highlighted the cost savings to changing electoral arrangements while Councillor Snell stated that a four yearly election did not guarantee an efficient decision making process as the election could still return a hung council.

In light of the varied nature of opinion the Chair requested a recorded vote on the recommendations. Councillors Snell, B. Rice and Sheridan voted in favour of elections in thirds (the current system) while Councillors Coxshall, Gledhill and Hebb voted in favour of four yearly elections. Cllr Gledhill cast his deciding vote as Chair in favour of four yearly elections.

RESOLVED: That:

- 1. The Committee note the result of the public consultation and recommend to a special Full Council the preferred option of four yearly elections.**
- 2. The Committee note that a special meeting of Full Council will need to be convened in the next few months and no later than November 2017 to consider the Committee's recommendations and the results of the consultation for Full Council to determine any change in its electoral governance arrangements.**

23. Procedure for a ward petition calling for a vote of no confidence or censure of an elected Member and calling for voluntary resignation

The Monitoring Officer introduced the report stating it was a product of a resolution at Council in July 2016 to investigate a right of recall for councillors. The issues involved had been developed over a number of months and had been subject to discussion at Governance Group. Only Kingston Town Council had introduced a recall scheme and officers felt it was not one Thurrock should emulate.

There were current procedures in place for residents to enact a council debate with petitions of 1500 signatures and officers had developed this to include the possibility of debating a Member's performance as a ward representative. It was clarified that a Member could not be forced to resign or be withdrawn from office and it was suggested that the suggested procedure could be sent to the Secretary of State for comment.

The Committee had differing views on the suggestion. Councillor Coxshall felt it was a good start and suggested whether Members could additionally sign up for financial penalties if they were not performing appropriately. Councillor Rice felt there were already rigorous procedures in place for reviewing Members and highlighted that one complaint against a councillor was dealt with in a detailed way by the monitoring officer. The suggestion of collecting a petition could encourage a 'witch hunt' mentality which was not conducive to democracy. It was added that legislation already prescribed eight categories under which a councillor could be removed from office.

Councillor Snell felt that having the procedure would only reassure residents and could encourage them to pursue other options to challenge their elected representatives.

Councillor Coxshall thought Members should focus more on policy and strategy and not the detail of governance this suggestion was promoting, although Councillor Hebb felt that fundamentally residents should have the right to have a say if they did not think their ward Members were doing a good job.

The Committee generally agreed that the Secretary of State should be approached and a meeting sought with them to discuss the proposed procedure. Officers agreed to look into the further suggestions raised by the Committee as well.

RESOLVED: That:

- 1. Officers undertake further research on the suggested procedures.**
- 2. Officers write to the Secretary of State to gather input on the proposed procedure.**

24. Informal Discussion on Chief Executive's Performance Development Review

Members held a very brief informal discussion.

25. Chief Executive Performance Appraisal

The Committee moved very briefly into exempt session to see whether any Members had any comments on the Chief Executive's appraisal. In public session the Director of Human Resources stated that staff welcomed the chance to offer an appraisal of the Chief Executive and saw it as a positive exercise.

The Committee agreed to award the Chief Executive an overall rating of 2 and Members offered their views on what the final comments should include: Councillor Hebb stated the Chief Executive had worked very effectively in a politically dynamic environment and she had reached out to councillors personally to aid decision making. He also felt the external and internal appraisals from staff and organisations offered a good calibration of Lyn's performance.

Councillor Rice thought the Chief Executive had worked well in a challenging borough and invited her to visit the borough in the coming months to build relationships with residents at a time when they felt embattled with highways development and potential hospital closures. Councillor Sheridan echoed these comments and felt the Chief Executive was always very approachable. Councillor Snell observed that the Chief Executive was the right person at the right time and welcomed the challenge he got from her on issues.

The Chief Executive stated she had not selected the people who had taken part in the appraisal and welcomed their constructive comments. She also stated that she hoped Members would call her direct if they had any concerns or issues and not wait until a year performance review.

The Committee agreed the objectives set for the coming year but noted that these could be amended to align with the new visions and priorities that could be introduced later in the year.

RESOLVED: That:

- 1. The Chief Executive is awarded an overall rating of 2 for the year 2016-17. The above comments be taken into account when finalising the summary comments.**
- 2. The objectives for 2017-18 are agreed subject to a mid-year review when new visions and priorities may have an impact.**

The meeting finished at 8.22 pm

Approved as a true and correct record

CHAIR

DATE

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

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24 August 2017		ITEM: 5
General Services Committee		
Amendment to Polling Place: Polling District F – Belhus Ward		
Wards and communities affected: Belhus Ward Thurrock constituency		Key Decision: Key
Report of: David Lawson, Monitoring Officer and Deputy Head of Legal Services		
Accountable Assistant Director: David Lawson, Monitoring Officer and Deputy Head of Legal Services		
Accountable Director: Lyn Carpenter, Chief Executive and Returning Officer		
This report is public		

Executive Summary

This report requests members of General Services committee to approve the recommendation of the Returning Officer and Chief Executive in relation to the amendment of the Polling Place for Polling District F.

1. Recommendation(s)

- 1.1 That the location of Holy Cross Catholic Primary School, Daiglen Drive, South Ockendon be approved as the Polling Place for Polling District F (Belhus Ward, Culverhouse).**

2. Introduction and Background

- 2.1 A report titled Amendment to Polling Places and Polling Stations was taken to Council on 28 January 2015. Members noted and confirmed the existing polling arrangements for Belhus ward (the South Ockendon Youth Centre within the Culver Centre) and agreed the requirement to source a new polling place after the elections on 7th May 2015 as the Culver Centre was due for closure.
- 2.2 The closure of the Culver Centre was delayed and the centre was used as a polling place until June 2016. Following the Referendum on 23rd June 2016, the Centre was no longer available for use as a polling station. A review of the area was planned for 2017 to locate a new polling place and station.

- 2.3 Emergency arrangements were made for the General Election on 8th June 2017 and temporary portacabins were hired and used as polling stations and placed outside of the Culver Centre. Arranging the location, delivery and hire of portacabins is very resource intensive, expensive and does not provide the best voting experience for electors if a permanent building is available. A permanent polling place is now required.

3. Options and Analysis of Options

- 3.1 A review of Polling District F has been undertaken.

- 3.2 The Election team reviewed the district for suitable venues. The following venues were considered:

- Woodlands Edge Pub, Broxburn Drive
- Essex Kickboxing Academy, Darenth Lane (outside of the Polling District but within sight of the Culver Centre)
- Sancta Maria Centre (Health centre), Daiglen Drive and Dilkeswood Health Centre, Darenth Lane
- Police Station, Darenth Lane (outside of the Polling District but within sight of the Culver Centre)
- Shaw Primary School, Avon Green
- Holy Cross Primary School, Daiglen Drive

a) Woodlands Edge Pub - the pub was willing and keen to allow use as a polling station however the function room was located upstairs with no lift access. Electors would face accessibility issues. The Manager raised that he was considering converting an outside building in the car park into a room for hire but long term, the pub would want to hire this out on a permanent basis for example to a taxi firm. This would not provide a permanent polling place and there was no start or end time for the work. If an unscheduled election is called, the Returning Officer would still not have a confirmed polling place if work has not finished. Voters are familiar with voting at the Culver Centre and The Woodlands Edge is not located in Daiglen Drive which may cause voter confusion and decrease elector turnout.

b) The Essex Kickboxing Academy is located in Darenth Lane, nearly opposite the Culver Centre. In initial discussions the Academy stated the Returning Officer would need to provide temporary flooring to prevent damage if the building was used as a polling station. The building is located outside of the polling district boundary but within sight of the old Culver Centre. A polling place and station may be agreed outside of the district boundary if there are no suitable venues within the boundary. This is not the case and the use of the venue was not explored further.

- c) The Dilkeswood Health Centre in Darenth Lane is outside of the polling district boundary but within sight of the old Culver Centre. The Centre had no facilities available for use as a polling station and as the venue was outside of the polling district it was not explored further. The Sancta Maria Centre in Daiglen Drive was not contacted as it did not appear to have suitable rooms from the outside.
 - d) The Police station building in Darenth Lane is outside of the polling district but still within sight of the Culver Centre. It was not open when the Election team reviewed the area and visited although the team understand the building is being used but with no public access. The use of the building was not followed up further as suitable venues exist within the polling district.
- 3.3 In order to minimise disruption to schools the review initially explored suitable polling places and did not include schools, As the polling district did not have suitable polling places the schools in the polling district (Shaw Primary School and Holy Cross Catholic Primary School) were contacted by an officer from Children's Services to request use of the facilities on polling day.
- 3.4 Holy Cross Catholic Primary School agreed to the use of the school on 3rd May 2018 and has planned this to be an inset day, limiting disruption to the children's education.
- 3.5 The Returning Officer and the use of schools:
- Members are asked to note that for the purpose of taking the poll in England and Wales, the (Acting) Returning Officer is entitled to use free of charge schools maintained or assisted by a local authority as well as those schools that receive grants made out of moneys provided by Parliament. This includes academies and free schools.
- A school can charge for heating and lighting and caretaking costs in relation to the use of their building as a polling station. The cost will therefore be minimal and similar to other schools used for polling. The cost will be contained within the election budget.
- 3.6 Members are asked to agree to designate Holy Cross Catholic Primary School as a polling place for all future elections, not limited to polling on 3rd May 2018. If an election is called prior to this date or after the 3rd May 2018, negotiations will take place with the school. If the school is not available for polling, arrangements will be made to designate an emergency polling place / station appropriate to the election. This is the same for all unscheduled elections. Arrangements to designate an emergency polling place are contained with the constitution.
- 3.7 **Holy Cross Catholic Primary School** is situated near to the previous polling place of the Culver Centre in Daiglen Drive. A map of the

location showing the Culver Centre and Holy Cross School is attached at Appendix A.

4. Reasons for Recommendation

- 4.1 The Council must seek to ensure that all electors have reasonable facilities for voting as are practicable in the circumstances.
- 4.2 In order to confirm polling station bookings in advance of the scheduled polls in May 2018 and be prepared for any unplanned polls, members are requested to approve the recommendation of the Returning Officer and Chief Executive in relation to an amendment of the Polling Place for Polling District F.

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

- 5.1 This report has not been subject to public consultation although ward members and the MP for Thurrock and the Returning Officer have been consulted.
- 5.2 Responses have been received from all ward councillors who are in agreement that the Holy Cross Catholic Primary School be allocated as the current Polling Place. In addition, the MP for Thurrock constituency, Jackie Doyle-Price, raised no objections.

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

- 6.1 The Council continually seeks to ensure services are accessible by all users and the recommendation if approved will help to ensure that electors who wish to vote will be voting in a location that is similar to the previous polling place and electors will not be discouraged by inaccessible polling stations.

7. Implications

7.1 Financial

Implications verified by: **Carl Tomlinson**
Finance Manager

All future costs associated with the changes in polling places or polling stations will be contained within the Electoral Services budget.

7.2 Legal

Implications verified by: **David Lawson**
Monitoring Officer

The authority must seek to ensure that all the electors have such reasonable facilities for voting as are practicable in the circumstances. The authority must also seek to ensure that so far as is reasonable and

practicable, the polling places are accessible to all electors, including those who are disabled, and when considering the designation of a polling place, must have regard to the accessibility needs of disabled persons.

7.3 **Diversity and Equality**

Implications verified by: **Rebecca Price**
Community Development Officer

Within the Equality Act 2010 there is a Public Sector Equality Duty which applies to all 'public authorities', with a broad purpose to integrate the consideration of equality and good relations into day to day business. These considerations sit alongside the statutory obligations set out in the Electoral Administration Act.

The Electoral Administration Act (2006) seeks to improve and encourage engagement in the electoral process, by ensuring that polling places are accessible to all. The proposed change, outlined in section 3 of the report, will improve access to the electoral process, in line with the objective of the legislation and will assist community participation in elections.

7.4 **Other implications (where significant) – i.e. Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental**

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):

- Report to Council - 28 January 2015 – Web link:
<http://democracy.thurrock.gov.uk/documents/s2498/Amendment%20to%20Polling%20Places%20and%20Polling%20Stations.pdf>

9. **Appendices to the report:**

- Map of Polling District F - Belhus Ward (Culverhouse)

Report Author:

Elaine Sheridan
Electoral Services

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Legend

Existing and Proposed Polling Station

Existing - The Culver Centre

Proposed - Holy Cross Catholic School

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24 August 2017		ITEM: 6
General Services Committee		
Council Questions Procedures		
Wards and communities affected: All		Key Decision: Non-key
Report of: David Lawson, Monitoring Officer and Deputy Head of Legal Services		
Accountable Assistant Director: David Lawson, Monitoring Officer and Deputy Head of Legal Services		
Accountable Director: Fiona Taylor, Director of Law and Governance		
This report is public		

Executive Summary

This report sets out options for making amendments to the Council's Question Procedures in response to recent events.

1. Recommendation(s)

- 1.1 That a procedure be added to the constitution that allows, at the Mayor's discretion, a public question to be submitted at the meeting if he/ she considers it to be urgent or considers it to be by reason of special circumstances;
- 1.2 That the Committee, within its remit of considering changes to the constitution, request Corporate Overview and Scrutiny Committee to set up a task and finish review into public participation options in the constitution and to report back to General Services Committee, for General Services to consider the need to make recommendations to Full Council on possible changes to the constitution;
- 1.3 To note that the Council already publishes Forward Plans for both Cabinet and Full Council giving 1 month's public notice of forthcoming decisions and agenda items for those meetings but for the above review to include: any further options such as allowing receipt of public questions after publication of Agenda or moving the publication to an earlier date and to consider whether the repetition rule, upon which a public or Member question cannot be substantially the same as one previously asked in the preceding 12 months, is reduced to 3 or 6 months.

2. Introduction and Background

2.1 In recent months there have been a number of instances where members of the public have questioned the procedures around submitting questions at Full Council.

2.2 A meeting took place in early August 2017 between the Monitoring Officer, Councillors Hebb, Snell and Gerrish, as well as a member of the public to discuss the wider issues and opportunities surrounding public participation in council meetings. From this meeting there was a wish among those present for Corporate Overview and Scrutiny to establish a review to look into these issues.

3. Issues, Options and Analysis of Options

3.1 This report asks General Services Committee to support this review by overview and scrutiny and agree an amendment to the questions procedures as set out in the constitution.

3.2 The suggested amendment would seek to remedy an immediate issue that has been raised while a more detailed and broader scoped review is undertaken by overview and scrutiny. The amendment would seek to clarify the Mayor's existing powers under urgency rules and could therefore be made as a consequential amendment.

4. Reasons for Recommendation

4.1 The recommendations ensure the review of procedures is placed properly with the accountable body of overview and scrutiny and that the amendment will give confidence to members of the public that the Council is responsive to their immediate queries.

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

5.1 The recommendations were discussed and generally supported by the group representatives at the meeting in August outlined above.

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

6.1 This report supports the ongoing work of the Council to promote democracy and assist members of the public and elected members to access the decision-making process.

7. Implications

7.1 Financial

Implications verified by: **Laura Last**
Management Accountant

There are no financial implications

7.2 Legal

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

The legal implications are set out within the body of the report.

7.3 Diversity and Equality

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

The proposed overview and scrutiny review will allow the public to contribute to the formulation of recommendations for the Council to consider. Similarly, the proposed changes to the constitution will allow for even greater flexibility in the questions procedures and responds to public queries surrounding the current process.

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):

- Thurrock Council Constitution

9. Appendices to the report

- None

Report Author:

David Lawson
Monitoring Officer and Deputy Head of Legal Services
Legal Services

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24 August 2017		ITEM: 7
General Services Committee		
Establishment of an Overview and Scrutiny Committee or Working Group/Task Force in relation to the Lower Thames Crossing		
Wards and communities affected: All		Key Decision: Key
Report of: David Lawson, Monitoring Officer and Deputy Head of Legal Services		
Accountable Assistant Director: David Lawson, Monitoring Officer and Deputy Head of Legal Services		
Accountable Director: Fiona Taylor, Director of Law and Governance		
This report is public		

Executive Summary

On 26 July 2017 Full Council agreed to request General Services Committee look at options for establishing either a Task Force or Overview and Scrutiny Committee relating to the Lower Thames Crossing. This report sets out the differences between each option for the General Services Committee to consider.

1. Recommendation(s)

- 1.1 That the Committee decide to either establish a Task Force as a working group or to recommend to Full Council it establish an Overview and Scrutiny Committee in relation to the proposed Lower Thames Crossing.**
- 1.2 That the terms of reference (attached as appendices) for the successful option be adopted.**

2. Introduction and Background

- 2.1 In July 2017 Full Council received an update report on the Lower Thames Crossing and subsequently resolved to request General Services establish a working group (entitled a 'Task Force') to consider, challenge and undertake any Member orientated work in relation to the Lower Thames Crossing (LTC) or to recommend to Council that it establish an Overview and Scrutiny Committee in relation to the proposed Lower Thames Crossing.
- 2.2 The governance structure of the Council stipulates a strong leader model and executive power to make decisions lies with Cabinet. It is important for

Members to note that whatever recommendations or views a LTC group/committee wishes to make, the power to enact on these will ultimately lie with the Executive.

- 2.3 The General Services Committee will act as the parent committee to any working group it establishes whereas an overview and scrutiny committee will have autonomous powers as set out in the constitution and the relevant national legislation that applies to all overview and scrutiny committees.

3. Options and Analysis of Options

- 3.1 The table below summarises the main differences between an overview and scrutiny committee and a task force/working group that Members may find useful:

	Task Force/ Working Group	O & S Committee
Membership	Can have any number of Members, co-optees and officers as membership. It does not need to follow political balance calculations if Members so require. All Members are eligible to join such a group.	Membership will consist of 6 Members appointed in accordance with political proportionality. Co-optees may be appointed. No Cabinet member is allowed to join the membership of the committee.
Voting Rights	There are no rules governing a working group and if set out in the terms of reference all the membership could have an equal vote if desired.	Only elected Members have voting rights on overview and scrutiny unless set out in legislation (for example, certain Co-optees on Children's Services O & S Committee have voting rights in relation to education matters)
Chair	The chair would be voted for by the group's membership. It would be advisable to keep the chair for a one year term to be elected upon again at the first meeting of the group at the beginning of each municipal year.	Nominations for chair would be raised at full council and voted for in accordance with normal voting rules in the chamber.
Regularity of the meetings	The Group can meet any time it wishes according to the will and availability of the membership.	All O & S Committees are scheduled to meet every two months. Additional/extraordinary meetings would need to be agreed by

		membership and ratified by the Monitoring Officer in accordance with procedure rules.
Publication of documents	Working Groups by their nature do not need to conform with the requirement to publish agendas at least five working days before the meeting. They may meet without requiring a formal agenda. However, a working group could follow statutory regulations as set out in the constitution if it wished to.	All agendas and meetings are subject to statutory public access rules.
Powers	No executive power. Any recommendation relating to an executive/key decision would need to either: i) pass up to the parent committee (General Services) for ratification and progression to Cabinet; or ii) pass direct to Cabinet if General Services stipulate in their terms of reference.	General powers as set out in relevant legislation. All recommendations relating to executive/key decisions will be directed to Cabinet for agreement/decision.

- 3.2 When considering the options Members should be mindful of how the LTC project will progress and how it will engage with communities and the council committee system (Planning committee and Cabinet) at different stages of its development and the speed with which input will be required or needed from the special body related to it.
- 3.3 In broad terms a Task Force, by virtue of being a working group, would have the ability to meet with less bureaucracy. However, both options would have a defined protocol that ensured sound governance and decision making practices. The proposed terms of reference of each are attached as appendices.

A note on start times for both options

- 3.4 If the Committee establish a Task Force it can start its work as soon as possible once nominations for membership have been received. Conversely, an overview and scrutiny committee would need to be ratified and agreed by Full Council. The next full council meeting is on 27 September.

4. Reasons for Recommendation

- 4.1 Both options would represent an effective way for the Council to discharge any formal Member related activity in relation to the LTC. The table at 3.1 allows Members to compare the two options to decide which option they feel best fits the way they wish to work on the project ahead.

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

- 5.1 None.

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

- 6.1 The recommendation is seeking to establish a group or committee that will allow the broader membership of elected members, as well as members of the public representing relevant interest groups, to engage and shape the council response to the proposed LTC. This promotes and increases democracy.

7. Implications

7.1 Financial

Implications verified by **Laura Last**
Management Accountant

The establishment of a new Overview and Scrutiny Committee would require potentially two new Special Responsibility Allowances (SRAs) to be paid, depending on whether the Members holding these positions already receive an SRA. The current SRA for a chair of overview and scrutiny committees is £6,633.42 and the vice-chair SRA is £1,326.69. There would be no current SRAs linked to a task force or working group. There is no allowance made for extra SRAs in the budget at present so this would be a budget pressure if the SRAs were paid.

For both options there would be associated costs for officer time to attend meetings and deal with any recommended outcomes in line with other committees of council.

7.2 Legal

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

The implications are contained within the body of the report.

7.3 **Diversity and Equality**

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

The membership of both an overview and scrutiny committee and/or a Task Force would be appointed in accordance with political process. Any community representatives appointed to the body as co-optees would need to demonstrate they had been nominated or elected by their respective bodies in a fair and democratic manner.

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):

- None.

9. **Appendices to the report**

- Appendix 1: Terms of Reference for the Lower Thames Crossing Task Force
- Appendix 2: Terms of Reference for the Lower Thames Crossing Overview and Scrutiny Committee

Report Author:

David Lawson

Monitoring Officer and Deputy Head of Legal Services

Legal and Democratic Services

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LOWER THAMES CROSSING TASK FORCE

Aim:

To create a responsive working group to discuss and make recommendations in relation to environmental, economic and social aspects of the Lower Thames Crossing (LTC).

Membership:

9 elected Members (3 Conservatives, 3 UKIP, 3 Labour)

2 representatives from the Lower Thames Crossing Action Group

All members of the group have a right to vote if so required during a meeting of the group.

Chair:

The Chair will be elected by the membership of the Task Force on an annual basis to run within each municipal year. The election will take place at the first meeting of the Task Force each municipal year.

Duration:

The Group will be established to continue for an indefinite period until such time as all business of the task force is complete. The ultimate decision to discontinue the group will lie with the General Services Committee but the Chair of the Task Force may make such a request to disband the Force upon completion of business.

Meeting Schedule:

The Task Force will meet each month at a date and time to be scheduled in advance. The schedule will be agreed at the first meeting of the task force.

Activities

The Task Force will undertake all but not exclusively the following activities:

1. To act as a consultee for Planning Committee or any other executive/quasi-judicial committee on LTC matters if that committee so desires.
2. Receive any reports which it is required to make recommendations upon by officers, Cabinet or any other relevant committee of the Council.
3. Receive a monthly update of all Council activity in relation to the LTC (by way of an update report).
4. Invite strategic partners to meet with them to gather evidence to aid the Council's work in relation to the LTC.
5. Commission or undertake research on behalf of the Council in relation to the LTC.
6. The Chair to provide a monthly/bimonthly report to Cabinet on its work.
7. Any other duties within its powers to do so.

Decision-Making:

The Task Force has no executive powers and will refer all recommendations direct to the appropriate executive or quasi-judicial committee via a report for action.

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7.	LOWER THAMES CROSSING OVERVIEW AND SCRUTINY COMMITTEE	
Appointed by: The Council under section 21, Local Government Act 2000		Number of Elected Members: Six, of whom none may be Cabinet Members
Chair and Vice-Chair appointed by: The Council		Political Proportionality: The elected Members shall be appointed in accordance with Political Proportionality
Quorum: Three elected Members		Co-opted Members to be appointed by Council: Two, non-voting, Thames Crossing action Group
Functions determined by Council: <ol style="list-style-type: none"> 1. To review and scrutinise environmental, economic and social matters relating to the Lower Thames Crossing. 2. To undertake any research or extra work as directed and requested by the Planning Committee or any other committee engaged in matters relating to the Lower Thames Crossing. 		
Functions determined by Statute All the powers of an Overview and Scrutiny Committee as set out in section 21 of the Local Government Act 2000, Local Government and Public Involvement in Health Act 2007 and Social Care Act 2001.		

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