

Thurrock - An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future

## Cabinet

The meeting will be held at **7.00 pm** on **11 March 2020**

**Committee Rooms 2 & 3, Civic Offices, New Road, Grays, Essex, RM17 6SL**

### Membership:

Councillors Robert Gledhill (Chair), Shane Hebb (Deputy Chair), Mark Coxshall, James Halden, Deborah Huelin, Andrew Jefferies, Barry Johnson, Ben Maney, Allen Mayes and Aaron Watkins

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### Agenda

Open to Public and Press

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<b>2 Minutes</b>	<b>5 - 20</b>
To approve as a correct record the minutes of Cabinet held on 12 February 2020.	
<b>3 Items of Urgent Business</b>	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
<b>4 Declaration of Interests</b>	
<b>5 Statements by the Leader</b>	
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**Queries regarding this Agenda or notification of apologies:**

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Agenda published on: **3 March 2020**

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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.**

## Our Vision and Priorities for Thurrock

An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future.

1. **People** – a borough where people of all ages are proud to work and play, live and stay
  - High quality, consistent and accessible public services which are right first time
  - Build on our partnerships with statutory, community, voluntary and faith groups to work together to improve health and wellbeing
  - Communities are empowered to make choices and be safer and stronger together
2. **Place** – a heritage-rich borough which is ambitious for its future
  - Roads, houses and public spaces that connect people and places
  - Clean environments that everyone has reason to take pride in
  - Fewer public buildings with better services
3. **Prosperity** – a borough which enables everyone to achieve their aspirations
  - Attractive opportunities for businesses and investors to enhance the local economy
  - Vocational and academic education, skills and job opportunities for all
  - Commercial, entrepreneurial and connected public services

## Minutes of the Meeting of the Cabinet held on 12 February 2020 at 7.00 pm

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**Present:** Councillors Robert Gledhill (Chair), Shane Hebb (Deputy Chair), Mark Coxshall, Deborah Huelin, Andrew Jefferies, Barry Johnson, Susan Little, Ben Maney, Allen Mayes and Aaron Watkins

**In attendance:** Lyn Carpenter, Chief Executive  
Tim Hallam, Acting Assistant Director Law and Governance, Head of Legal and Monitoring Officer  
Roger Harris, Corporate Director of Adults, Housing and Health/Interim Director of Children's Services  
Andrew Millard, Director of Place  
Julie Rogers, Director Environment, Highways and Counter-Fraud  
Jonathan Wilson, Assistant Director Finance  
Lucy Tricker, 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.

### **65. Minutes**

The minutes of the Cabinet meeting held on 15 January 2020 were approved as a correct record.

### **66. Items of Urgent Business**

There were no items of urgent business.

### **67. Declaration of Interests**

There were no items of urgent business.

### **68. Statements by the Leader**

The Leader began his statement by describing how in April 2017 the Grays Public Space Protection Order had been launched to tackle problems such as street drinking and anti-social behaviour in Grays. He felt these issues were caused by a minority of people, but had a disproportionate negative effect on residents, businesses, and people that shopped in Grays. He stated that although there had been a mixed response, more resources were now being used to support the Public Space Protection Order such as additional Environmental Enforcement Officers, more town-centre policing teams, and regular walkthroughs of Grays. He stated that officers were currently seeking

an extension of the Order, and a consultation had been launched online for residents, businesses and high-street users to have their say. The Leader urged people to take part in the consultation, as resident feedback was needed. He felt that the Public Space Protection Order was necessary as lots of future change and investment was coming to Grays.

The Leader then discussed the recent Keep Britain Tidy (KBT) awards, during which the Environmental Enforcement team had won Team of the Year, at this nationally recognised event. He felt this was testament to the commercial investment that allowed for additional Environmental Enforcement Officers. He added that the event had been very productive, as it allowed for officers and Members to share ideas with other boroughs, and bring back good ideas to Thurrock. The Leader also congratulated Redbridge Council and Braintree Council for their wins.

The Leader then outlined the Clean It, Cut It, Fill It Update, and stated that since April 2019: 1568 potholes had been filled (99% within target time); 987 fly-tips had been cleared; 2996 tonnes of waste had been cleared; 3487 Fixed Penalty Notices had been issued; 284 £400 fines had been issued; 268 people prosecuted for non-payment of on the spot fines; and 3 illegal encampments had been moved on. The Leader explained that Thurrock Council would soon be going to court to make the illegal encampment injunction permanent.

#### **69. Briefings on Policy, Budget and Other Issues**

Councillor Watkins thanked the environment team for their recent hard work dealing with Storm Ciara, and highlighted that 17 trees had fallen due to the high winds. He clarified that under the Tree Planting Strategy these trees would be replaced on a like-for-like basis, and added that another storm was due, and the team would again be out working to tackle any fallen trees or debris. The Leader extended his thanks to the team, and to landowners in rural communities who had helped to remove trees that had fallen across the road, as this helped keep the borough moving.

#### **70. Petitions submitted by Members of the Public**

There had been no petitions submitted by members of the public.

#### **71. Questions from Non-Executive Members**

There had been no questions submitted by Non-Executive Members.

#### **72. Matters Referred to the Cabinet for Consideration by an Overview and Scrutiny Committee**

The Leader stated that one item, Item 13: Fees and Charges Pricing Strategy 2020/21, had been referred from Overview and Scrutiny Committees, so would be heard first.

### **73. Fees and Charges Pricing Strategy 2020/21**

Councillor Hebb introduced the report and stated that it outlined the services provided by the Council and the associated costs for 2020/21, as well as the proposed price changes and removed charges. He stated that the fees and charges outlined in the report helped the Council to meet its long-term financial plan, and was an amalgamation of hard work across every directorate in the Council. He stated that the proposed fees and charges had been benchmarked on market prices, and the market would continue to be analysed throughout the year to ensure balance. He commented that this report updated the Cabinet on specific fees and charges, and ensured that no department ran at a loss.

The Leader invited Councillor Rigby to speak on the discussions held at Cleaner, Greener and Safer (CGS) Overview and Scrutiny, as she had been the Vice-Chair in the Chair for the meeting that discussed the proposed fees and charges. Councillor Rigby explained how officers had outlined the changes that were proposed to fees and charges under the remit of CGS Overview and Scrutiny Committee, and all recommendations had been agreed. She highlighted that some Members of the Committee had felt concern regarding the increase of charges relating to sport, but that it had been explained to them as necessary to allow the department to be cost-neutral, and discounts were available to those that met certain criteria. She summarised and stated that no other issues had been raised.

The Leader thanked Councillor Rigby for her feedback, and felt that it was good to see Overview and Scrutiny understand the reasons for fees and charges increases to ensure cost neutrality. He added that the Council had a duty to supply services to residents, and this report would ensure that residents paid a fair price for those services. Councillor Huelin highlighted the fee increase for hiring rooms in libraries, and other commercial rents, but assured residents that community groups and charities would pay a lower fee. She added that Health and Wellbeing groups and the theatre would also pay lower fees.

Councillor Watkins thanked Councillor Rigby for her feedback and stated that he understood the concern of the Committee regarding the sport fee increase. He commented that this increase would be a phased approach over a number of years, and the Council would work with groups and users to monitor the impact. He stated that the Council had to ensure cost neutrality, but also had to ensure services could continue to be supplied, and would receive the necessary upkeep. Councillor Watkins added that a new sport and leisure policy was currently being developed which would show the Council's commitment to sport across the borough. He also mentioned the new enforcement charges that were being added in this report, such as to tackle engine idling, which would improve air quality across the borough. He stated that the officers tackling engine idling would use a considered approach, and would focus on areas where drivers tended to idle, such as outside schools and at railway crossings. Councillor Watkins added that this would also help

to reduce climate change. He summarised and highlighted less visible fees such as charges for people dumping refuse into sewers, as although this could appear a small problem, he felt that enforcement of this fee could help keep the borough clean and tidy.

The Leader highlighted Councillor Watkins point that engine idling enforcement would be tackled using a focussed approach, and signs would go up in places such as bus stations and town centres where idling was common. He stated that the Council were working hard to move towards being cost neutral, and this report would help with that. He added that fees could fluctuate during the year.

**RESOLVED: That Cabinet:**

**1. Agreed the proposed fees and charges, including those no longer applicable as per Appendices 1 and 2.**

**2. Approved delegated authority to allow Fees and Charges to be varied within a financial year in response to commercial requirements, in consultation with the Corporate Director of Finance, Governance and Property, and the relevant Portfolio Holder.**

**3. Noted the feedback from all Overview and Scrutiny Committee meetings.**

*Reason for decision: as outlined in the report  
This decision is subject to call-in*

**74. Housing Development Options List**

Councillor Johnson introduced the report and stated that Site 20 from Appendix B had been removed. He stated that the report detailed a list of sites, which would help the Council to meet its target of 500 new council homes, and clarified that all sites met the 3R's policy of release, retain or reuse. He added that some sites fell within his own ward, but all sites would be going to further consultation and investigation, and this report did not grant planning application. Councillor Johnson stated that this policy was open and transparent, with the process being previously agreed by Housing Overview and Scrutiny Committee and Cabinet. He mentioned that if the report were agreed it would give consent for investigatory works, and not planning applications. Councillor Johnson clarified that any sites identified would meet the previously agreed criteria, and would go to a full consultation with residents and Ward Councillors, and objections to specific sites could be made at that stage. He clarified that no site identified within the report was closer to development than any other, and some might be further away from development, as could be dismissed once investigatory work and consultation had been completed. Councillor Johnson stated that Housing Overview and Scrutiny Committee had discussed the report last night, and debated every individual site. He stated that the purpose of the report was not to discuss the

merits or drawbacks of each potential site, but to agree the recommendations that they should go forward for further investigation. He summarised and stated that the report was trying to be open and transparent so residents and Councillors could see the next stages.

The Leader stated that due to the general election and purdah, this report had had to go to Housing Overview and Scrutiny Committee last night, rather than at their previous meetings, but felt it would have been good to see the outcomes from their discussion. Councillor Coxshall added that the policy of the 3R's had been agreed when the Conservatives had first taken power, as it was important to shine a light on the reasons for decisions, particularly regarding land. He mentioned that as there would be a full consultation for each site, the outcomes of these could present new ideas that may not have been previously considered. He stated that it was important for members of the public and other Councillors to see how decisions were being made.

Councillor Little stated that she had a non-pecuniary interest as one of the proposed sites was in her ward, and echoed the Leaders comments that it would have been good to see the minutes from Housing Overview and Scrutiny Committee. Councillor Little then proposed that Site 19 be removed from the report, as she felt it did not meet the 3Rs criteria, or the Cabinet agreed process, as the suggested site contained private houses that were not owned by the Council. She felt that the proposed Site 19 did not aid regeneration of the area and would disrupt children's education. The Leader clarified that the report did not focus on specific sites, but only allowed the next stage of investigatory work of proposed sites to go ahead. Councillor Little added that Highways England were also considering Site 19, as those residents living the area would potentially need to be compensated if the LTC route went ahead. She felt that this meant Site 19 was not viable, and did not want to waste officer's time if Highways England would need the site for LTC construction in a few years' time. Councillor Little therefore asked Cabinet to support the removal of Site 19 from the report. The Leader commented that he understood Councillor Little's concern as a Ward Councillor, as many Cabinet Members also felt concern regarding some sites within their wards. He highlighted the purpose of the report was to take the sites forward for further consultation, and the report did not provide planning agreement for any of the sites.

Councillor Huelin echoed comments that it would have been nice to know what Housing Overview and Scrutiny Committee had discussed, and felt that the Chair of the Committee should have attended to outline those points. She felt that if the report was agreed, then consultation would be very important, and residents would need to be contacted individually. She felt that an advert in the newspaper or notice on a lamppost would not be sufficient for a consultation of this nature. The Leader agreed with Councillor Huelin's comment that good consultation would be necessary, and clarified that no sites would be moved forward without robust consultation with residents and Ward Councillors.

Councillor Jefferies declared a non-pecuniary interest as some of the sites

were within his ward, and he had been contacted by local residents to make a representation on their behalf. He stated that the Council had a job to put forward sites for potential development and regeneration, and felt pleased to see that full consultations would be conducted for every site. He echoed comments that he felt disappointed that the Chair of Housing Overview and Scrutiny had not attended the meeting. Councillor Watkins echoed comments that transparency regarding these sites was needed, and stated that sites could be reused if good ideas came forward from consultation. He stated that the Council had a housing quota and a Council Housing Policy that had to be met, to ensure that residents had access to high-quality housing. Councillor Maney echoed comments that he also felt disappointed that the Chair of Housing Overview and Scrutiny Committee had not attended the meeting, and he felt that she should have attended to play her part in the governance process. He stated that also felt some sites listed in the report should not be used for housing development, particularly those relating to current community sites. He felt that some sites should be included in the list, but disagreed with the inclusion of others.

Councillor Hebb asked if the recommendations could be deferred until Housing Overview and Scrutiny Committee comments had been received. He stated that ensuring good quality housing was one of the long-term ambitions for Thurrock Council, but felt that there needed to be public discussion. He described how he wanted the process to be open and transparent for residents, as the Council wanted to avoid issues such as those that had occurred with King Street Car Park. He stated that Cabinet Members had to balance two priorities, one being their Ward and potential development sites that they disagreed with, and the other being their civic duty priority to ensure that Thurrock Council fulfilled their housing needs.

The Leader stated that Councillor Redsell was a member of the Housing Overview and Scrutiny Committee, and was present at Cabinet. The Leader confirmed with the Monitoring Officer that she had the right to speak at the meeting. The Monitoring Officer clarified that Councillor Redsell could speak in her capacity as Member of the Committee.

Councillor Redsell stated that she was speaking personally, and not on behalf of the Chair or Committee. She described how an estimated 60 people had attended the meeting, and she felt the meeting became very political due to the contentious item. She felt that the Chair should have informed residents beforehand that the report proposed sites for consultation, rather than confirmed development, as officers had had to answer many questions that could have been avoided. She added that the Chair had decided to go through every site individually; and had voiced her concern at this as if any Councillor were to go onto Planning Committee at a later date, then their view would be conflicted if they were to give an opinion about any of the sites at this stage. Councillor Little welcomed Councillor Redsell's comments and stated that as the Chair of Housing Overview and Scrutiny Committee had not attended and the minutes were not available, the item should be deferred.

Councillor Johnson stated that he had received a note that the report had



been formally endorsed by the Housing Overview and Scrutiny Committee, but the Chair had asked for it to be included in the minutes that she did not agree with all proposed sites.

The Leader thanked Councillor Redsell for her comments and attendance, and asked resident Mr. Alex Andonie to present his views. Mr. Andonie stated that he had attended the Housing Overview and Scrutiny Committee, and felt that many residents were distressed about some sites outlined in the report. He highlighted that eight projects were located in South Ockendon, including one five-storey development on a green space, located directly opposite a number of houses. Mr. Andonie added that consultation had already occurred regarding sites in Callan Grove and Culver Fields, with over 200 responses being collected, and asked if those responses would be included in the upcoming consultations. The Leader stated that those consultations pre-dated this process, and all new proposed sites would have new, full consultations.

The Leader then asked resident Ms. Patricia Campbell to make her representation. Ms. Campbell stated that some of the proposed developments were not in keeping with the surrounding areas, particularly one potential development which outlined three blocks of flats in an area of predominantly council housing, and felt this would be an eyesore for local residents. Ms. Campbell felt that green space in the borough was precious, particularly for local children who often played on green spaces and needed areas to run around. She stated that central government had mandated the protection of green spaces a few years ago, and did not want to see these precious areas being lost to development. Ms. Campbell felt that some of these potential sites were small, and more space would need to be found in a few years to manage a growing population. The Leader thanked both Mr. Andonie and Ms. Campbell for their representations, and highlighted that any HRA sites were ring-fenced for local residents who had lived in the borough for at least five years.

Councillor Johnson thanked the residents for speaking and stated that the proposed sites on the list would re-enter consultation, but no planning decisions had yet been made. He urged residents to go through the consultation process again, as it was important for residents to make their voices heard. Councillor Coxshall also urged residents to get involved with the upcoming Local Plan process, as this would determine what Thurrock would look like for the next 40 years. He felt that Thurrock did not want any urban sprawl, and wanted to protect green spaces, which could only be achieved through the Local Plan. He stated that the site development consultation would be open and transparent and all responses would be read and analysed.

Councillor Hebb mentioned that half of all Cabinet Members had links to South Ockendon and knew the area well. He asked the Corporate Director Adults, Housing & Health/Interim Director Children's Services what form the consultation would take, and if residents who could not access the internet would still be able to have their say. The Corporate Director Adults, Housing & Health/Interim Director Children's Services replied that all sites would go

through a full consultation process. Councillor Johnson added that the paper that had been agreed by Housing Overview and Scrutiny Committee and Cabinet in January had outlined the criteria for consultation.

The Leader again thanked the residents and Councillor Redsell for their involvement in the discussion, and urged residents to get involved with the consultations. Councillor Mayes echoed comments that the Chair of Housing Overview and Scrutiny Committee should have attended to provide comments, and asked if sites could still be refused if the recommendations were agreed. The Leader replied that when the process began, a consultation period would start, and if clear reasons for refusal became apparent then sites could be rejected and other sites could be chosen. He stated that this process had been supported by Housing Overview and Scrutiny Committee and Cabinet in January 2020, and Housing Overview and Scrutiny Committee had endorsed the recommendations in the this report, although the Chair had not supported all sites. The Leader commented that Cabinet should balance their priorities as Ward Councillors and their civic leadership role, but that all parties agreed with the need for more council housing across the borough. He stated that there were problems associated with developments on some of the proposed sites, but stated that some sites had been proposed for redevelopment as early as 2013 and 2015.

*Councillor Jefferies left 8.03pm.*

Councillor Coxshall agreed that he felt disappointed that the Chair had not attended the Cabinet meeting or given a formal response. The Leader again thanked the residents for their representations and Councillor Redsell for her thoughts and held a vote on the recommendations. Councillor Little stated that she would not endorse the recommendations as she felt Site 19 was not in-line with the 3R's policy. A vote was moved, the outcome of which was:

*In agreement with recommendations: 8 (Councillors Gledhill, Hebb, Coxshall, Huelin, Johnson, Maney, Mayes and Watkins)*

*Against recommendations: 1 (Councillor Little)*

*Therefore the recommendations were agreed, 8:1.*

**RESOLVED: That Cabinet:**

**1. Approved the list of housing development site options to be taken forward for further detailed work, involving engagement with stakeholders and communities.**

*Reason for decision: as outlined in the report  
This decision is subject to call-in*

**75. Incorporation of South East Local Enterprise Partnership**

The Leader stated that as he had a pecuniary interest in this item, he would not be voting and would be removing himself from the room.

*Councillor Gledhill left 8.07pm.*

Councillor Hebb, as Deputy Leader, introduced the report and stated that this outlined the governance processes for the South East Local Enterprise Partnership (SELEP), and sought agreement for it to become a limited company. He stated that SELEP boosted job growth across the region, and helped to improve the local economy. Councillor Coxshall highlighted the importance of SELEP for Thurrock, and felt that Thurrock was already seeing the results from schemes that had been bought forward by SELEP.

**RESOLVED: That Cabinet:**

**1. Noted that the Council will become a member of South East LEP Limited, with articles of association as set out in Appendix 1.**

**2. Noted that the Council will sign the framework agreement as set out in Appendix 2.**

**3. Agreed that the Leader will be the Council's initial member of the Board, with the Portfolio Holder for Regeneration and Strategic Planning as alternate director.**

**4. Agreed that the Leader will be the Council's initial member of the Accountability Board, with the Portfolio Holder for Regeneration and Strategic Planning as principal substitute.**

*Councillor Gledhill returned 8.09pm.*

**76. Procurement of Transport and Highway Contracts**

Councillor Maney introduced the report and stated that it was a good news report as it ensured that money could be spent on delivering the Council's priorities, and could procure the necessary works contracts over the next 5 years, and deliver on the capital works programme. He highlighted point 2.5 on page 68 of the agenda and stated that this explained the rationale for the report, as spending had increased to £60million in year 6, which was over contract value and therefore needed a new procurement exercise. He stated that Cabinet had agreed the process for procurement in 2015.

The Leader stated that he felt glad to see this report come to Cabinet as it helped deliver schemes such as Kerb It, upgrades to Stonehouse Lane, and smaller projects such as the installation of zebra crossings.

**RESOLVED: That Cabinet:**

**1. Delegated authority to the Director of Place and the Director of**

**Environment and Highways, in consultation with the Portfolio Holder for Highways and Transportation, to decide the appropriate procurement route for the delivery of the Transport and Highways services and schemes for the next five years, commencing 1 April 2021.**

**2. Approved the process to commence procurement of Transport and Highways services and schemes for a five-year period commencing 1 April 2021, which will be compliant with relevant EU Public Procurement Regulation, the Public Contracts Regulations 2015, and the Council's Contract Procedure Rules.**

**3. Delegated authority to the Director of Environment and Highways, in consultation with the Portfolio Holder for Place and Environment and Highways, to award any contracts necessary for the delivery of transportation and highways services for a five-year period commencing 1 April 2021.**

*Reason for decision: as outlined in the report  
This decision is subject to call-in*

## **77. A13 East Facing Access Scheme Update**

Councillor Coxshall introduced the report and stated that this scheme had been long awaited by residents and Members alike, and felt it was good to see the scheme moving forward. He clarified that approval had been received by the Minister at the Conservative Party Conference, and could now progress to the next stage of development. He explained that the East facing access on A13 would relieve the problem of congestion, particularly at the Treacle Mine Roundabout, Sainsbury's Roundabout and at junction 30/31 of the M25, as the new access would mean that traffic could go straight from Lakeside onto the A13. He described that the next stage in the process, if agreed by Cabinet, would be to send the outline business case to the Minister for them to make a decision on, and then work could begin quickly. Councillor Coxshall mentioned that the proposed route of the LTC also contained similar problems to the current Lakeside access problems, as there was no local connectivity to the LTC, so residents would have to travel to Stanford-le-Hope and back on themselves to gain LTC access. He stated that Highways England were currently undertaking a second round of consultation, and urged residents to take part.

Councillor Watkins supported the recommendations as he felt that the new East facing access would reduce congestion at the Dartford Crossing, and help residents in Stifford and Chafford Hundred, as traffic would not be diverted through their residential areas. He added that this would also improve air quality in the area, and 3-4 Air Quality Monitoring Stations were currently being set up near to Lakeside and surrounding residential areas. Councillor Mayes also supported the recommendations as he felt it would reduce pollution, as the biggest pollutant in the borough was traffic. He felt concerned regarding the LTC scheme put forward by Highways England as he felt it

would have a negative effect on people's health. He stated that the new East facing A13 access would benefit residents health as it would reduce congestion on the M25, ensuring more free-flowing traffic and less pollution.

The Leader highlighted that new traffic modelling projections showed the new access scheme would reduce congestion in the area, and at junction 30/31, by 40%. He stated that Thurrock remained opposed to the LTC, but wanted to ensure that if it was built in Thurrock, it was built right by design. He stated that the outline business case would be submitted to government, but every year the scheme was delayed cost more to the taxpayer, as the scheme increased in price by £1million per year due to inflation.

**RESOLVED: That Cabinet:**

- 1. Noted and endorsed the work undertaken to develop the A13 East Facing Access scheme to date.**
- 2. Noted and endorsed the Options Assessment process identifying the sifting process and prioritisation of schemes for submission to the Department for Transport.**
- 3. Noted the funding implications associated with the A13 East Facing Access scheme options, as set out in Section 7.**
- 4. Agreed that the Director of Place, in consultation with the Cabinet Member for Regeneration and Strategic Planning, submit the outline business case to the Department for Transport and continue to develop the full business case for the scheme.**

*Reason for decision: as outlined in the report  
This decision is subject to call-in*

**78. Draft 2020/21 Budget Proposals & Medium Term Financial Strategy Update**

Councillor Hebb introduced the report and stated that this was a budget for residents, and would benefit elderly residents, mental health provision, infrastructure, leisure provision, air quality, and other Council services. He stated that the Council provided both statutory and discretionary services for residents, and due to continued service review, the budget would be balanced for the next three years. He stated that Council would have a surplus of £4.1million in 2020/21, a surplus of £1.4million in 2021/22, and a small surplus in 2022/23. Councillor Hebb compared this to the budget in 2016/17 when services such as street cleaning, the environment, and PCSO's could not be funded, and the Council were running a deficit. He stated that Thurrock were one of the lowest unitary authorities in the country in terms of council tax, but were still able to fund additional services from the General Fund such as new policing teams, anti-social behaviour enforcement, and mental health provision for schools. He highlighted that 97% of other council's had been unable to raise council tax under inflation, and the proposed 1.49% council tax

increase would be ring-fenced for areas such as social services, and environmental enforcement.

Councillor Hebb highlighted that the majority of councils experienced pressure regarding social care funding, but Thurrock had been able to continue to fund good quality services for elderly and vulnerable residents. He stated that the proposed 2% social care precept increase would go to services that needed it the most, such as an additional 5% funding for the Adults, Housing and Health directorate. He explained that Thurrock were also committed to working with the Police, Fire and Crime Commissioner, and had promised an additional £700,000 for new police officers, as well as the additional 20,000 police officers promised nationally by the Prime Minister. He felt that these new police officers would make town centres safer and green spaces more accessible for residents. He added that £600,000 funding was also being given to the Youth Offending team to reduce reoffending rates and deter crime; and £600,000 was being given to deter illegal car parking on green spaces. He added that £400,000 was being spent on air quality, such as by implementing a new tree planting strategy, new cycle ways, and new 'switch-off' engine zones. He felt that this would have a positive impact on resident's health, as it would improve air quality and reduce the rates of COPD.

Councillor Hebb added that £500,000 was also being given to tackle mental health problems across the borough, by introducing an early intervention mental health service, which would intercept crises earlier. He mentioned that regeneration projects were also occurring across the borough, and improvements would be made to leisure and sports facilities, to ensure residents remained in the borough for their sport.

Councillor Hebb moved onto outline the capital plan, as good infrastructure was needed to ensure that residents could access services. He highlighted that a number of infrastructure projects were already underway, such as the Purfleet-on-Thames regeneration scheme, Grays underpass, Stanford-le-Hope interchange, new educational facilities, Aveley community hub regeneration, Civic Offices redevelopment, A13 widening scheme, regeneration for Tilbury Riverside Centre, and works to prevent northbound HGV access through Aveley. He added that work was also being undertaken to reduce the amount of rubbish that ended up in landfill, such as a new pilot scheme that had been rolled out to increase recycling in flats. Councillor Hebb also outlined proposals for new schemes in Coalhouse Fort, and thanked the work of the volunteers. He added that paving replacement schemes would also be undertaken in areas where footpaths were becoming loose.

The Leader highlighted that there had been no council tax increase last year, and this year the council tax was not being raised to its maximum level, but the council were still providing a surplus budget. He highlighted that some of the surplus money was being used to buy machinery to make the clean-up of graffiti more efficient, and felt that this would improve the look of Thurrock. He stated that these proposals would be going to Full Council for agreement in two weeks' time.

Councillor Watkins thanked Councillor Hebb and the wider finance team for their hard work in preparing the budget, and felt that there was a positive financial outlook that supported vulnerable residents. He felt that although the decision to increase council tax was not an easy one, and would affect residents, the ring-fenced approach ensured that support would be available for the most vulnerable residents. He added that it was good to see the surplus being invested into strategies, such as the new tree planting strategy and air quality. He supported the capital projects outlined, particularly the new scheme for increasing recycling in flats, which had seen a successful pilot in 2019. The Leader added that £30million was also coming into the budget through investments, which helped ensure that council tax was not raised to its maximum level. He stated that the adult social care precept would be ring-fenced, which ensured a smoother process for the department to access the money and spend it on services. He added that the Police, Fire and Crime Commission was also raising its council tax precept, and although this was not the decision of Thurrock Council, it would ensure the police and fire services could continue their good work. Councillor Hebb summarised and stated that there had been significant service reform to ensure every service was fit for purpose.

**RESOLVED: That Cabinet:**

- 1. Considered the comments from Corporate Overview and Scrutiny Committee as set out in Section 12 of the report.**
- 2. Proposed a 2% council tax increase towards the cost of Adult Social Care.**
- 3. Proposed a 1.49% council tax increase to meet the increasing costs and demands of all other services, and to move the council towards greater financial sustainability for the medium to longer term.**
- 4. Noted the budget report set out through the report and appendices.**
- 5. Recommended to Full Council the capital proposals set out in the report.**
- 6. Considered and allocated the budgeted surplus for 2019/20 as set out in Section 3.**
- 7. Endorsed the Thurrock 2020/21 Schools Funding Formula to be implemented as stated in Section 9, this being consistent with Cabinet's decision made in December 2018.**
- 8. Endorsed the Early Years Funding Formula for 2020/21, as shown in Appendix 6, and allowed the Schools Forum to consider that the rates to be implemented can be made permanent, following review of the January 2020 census data.**

*Reason for decision: as outlined in the report*

*This decision is subject to call-in*

## **79. Capital Strategy 2020/21**

Councillor Hebb introduced the report and stated that Thurrock Council had received £31million in investment this year, which would increase to £35million in the next financial year, and this money was used to benefit residents and services. He commented that this report confirmed the guidelines used by officers, and Cabinet had agreed this process in October 2017, 2018 and 2019, with cross-party agreement. He stated that the Council's Spending Review received regular oversight of investments, as well as Corporate Overview and Scrutiny Committee, and all officers had to ensure due diligence when undertaken investments, to reduce risk and increase security. He added that in 2018 and 2019, Full Council had agreed the limits for borrowing and investment, and two separate external auditors had agreed on the strategy and current spending levels. He clarified that 75% of debt was short-term debt, and 25% was spent on the capital programme, but that there were mechanisms in place under the Minimum Revenue Position to pay these back and earn money on investments.

Councillor Hebb highlighted an additional recommendation that had been made by the Corporate Overview and Scrutiny Committee for additional democratic oversight on investments, and although he felt there was currently a robust process, the Cabinet would work to review democratic oversight. He stated that a piece of work would be undertaken by Governance Group to work out the scope of this oversight, and what it might look like, and this would be outlined in the next financial outturn report.

The Leader welcomed the additional recommendation for increased oversight, and felt pleased to see that a piece of work would be undertaken regarding this. He felt it was important for financial decisions to be appropriately scrutinised, ensuring no confidentiality rules were broken. He also felt pleased that the external auditors had shown no concern with the process.

**RESOLVED: That Cabinet recommended that Full Council:**

- 1. Approve the Capital Strategy for 2020/21, including the approval of the Annual Minimum Revenue Provision (MRP) statement for 2020/21.**
- 2. Approve the adoption of the prudential indicators as set out in Appendix 1.**
- 3. Note the revised 2019/20 and 2020/21 Treasury Management projections as set out in Annex 1, paragraph 2.32.**
- 4. Considers the recommendation from the Corporate Overview and Scrutiny Committee to further increase the democratic oversight of investment activity.**



*Reason for decision: as outlined in the report  
This decision is subject to call-in*

## **80. Housing Revenue Account - Business Plan and Budgets 2020/21**

Councillor Hebb introduced the report and stated that Thurrock Council had received £31million in investment this year, which would increase to £35million in the next financial year, and this money was used to benefit residents and services. He commented that this report confirmed the guidelines used by officers, and Cabinet had agreed this process in October 2017, 2018 and 2019, with cross-party agreement. He stated that the Council's Spending Review received regular oversight of investments, as well as Corporate Overview and Scrutiny Committee, and all officers had to ensure due diligence when undertaken investments, to reduce risk and increase security. He added that in 2018 and 2019, Full Council had agreed the limits for borrowing and investment, and two separate external auditors had agreed on the strategy and current spending levels. He clarified that 75% of debt was short-term debt, and 25% was spent on the capital programme, but that there were mechanisms in place under the Minimum Revenue Position to pay these back and earn money on investments.

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The Leader welcomed the additional recommendation for increased oversight, and felt pleased to see that a piece of work would be undertaken regarding this. He felt it was important for financial decisions to be appropriately scrutinised, ensuring no confidentiality rules were broken. He also felt pleased that the external auditors had shown no concern with the process.

**RESOLVED: That Cabinet recommended that Full Council:**

- 1. Approve the Capital Strategy for 2020/21, including the approval of the Annual Minimum Revenue Provision (MRP) statement for 2020/21.**
- 2. Approve the adoption of the prudential indicators as set out in Appendix 1.**
- 3. Note the revised 2019/20 and 2020/21 Treasury Management projections as set out in Annex 1, paragraph 2.32.**
- 4. Considers the recommendation from the Corporate Overview and Scrutiny Committee to further increase the democratic oversight of investment activity.**

*Reason for decision: as outlined in the report*  
*This decision is subject to call-in*

**The meeting finished at 8.58 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](mailto:Direct.Democracy@thurrock.gov.uk)**

<b>11 March 2020</b>		<b>ITEM: 10</b>
<b>Cabinet</b>		
<b>Quarter 3 Financial Report</b>		
<b>Wards and communities affected:</b> All		<b>Key Decision:</b> Key
<b>Report of:</b> Councillor Shane Hebb, Deputy Leader and Cabinet Member for Finance		
<b>Accountable Assistant Director:</b> Jonathan Wilson, Assistant Director Finance, Corporate Finance		
<b>Accountable Director:</b> Sean Clark, Corporate Director of Finance, Governance and Property		
<b>This report is</b> public		

## Executive Summary

This report presents the forecast outturn position for the General Fund, Housing Revenue Account, Dedicated Schools Grant and Public Health Grant.

## Revenue Position – 2019/20 Quarter 3

The current forecast position is a £1.703m pressure. This reflects allocation of the budget surplus to deal with specific pressures within Children’s Social Care, Homelessness and reduced investment income totalling £2.217m. These were identified at quarter 2 and Cabinet have confirmed the funding of these from the surplus.

Officers are working to identify mitigation to deliver a balanced budget position by the end of the financial year.

The Dedicated Schools Grant (DSG) continues to forecast pressures within its High Needs Block to the value of £1.061m and work is ongoing with both the service and the Schools Forum to identify ways to address these issues in the longer term.

The Housing Revenue Account (HRA) have identified a number of budget pressures but continue to forecast a breakeven position.

The Public Health Grant is fully committed against appropriate spend in line with the grant conditions.

**1. Recommendations:**

- 1.1 That Cabinet note the revenue forecast outturn position for 2019/20 and that further mitigation is required to outturn within the agreed budget envelope.**

**Revenue Position**

**2. Introduction and Background**

- 2.1. In February 2019 Council agreed the 2019/20 budget in line with the balanced MTFS. The Authority continues to pursue an investment approach and to further identify efficiencies across all service areas through the strategic boards. The budget includes savings of £0.900m identified as part of the Council Spending Review and a further £0.500m for workforce efficiencies.
- 2.2. The report sets out the latest forecast position for 2019/20 across the main revenue accounts – the General Fund, Housing Revenue Account, Dedicated Schools Grant and Public Health grant.
- 2.3. The summary forecast position for the General Fund is set out below:

Directorate	Revised Budget	Forecast Outturn (Q3)	Variance to budget
	£000	£000	£000
Adults, Housing and Health	39,746	40,335	589
Children's Services	39,711	40,777	1,066
Commercial Services	757	757	0
Environment and Highways	28,343	28,343	0
Finance, Governance and Property	16,436	16,707	271
Housing General Fund	1,014	1,014	0
HR, OD and Transformation	4,772	4,570	(202)
Place	5,287	5,287	0
Strategy, Communications & Customer Services	2,919	2,898	(21)
<b>Service Total</b>	<b>138,985</b>	<b>140,688</b>	<b>1,703</b>
Corporate costs, Treasury & Financing	(138,985)	(138,985)	0
<b>Total</b>	<b>0</b>	<b>1,703</b>	<b>1,703</b>

- 2.4 A summary of the allocation of the budget surplus to date is set out in the below table:

*Allocation of Budget Surplus	£000	£000
<b>Original Surplus</b>		<b>5,803</b>
Committed against outturn pressures:		
Investment income shortfall	1,287	
Homelessness	330	
Children's Services	600	
		2,217
Remaining balance allocated by Cabinet		3,586
<b>Total committed</b>		<b>5,803</b>

### 3. General Fund

#### Adult Social Care - £0.589m overspend

- 3.1 Adult Social Care operates within a demand led environment subject to financial risks arising from exposure to low volume high cost placements. These are predominately related to people with complex learning disabilities and/or mental health conditions where the availability of suitable placements is limited and can be very costly. The position reported reflects the anticipated financial position at year-end as the financial risk has crystallised in relation to specific cases. This relates to a combination of one specific complex case and a small number of additional cost care packages within learning disability and complex care placements. These have created a pressure of £0.471m.
- 3.2 The Section 117 Review is underway to ensure the Local Authority's contributions towards existing mental health packages are at appropriate levels and that outcomes are in line with Care Act Legislation. There remains close scrutiny of high cost placements and a dedicated Mental Health panel for approval of new packages.
- 3.3 The fragility of Domiciliary Care remains a concern despite receiving some additional funding through the Improved Better Care Fund. Although improving, there remains instability within the market with providers experiencing ongoing issues with recruitment and retention of staff. This is a situation which is being demonstrated nationally and it is recognised that the way in which homecare is delivered as a service needs to be transformed.
- 3.4 Thurrock are trialling Wellbeing Teams in an attempt to redesign homecare and deliver sustainability on a longer term basis though this transformational pilot. In the current financial year however, there has been a continued demand on the service which has resulted in additional hours having to be provided. The service continue to closely monitor the use of both agency staff and overtime.
- 3.5 Through effective management of the waiting lists the Council currently has one of the best delayed discharge from hospital performances in the region. This also helps prevent care needs for individuals from deteriorating and

enables people to live in their own homes. Regular reviews of the waiting list arrangements continues at an operational level.

- 3.6 Providers within the Residential Care Home sector have identified concerns with the fees received for placements made under Thurrock Council contract rates. One care home has closed as the size of the home made it financially unviable. A wider piece of work is underway to review the uplifts that have been awarded and if they are sufficient. The Local Authority has a responsibility to support stability within the marketplace.
- 3.7 Income generated from client contributions towards care packages can fluctuate due to the ongoing financial assessments and reviews carried out by the team to determine eligibility and ability to contribute. There has been a reduction in the number of clients fully funding their own care needs.

### **Children's Services - £1.066m overspend**

- 3.8 The pressures before the allocation of additional funding are set out in the below table:

	£000
Families First and additional staffing	0.603
Extension to Families First	0.118
Staffing pressures and use of agency	0.339
Looked After Children's placements	0.251
Adoption & Special Guardianship arrangements	0.221
Home to school transport	0.442
Total	<b>1.974</b>

- 3.9 The Families First Team and the additional staffing resources ensure that case load ratios are maintained to appropriate levels and that the service has the capacity to deliver transformation initiatives and to further build on the successes of the 2019 Ofsted inspection result. For context, the 'Good' rating indicates the service is fit for purpose and delivering positive outcomes for residents. It is the service's new ambition to achieve an 'Outstanding' rating in future Ofsted assessments but the financial impact of this needs to be fully costed and managed at both a strategic and operational level.
- 3.10 The Families First Team was originally planned as a 6 month pilot, extension to service has resulted in additional costs of £0.118m.
- 3.11 Difficulties in recruitment and retention of permanent staff, being over establishment for a number of posts and a reliance on the use of agency personnel has caused an in year pressure of £0.339m. It should be noted that the levels of agency staff are lower than the previous financial year and work has been undertaken to align the HR establishment list to the budget allocation.

- 3.12 Support for Looked after Children and young people subject to Child Protection plans remains a risk due to the demand led nature and high potential costs for individualised support packages. Although numbers of looked after children are being managed to a more stable level, the costs remain high. There has been an increase of £0.251m in the last quarter. One additional placement has been added at a cost in excess of £0.100m for a 12 week period. Director approval is required for all new high cost packages to ensure the financial impact is fully understood and reflected in the outturn position.
- 3.13 Special Guardianship and adoption arrangements are a much more cost effective way of supporting children at risk but there remains a cost pressure due to the number of placements involved.
- 3.14 The number of young people being accommodated under Section 20 of the Children's Act 1989 (where a child has come into care on a 'voluntary' basis and not as part of a court order) have been an historical pressure on the budget. Early intervention approaches delivered by the Edge of Care Team aim to prevent children coming into care and support delivery of the financial position in the service in future years.
- 3.15 Home to School Transport is reporting an overspend of £0.442m, an increase of £0.222m compared to quarter 2. The in-year variation is a combination of new contracts awarded in September 2019; increase in costs for transportation to Independent Schools and increase in numbers of pupils with Education, Health and Care plans. This is an area of significant risk for Local Authorities across the country.

### **Environment & Highways – projected breakeven**

- 3.16 Although on target to achieve a breakeven position it should be noted that the directorate have number of issues which continue to pose a risk to this position. Effective management of staffing levels has provided some mitigation to the risks identified below.
- 3.17 Street cleaning is a priority for members and the public. The service continues to experience financial risks related to seasonal weather fluctuations and behavioural-related environmental offences (and in particular resources required to address fly-tipping issues).
- 3.18 Waste disposal continues to be a significant financial risk for the Directorate due to the variable element contained within the contract. Cost per tonne to dispose of the borough's waste potentially fluctuates quarterly and has previously adversely affected the budget. This continues to be closely monitored within the service and by Corporate Finance. There is currently £0.150m overspend risk for this area.

- 3.19 The Clean and Green budget is forecast to overspend by £39k. This is due to the statutory requirement to carry out Hand, Arm Vibration checks on staff as part of Health and Safety legislation.
- 3.20 The severity of the winter still has the potential to impact the budget if there is an increased need for additional road gritting services across the borough in the last quarter of the year. The purchase of a weather station based in Thurrock aims to make the planning for gritting support more accurate.

#### **Place – projected breakeven**

- 3.21 Following a restructure within the Place directorate the Corporate Landlord and Assets functions have transferred to the Finance, Governance & Property directorate.
- 3.22 There are pressures relating to staffing spend within the Regeneration Team due to the use of agency personnel but these can be offset by vacancies across the wider directorate.
- 3.23 There is concern that the Theatre will not achieve income to intended levels. Performance and processes are being reviewed at a detailed level to determine the full impact on the budget and to identify any potential mitigating action.
- 3.24 Provision made for the potential budgetary impact of exiting the EU has not been required in full. It remains the intention to manage the remaining budget pressures within the overall allocated resources and deliver a balanced position for year end.

#### **Finance, Governance & Property– £0.271m overspend**

- 3.25 The Corporate Landlord team have carried out condition surveys on the Authority's assets and a schedule of urgent repairs are required to the corporate property portfolio to ensure continued compliance with Health & Safety legislation. The planned programme is targeted towards at risk areas to reduce the wider impact on the budgetary position
- 3.26 The Fraud Investigation Team terminated trading their services with Southend Borough Council and the loss of income has had a financial impact of £0.400m on the 2019/20 budget position. The team are working to secure new contracts with outside agencies but this will not significantly impact the 2019/20 position.
- 3.27 Close management of staffing budgets across the directorate has provided a level of mitigation to the pressures identified.

#### **HROD – £0.202m underspend**

- 3.28 The directorate has been supporting a number of capital projects throughout the year and appropriate staffing costs have been capitalised.



- 3.29 Non-essential spend has been, and will continue to be, controlled across all service areas throughout the final quarter to enable them to deliver the projected underspend position at year end.

**Strategy, Communications & Customer Services – £0.021m underspend**

- 3.30 The Directorate continues to manage the budgeted resources to provide core services.

**Commercial Services – breakeven position**

- 3.31 The Directorate is forecasting to come within budget following a restructure of their staffing establishment and a review of funding arrangements.

**Housing General Fund – breakeven position (after allocation of surplus)**

- 3.32 There have been a number of developments in case law and legislation regarding the provision of Temporary Accommodation since the homelessness prevention strategy was last published, most notably the enactment of the Homelessness Reduction Act 2017. The primary function of the Act places greater emphasis on the prevention of homelessness, and has significantly adjusted the criteria of those approaching the Council who are eligible for assistance. This has resulted in a budget pressure of £0.330m before the allocation of the budget surplus.
- 3.33 The Council's Housing Solutions service continue to receive increasing numbers of households presenting as homeless or at risk of homelessness. This is set out in the table below.

	2017/18	2018/19	2019/20 (projected)
Number of Households presenting to Council:	1,395	1,605	1,900

- 3.34 In addition, the number of households housed in temporary accommodation has increased by 40% over the last 12 months. This has resulted in unprecedented pressure on the service in 2019/20, which is reflected in the service pressure, and actions are being taken to deliver a more financially sustainable solution.
- 3.35 In order to meet the increased demand the service have introduced a revised staffing structure. The service continue to consider alternative accommodation solutions to try limit the use of bed and breakfast facilities to both improve the quality of accommodation and reduce the cost.

**Treasury & Financing – breakeven position**

- 3.36 The planned external investment targets included in the Medium Term Financial Strategy will be achieved in the current financial year. However, the

projected income from Thurrock Regeneration Ltd will need to be re-profiled into a future period following the pause to the Belmont Road project. Allocation of the budget surplus will mitigate this pressure of £1.287m for 2019/20.

### **Corporate Costs – breakeven position**

- 3.37 This budget covers a number of corporate expenditure items including housing benefit subsidy, council tax and business rate precepts, the annual contribution to the Essex Pension Fund to meet the current actuarial deficit and the allocation for the Minimum Revenue Provision. The budget is projected to meet budget at the end of quarter 3.

### **External Income**

- 3.38 Commercial Board set a target for external income generation to the general fund of £14.0m in 2019/20. This is through a combination of fees and charges and traded services and detailed schedules have been submitted to earlier Cabinet meetings.
- 3.39 At the end of Quarter 3 the full year forecast for external income is an over recovery of £0.424m for fees and charges and £0.729m below target for traded services. This is an overall improved position of £0.115m but with a notable shift between the classification of fees & charges and traded income recovery.
- 3.40 The breakdown for external income monitored through Commercial Board is set out below:

### **Fees and Charges**

<b>Directorate</b>	<b>Commercial Board Target</b>	<b>Month 9 Forecast</b>	<b>Variance to target</b>
Children's Services	(1,088)	(1,019)	69
Environment and Highways	(2,647)	(2,625)	22
Housing General Fund	(415)	(534)	(120)
Place	(2,707)	(3,302)	(595)
Strategy, Communications & Customer Services	(270)	(227)	43
Finance, Governance and Property	(234)	(152)	81
Adults, Housing and Health	(369)	(294)	75
<b>Grand Total</b>	<b>(7,729)</b>	<b>(8,153)</b>	<b>(424)</b>

### **Traded Services:**

Directorate	Commercial Board Target	Month 9 Forecast	Variance to target
Children's Services	(3,811)	(3,779)	32
Environment and Highways	(580)	(600)	(20)
Place	(34)	(27)	7
Strategy, Communications & Customer Services	(225)	(155)	70
Finance, Governance and Property	(1,286)	(788)	497
HR, OD and Transformation	(338)	(195)	143
Grand Total	(6,274)	(5,545)	729

- 3.41 Children's Services are projecting to recover more income for their catering service than originally budgeted. The corresponding costs to this have been reflected in the earlier directorate outturn position.
- 3.42 Finance, Governance and Property have forecast pressures within their traded services; this predominately relates to a number of schools converting to academies and a revision to the Corporate Fraud team's expected income following a re-profiling of out-of-borough work assignments
- 3.43 HR, OD & Transformation are also under-recovering their income target with regards to traded services with schools. Commercial services have recruited a Business Development Officer dedicated to school activity with the intention to review all current arrangements and to assist in the implementation of recovery plans where possible.
- 3.44 All the above pressures have been reflected in the overall budgetary position and will be closely monitored by Corporate Finance, Cabinet Members, and the individual service areas. Commercial Board will continue to have oversight of the position and suggest the implementation of recovery plans where necessary.

#### **4 Housing Revenue Account – breakeven projected**

- 4.1 There are currently pressures identified within the directorate to the value of £0.300m which the service are able to mitigate to deliver a breakeven position.
- 4.2 Essential electrical testing works have been required as part of health and safety maintenance in-year and this will result in expenditure above the allocated budget. These are due to an ageing housing stock and the need to undertake responsive repairs outside of the planned programme.
- 4.3 The introduction of Universal Credit has led to a small statistical increase in rent arrears. Measures are in place to mitigate the impact of this and approval has been sought from Digital Board to allow the implementation of a new software system. The cost of this will be contained within the HRA and a review of the bad debt provision will be carried out as a separate exercise.

- 4.4 The financial pressures identified below will be managed overall within the existing budgets.

Service	Revised Budget	Month 9 Forecast	Variance To budget
	£'000	£'000	£'000
Development	178	178	0
Financing and Recharges	23,681	23,681	0
Rents and Income	(48,359)	(48,499)	(140)
Repairs and Maintenance	12,201	12,501	300
Supervision and Management	12,299	12,139	(160)
Grand Total	0	0	0

## 5 Dedicated Schools Grant (DSG) - £1.061m overspend

- 5.1 Thurrock continues to see a rise in the number of children and young people with Special Education Needs and Disabilities (SEND) and Education, Health & Care Plans (EHCP's). Additional provision is required to support these young people in an educational setting and this is funded through the High Needs Block (HNB) of the DSG.
- 5.2 Current projections indicate pressures of £1.061m, an increase of £0.311m. This change reflects increases in the number of commissioned places in Thurrock Special Schools and Resource provisions, updated post 16 placements and continued month on month increase in Education Health and Care Plans (EHCP).
- 5.3 The table below reflects the current 2019/20 DSG allocation:

2019/20	Funding Settlement	Academy Recoupment	DSG	Outturn	Variance
	£m	£m	£m	£m	£m
Schools	118.839	(108.169)	10.670	10.326	(0.344)
Central Services	2.073	0.000	2.073	2.045	(0.028)
High Needs	23.848	(5.226)	18.622	20.055	1.433
Early Years	12.332	0.000	12.332	12.166	(0.167)
<b>Total</b>	<b>157.093</b>	<b>(113.395)</b>	<b>43.698</b>	<b>44.592</b>	<b>0.894</b>
<b>Early Years Surplus to be Carried Forward</b>					<b>0.167</b>
<b>Revised Outturn position</b>					<b>1.061</b>

- 5.4 The DSG reserve has a carried forward deficit of £2.657m into 2019/20. The approved movement from the Schools Block to the High Needs Block of £1.248m was planned to reduce the balance to £1.409m in 2019/20. However, the projected deficit is likely to realise an accumulated deficit of £2.470m as at 31 March 2020.
- 5.5 The ongoing pressure in the High Needs Block and the impact of the deficit recovery plan will be discussed at a meeting with the ESFA in March. Thurrock's schools forum and all schools have discussed the position. At this stage options available are medium to long term.
- 5.6 Information gathered by the Local Government Association found that 97% of Local Authorities expect there to be HNB deficit. The detailed 2020/21 DSG guidance and funding announcements have recently been released by ESFA. This information will need to be considered alongside the projected carried forward deficit, to consider options moving forward.
- 6. Public Health Grant – breakeven projected**
- 6.1 The Public Health Grant was subject to a further reduction in 2019/20 and this equated to £0.292m. Over the last three years this grant has been reduced by £0.869m, as local authorities continue to embed services transitioned from other agencies into local government. The allocation for 2019/20 is £10.7m and this has been fully allocated.
- 7. Reasons for Recommendation**
- 7.1. The council has a statutory requirement to set a balanced budget annually. This report sets out the budget pressures in 2019/20 along with the need to identify actions to mitigate these pressures and deliver a breakeven position.
- 8. Consultation (including Overview and Scrutiny, if applicable)**
- 8.1 This report is based on consultation with the services, Directors' Board and portfolio holders.
- 9. Impact on corporate policies, priorities, performance and community impact**
- 9.1 The council's obligation to ensure that it adjusts to a reduction of the Revenue Support Grant (RSG) as part of the national objective to reduce the national deficit, has led to service reform, which has always aimed – and largely avoided – adverse impacts of the services the council provide. 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. The council continues to provide a high number of non-statutory services.

## **10. Implications**

### **10.1. Financial**

Implications verified by: **Jonathan Wilson**  
**Assistant Director - Finance**

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 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. 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.

Investments have been undertaken within the financial year, in line with agreed targets and the strategy, which support a forecast surplus budget position. This has allowed the Council to finance some in year budget pressures that would otherwise have been financed from service reductions or reserves.

The forecast level of overall net income is dependent on the prevailing rate of borrowing remaining in line with the current projections. These remain subject to change depending on external economic factors. An element of contingency is built into the forecast to account for this and should additional income arise then this will form part of any surplus carry forward into reserves and available for future years.

### **10.2. Legal**

Implications verified by: **Tim Hallam**  
**Acting Assistant Director Law and Governance, Head of Legal and Monitoring Officer**

There are no specific legal implications arising from this report.

### **10.3. Diversity and Equality**

Implications verified by: **Becky Lee**  
**Team Manager - Community Development and Equalities**

There are no specific diversity and equality implications arising from this report.

- 10.4. **Other implications** (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder, and Impact on Looked After Children

None

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

None

12. **Appendices to the report:**

None

**Report Author:**

Jonathan Wilson

Assistant Director - Finance

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11 March 2020		ITEM: 11
Cabinet		
Procurement of Housing Capital Programme Delivery		
Wards and communities affected: All	Key Decision: Key Decision	
Report of: Councillor Barry Johnson, Portfolio Holder for Housing		
Accountable Assistant Director: Carol Hinvest, Assistant Director of Housing		
Accountable Director: Roger Harris, Corporate Director Adults, Housing and Health		
This report is Public		

## Executive Summary

This report sets out the proposals for the procurement and contract packages to ensure the successful delivery of the Housing Capital Programme from 2020/21 to 2025/26.

The Housing Capital Programme invests to secure the long-term integrity of the Council's asset and brings significant improvements to the health and wellbeing of our local residents through improvement to their living conditions and provision of employment opportunities.

The key priorities for the Housing Capital Programme for next 5 years are the continuation of the property refurbishment through the Transforming Homes programme and the external refurbishment of 9 tower blocks in Grays.

This report details options for the procurement of these contract packages using pre-approved public sector frameworks in order to generate cost efficiency and resource time savings.

### 1. Recommendation(s)

**Cabinet is requested to approve:**

- 1.1 The procurement of two major works contract packages for the delivery of the Housing Capital work programme as set out in the report.**

**1.2 The procurement of two contract packages to provide strategic support and cost management of the Housing Capital Programme as set out in the report.**

**1.3 Authority being delegated for the awarding of the above contracts to the Corporate Director of Adults, Housing and Health in consultation with the Portfolio Holder for Housing.**

## **2. Introduction and Background**

2.1 There is an ongoing need to invest in our existing council stock to ensure the integrity of the asset is maintained and that the Council fulfils its duty to provide residents with warm homes with modern facilities.

### **Transforming Homes**

2.2 The Transforming Homes programme has been delivering a comprehensive internal and external refurbishment programme now for 7 years. Significant success has been achieved in the delivery this programme, both in the improvements made to living conditions for council tenants and through the added value these contracts have brought to the local economy.

2.3 The priority works packages for the programme have been informed by the stock condition data held by the council which was refreshed with the stock condition survey undertaken in 2017.

2.4 Currently both the refurbishment and cost management contracts for this programme were awarded on the basis of two years plus one year extension, by way of a mini-competition for commencement in July 2018 using pre-approved public sector frameworks.

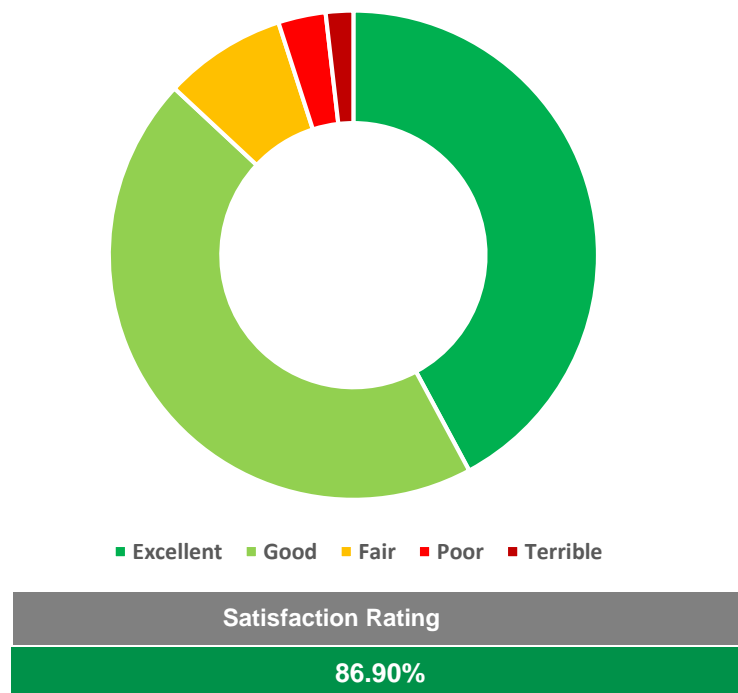
- PS/2017/524 – Transforming Homes Refurbishments
- PS/2017/523 – Transforming Homes Cost Consultancy

2.5 The current contracts have a total value of £35.78m over the 3 year period. They are delivering well and meeting KPI targets. However they will expire in June 2021 and therefore to ensure continuity of programme, a re-procurement exercise needs to take place.

2.6 Headline achievements to date include:

- 8734 properties benefitting so far from the programme
- 51% of the construction value is spent in the local economy
- 45% of the local delivery team are Thurrock residents
- 50% of the supply chain is registered in Thurrock

2.7 Customer satisfaction with the current programme delivery arrangements has been consistently above the target of 85%.



#### Recent Customer Feedback Examples:

*The bathroom is ten times better now than what we had previously. We were kept informed every step of the way – Resident in South Ockendon*

*The whole of the work was excellent. The contractors kept me informed from start to finish. – Resident in Orsett*

*They did a really good job and it's a massive improvement. – Resident in Grays*

*To see what they've done, it's lovely. The service was excellent – Resident in Stifford Clays*

Where there have been areas of concern raised, these have been dealt with in a prompt and efficient manner.

#### 2.8 Two key principles have been central to delivery of this programme of work:

The first is to ensure investment is targeted at maximising improvements to the Councils assets. The second is to provide a mechanism for stringent contract administration and cost management, challenging our contractors to deliver the best value and service for our residents. The latter is achieved with the specialist support for contract administration, cost management and quantity surveying services.

#### **Tower Block Refurbishment**

- 2.9 Through recent specialist surveys undertaken we have identified that nine of the fifteen tower blocks in Thurrock council's housing stock require external refurbishment in the near future.
- 2.10 The windows of these blocks are now at the end of their expected life span and the roof coverings are in need of replacement.
- 2.11 In addition these blocks, which are all in the Grays area, require replacement of the current external wall insulation as the fixing method of the panels has now reached the end of its technical life expectancy.
- 2.12 Thurrock Council have recently appointed a specialist consultancy to undertake detailed site surveys and provide feasibility options for the work that is required.
- 2.13 The results of this feasibility work has provided the estimated costs for this work and these have been factored into the HRA business plan which is being considered by Cabinet this month (February 2020).
- 2.14 It is recommended that this programme is procured under the same principles as the Transforming Homes programme with stringent contract administration and cost management and control of quality of works on site.

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

- 3.1 Due to the size and scale of service provision, the Council is required to procure these contracts through the Public Contracts Regulations 2015 and comply with procedures associated with, and advertise the contract in, the Official Journal of European Union (OJEU).
- 3.2 The current delivery arrangements for the Housing Capital Programme were procured via mini competitions using pre-approved public sector frameworks in the following packages.

<b>Package</b>	<b>Building Contractor</b>	<b>Specialist Support and Cost Management</b>
Transforming Homes North Area	United Living	Potter Raper
Transforming Homes South Area	Wates Living Space	Potter Raper

- 3.3 Moving forward, it is recommended to award only one main refurbishment procurement package for Transforming Homes as opposed to the two

operated currently. This is justifiable on the basis that the overall volume of work annually is not as extensive as it has been in the past.

- 3.4 It is also recommended that one contract package is let for the tower block refurbishment.
- 3.5 To support the effective delivery of these it is recommended that two support packages are procured, one to support the Transforming Homes contracts and one to support the Tower Block Refurbishment as they are separately defined scheme packages.
- 3.6 It is recommended that the contracts for Transforming Homes which will commence in 2021, are on the basis of 3 years plus 2 years. This will enable longer term commitment and continuity in the added value benefits for the local community. The total value of these contracts is estimated to be £47m over the full five year period including the cost of the strategic support.
- 3.7 It is recommended that the contracts for the Tower Block Refurbishment will be over a 3 year period in line with this specific project lifecycle. The total value of this contract is estimated to be in the region of £23.2 m including the cost of the strategic support.

3.8

<b>Package</b>	<b>Building Contractor</b>	<b>Specialist Strategic Support provided</b>	<b>Length</b>
Transforming Homes – whole borough	One Contractor	One Contract	3 years plus 2 years optional extension
Tower Block Refurbishment	One Contractor	One Contract	Fixed term of 3 years

- 3.9 The Housing Revenue Account Business plan includes provision for the spend under these contracts as follows:

<b>Year /£m</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>
Transforming Homes new contracts*		5.7	10.30	10.30	10.30	10.30
Tower Block Refurbishment	6.18	14.42	2.58			

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\* The existing transforming homes contracts expire in June 2021 and that investment is not reflected in this table

### **Procurement Route**

- 3.10 Officers have considered a number of options for re-procurement via either a full OJEU process or using purchasing consortium frameworks.
- 3.11 Given the likely level of interest in the work packages and the limitations of the market along with the reduced timescale and potential savings through economies of scale, the recommended option for the procurement is a mini competition through a purchasing consortium framework. This will enable the service to select from a list of providers who have already demonstrated their suitability to be included on a framework. Undertaking the procurement through a framework will enable an earlier start on site for the tower block refurbishment project.

## **4. Timetable for Procurement and Award**

### **4.1 Tower Block Refurbishment**

<b>Action</b>	<b>Date</b>
Leaseholder and Tenant Consultation	35 days April and May 2020
Issue Tender	End May 2020
Tender Return	End June 2020
Evaluation Period Ends	End July 2020
2 <sup>nd</sup> stage Leasehold consultation	August - 35 days
Standstill Period Concludes	Mid August 2020
Award of Contract	Mid September 2020
Contract Commencement	End September 2020

This timetable supports the requirement to mobilise on site as soon as possible.

### **4.2 Transforming Homes**

Action	Date
Leaseholder and Tenant Consultation	Issue July finish in August 2020 (35 days)
Issue Tender	1 <sup>st</sup> September 2020
Tender Return	End October 2020
Evaluation Period Ends	1 <sup>st</sup> December 2020
Second stage leasehold consultation	mid January (35 days)
Standstill Period Concludes	Mid December
Award of Contract	End January 2021
Contract Commencement	1 <sup>st</sup> July 2021

This timetable supports the continuation of the programme, allowing time for mobilisation so works can commence as soon as the existing contract arrangements come to an end.

## **5. Reasons for Recommendation**

- 5.1 This report is submitted to Cabinet to request the approval to proceed with the procurement of the contracts for the major works delivery packages and strategic cost management elements of the Housing Capital Programme. This will ensure continuity of programme delivery from 2020/21 to 2025/26 to ensure the assets are maintained to standard. All these procurements are valued above the Cabinet threshold of £0.750m.
- 5.2 The recommended option for the procurement routes is a mini competition through a purchasing consortium framework. This will enable the selection from a list of providers who have already demonstrated their suitability to provide the type and quality of services required. It will enable the evaluation of the mini competition tenders on the basis of key criteria on quality, price and added social value.

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

- 6.1 The proposal was presented to Housing Overview and Scrutiny in February 2020 and was supportive of the proposals.
- 6.2 This proposal will be subject to Section 20 Leaseholder Consultation at all stages.
- 6.3 Once approval to proceed is in place the refurbishment proposals will be consulted on with the local communities affected.

6.4 Members of the Resident Excellence Panel will be invited to participate in the tender evaluation process. Members of the Resident Excellence Panel have been trained in the evaluation process and have provided positive contributions when previously involved in evaluation processes.

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

7.1 The improvement of the Council's housing assets supports the Council's key priorities through the provision of quality housing and estates people are proud to live on.

7.2 The Council's Social Value Framework will be an integral part of the tender documents and bidders will be required demonstrate how they will generate added value for local communities, support the local economy through opportunities for local businesses and providing local job opportunities.

## **8. Implications**

### **8.1 Financial**

Implications verified by: **Mike Jones**  
**Strategic Lead - Finance**

The re-procurement of delivery arrangements is required to ensure continuity of programme delivery in order to meet the budget investment profile for years 2020/21 to 2024/25. The estimated spend shown in this report is in line with the HRA Business Plan provision for the contract period.

### **8.2 Legal**

Implications verified by: **Kevin Molloy**  
**Solicitor – Law and Governance**

The recommended option for procurements will require full leasehold consultation from Stage 1 to Stage 3 under Section 20B of the Landlord and Tenant Act 1985 (amended). Therefore adequate timescales need to be considered as part of the procurement process for this.

The value of the contracts for both construction and cost management support exceed the threshold within the Public Contracts Regulations 2015 which therefore requires either advertisement through the Official Journal for the European Union (OJEU) or use of a previously procured and accessible framework. The recommendation is for use of the second option using public sector accessible frameworks.



The report author and responsible directorate are advised to keep Legal Services fully informed at every stage of the proposed tender exercise.

### 8.3 **Diversity and Equality**

Implications verified by: **Natalie Smith**  
**Strategic Lead – Community Development and Equalities**

A full community equality impact assessment has been undertaken of the implementation of the Housing delivery of the investment programmes.

This significant investment represents a real opportunity to provide additional social value to the local communities in the borough. It is therefore important that the commissioning and contract management approach continues to support a framework for social value delivery to support training and employment opportunities for our communities and maximise spend in the local economy.

### 8.4 **Other implications** (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder, and Impact on Looked After Children)

None

### 9. **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

### 10. **Appendices to the report**

None

### **Report Author**

Susan Cardozo

Strategic Lead for Housing Investment Repairs and Compliance

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<b>11 March 2020</b>		<b>ITEM: 12</b>
<b>Cabinet</b>		
<b>Housing Planned and Reactive Repair Programmes Procurement</b>		
<b>Wards and communities affected:</b> All		<b>Key Decision:</b> Key
<b>Report of:</b> Councillor Barry Johnson, Portfolio Holder for Housing		
<b>Accountable Assistant Director:</b> Carol Hinvest, Assistant Director of Housing		
<b>Accountable Director:</b> Roger Harris, Corporate Director of Adults, Housing and Health		
<b>This report is</b> Public		

## Executive Summary

This report sets out the proposals for the re-procurement of two contract packages. One for passenger lift maintenance and the other for the maintenance of door entry systems.

The planned and cyclical maintenance programme for lift operations and door entry control systems ensure that council owned properties are maintained to a satisfactory standard, continue to meet the Council's statutory obligations, and provide our residents with a consistent high level of service.

The proposed contract term for both is for 5 years plus an option to extend for a further five years.

The procurement of both contracts will be in accordance with conditions set out within the Council's Contract Procedure Rules and Public Contracts Regulations 2015 and all current European Union procurement and regulations.

### 1. Recommendation(s)

- 1.1 **Approve the re-procurement of Passenger Lift Maintenance and Door Entry Maintenance contracts for a period of up to five years with an option to extend for a further five years.**
- 1.2 **Approve delegated authority for award of the above contracts to the Corporate Director of Adults, Housing and Health in consultation with the Portfolio Holder for Housing.**

## **2. Introduction and Background**

- 2.1 The lift maintenance contract will ensure the council's passenger lifts are maintained and tested in accordance with the Lift Operations and Lifting Equipment Regulations 1998 (LOLER)
- 2.2 The door entry control contract ensures maintenance, repair and improvement of entry systems providing security and safety for the residents of our buildings, in line with all current legislation.
- 2.3 The contracts to be procured are for the maintenance, responsive repairs and modernisation of all passenger and goods lifts owned and operated by the Council and door entry control systems to all communal sites and sheltered schemes. Investment is based on a current 30 year mechanical and electrical programme and takes into consideration repair history data.

### **Lifts**

- 2.4 The current annual lift maintenance, repair and modernisation contract is due to expire 31 October 2020 and any new contract will commence 1 November 2020. The current annual costs for service, repair and modernisation is £255,000 for housing assets and £21,790 for corporate assets which, over the potential full ten year period of the contract is £2,767,900. This current contract was procured five years ago which the above mentioned figures are based upon. On procurement of the new contract these prices may increase due to inflation over the last five years.
- 2.5 As the proposed cost for the procurement will exceed the EU Services threshold of £189,330 the tender process to be used will be either a full advert published through the Official Journal of the European Union as an Open tender or through an approved and compliant framework agreement if a suitable option is available. Whichever procurement route is decided on, it will be fully compliant with the Public Contracts Regulations 2015. The procurement opportunity will be advertised on Contracts Finder <https://www.gov.uk/contracts-finder>
- 2.6 The works entail the routine maintenance of passenger lifts as required under the current regulations and periodic safety tests and component replacement as required by the Council's insurers, Zurich Municipal.
- 2.7 The benefits to the Council to continue funding the lift maintenance and modernisation programme are:
- Ensuring any lift breakdowns are responded to and resolved in a timely manner to minimise the inconvenience to the users and in particular, those with disabilities.
  - Implementing the recommendations of the Council's Insurers ensuring all lifts are maintained and operated to the required safety standards as set out in the current regulations.

- Ensuring the Council is compliant with its statutory duties as required under the Health & Safety Regulations.

- 2.8 Under the current contract all lifts are serviced on a monthly basis and repairs completed against agreed key performance indicators. Modernisation has taken place at nine high rise tower blocks to both lift cars which has increased reliability of service for our residents and the wider public.
- 2.9 The performance of the current lift contractor is to a satisfactory standard. The below table shows performance figures achieved:

KPI INDICATOR	TARGET	CURRENT PERFORMANCE
Emergency callouts attended within 6 hours (regardless of 9-5 or OOH)	95%	96%
Urgent repairs attended next calendar day and completed within 7 calendar days (if quoted works from date of approval of quote)	95%	100%
% Breakdowns repaired on first attendance	80%	86%

### Door Entry

- 2.10 There are around 650 door entry systems currently which serves 4,500 properties consisting of general needs housing properties, low and high rise flats, corporate buildings and sheltered and supported housing schemes owned by the Council.
- 2.11 The current door entry control systems contract is due to expire 18 October 2020 and any new contract will commence on 19 October 2020. The current annual costs for the door entry control systems contract is £635,000 for housing assets and £132,530 for corporate assets, which over the potential full ten year period of the contract is £7,675,300. There will be an additional one off cost of £300,000 for improving access to sheltered housing properties. This takes the overall cost to an estimated £10,743,500.00. This current contract was procured five years ago which the above mentioned figures are based upon. On procurement of the new contract these prices may increase due to inflation over the last five years.
- 2.12 As the proposed cost for the procurement will exceed the EU Services threshold of £189,330 the tender process to be used will be either a full advert published through the Official Journal of the European Union as an open tender or through an approved and compliant framework agreement. Whichever procurement route is applicable, it will be fully compliant with the Public Contracts Regulations 2015. The procurement opportunity will be advertised on Contracts Finder <https://www.gov.uk/contracts-finder>

- 2.13 The proposed door entry control system contract will provide for the provision of maintenance and repairs to existing door entry systems, security doors to multi occupancy blocks, design and installation of replacement systems and servicing and repair to automated gates across the borough.
- 2.14 The performance of the door control systems contractor is to a satisfactory standard.

The below table shows performance figures achieved.

KPI'S	TARGET	CURRENT PERFORMANCE
Emergency repairs where the engineer is on site within 6 hours of request/report of breakdown	100%	100%
Emergency repairs resolved within 24 hours of request	95%	100%
Routine repairs completed within 28 days of request	100%	100%

- 2.15 Both procurements intend to deliver both the best service and experience for our residents. They will include a robust set of key performance indicators and will be subject to stringent contract management and cost control processes at regular contract management meetings.

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

- 3.1 The current service provision was tendered and awarded to one contractor for each contract. As demonstrated in the above performance, this approach has ensured the service was effectively delivered and managed ensuring a positive experience for our residents. It is proposed that only one supplier will again be selected for each contract.
- 3.2 Consideration has been given to the types of contract, term of contract, contract conditions and service improvement in relation to standardisation of components in order to reduce service down times for both contracts. Performance criteria will be specified in the tender process and monitored via contract governance process.

### 3.3 Timeline for Procurement and Award – Service, responsive repair and modernisation of passenger lifts and Door Entry Systems

Action	Date
Leaseholder consultation	35 days
Issue Tender through Oracle (the Council's e-procurement tendering portal)	1 <sup>st</sup> June 2020
Tender Return	1 <sup>st</sup> July 2020
Evaluation Period Ends	24 <sup>th</sup> July 2020
Second stage of consultation- Notice of Proposal	35 days
Voluntary Standstill Period Concludes	7 <sup>th</sup> September 2020
Award of Contracts	11 <sup>th</sup> September 2020
Contract Start Date – Door Entry Maintenance	19 <sup>th</sup> October 2020
Contract Start Date – Lift Maintenance	1 <sup>st</sup> November 2020

This timetable supports the continuation of the current programmes, allowing time for mobilisation so works can commence as soon as the existing contract arrangements come to an end.

## 4. Reasons for Recommendation

- 4.1 This report is submitted to Cabinet for approval to proceed to tender for two contracts each with a whole life cost valued above £750K. The total estimated value for both these contracts over the maximum ten-year contract period is estimated to be £10,743,200.
- 4.2 These contracts will invest in improvement the long term condition of the assets and ensure that the council continues to provide a consistent and reliable service to its residents and meets its statutory responsibilities as landlord in maintaining and testing its assets.

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

- 5.1 The proposed procurement will be subject to statutory leaseholder consultation under Section 20B of the Landlord and Tenant Act 1985 (amended).

- 5.2 The Excellence Panel who have previously been trained in the evaluation process, will be invited to participate in the tender evaluation process.

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

- 6.1 These contracts aim to meet corporate priorities through the delivery of high quality services ensuring the maintenance and modernisation of assets to Thurrock owned dwellings and public buildings.
- 6.2 The award of the lift maintenance contract will ensure best practice is followed for the safe vertical transportation of residents and also ensure everyone has access to their home or place of work with minimum inconvenience in the event of service failure
- 6.3 The award for door entry contract will also ensure best practice and follow the Workplace (Health, Safety and Welfare regulations 1992), and also meets Disability Discrimination Act 1995 providing safe access for residents, leaseholders and the wider public. And that powered gates are maintained to current BS EN standards as required.
- 6.4 The Council's Social Value Framework will be set out in the tender documents and bidders will be asked to demonstrate how they will generate added value for local communities. Typically with this type of service provision apprenticeships and using local suppliers would feature in the evaluation criteria, along with specific projects identified by colleagues within the resident engagement team and local area coordinators. The proposals will subsequently be incorporated into the contractual requirements.

## **7. Implications**

### **7.1 Financial**

Implications verified by: **Mike Jones**  
**Strategic Lead - Finance**

The estimated costs of these two contracts is line with the current budget provision as set out in the HRA Business Plan.

The works will be carried out within the overall revenue repairs and maintenance budget allocation. For 2020/21, additional funding for door entry systems was identified and included within the funding provision.

### **7.2 Legal**

Implications verified by: **Kevin Molloy**



## **Solicitor – Law and Governance**

This report is seeking approval from Cabinet to agree to tender the contracts noted in the report.

The tender process will be Official Journal of the European Union compliant as the whole life cost of each contract is over the EU Services threshold of £189,330. The procurement will therefore be subject to full compliance with the Public Contracts Regulations 2015. The procurement opportunity will be advertised on Contracts Finder <https://www.gov.uk/contracts-finder>.

The Council will need to ensure that the works are procured under this programme in accordance with Section 20B of the Landlord & Tenant Act 1985 (amended).

Taking the above into account, on the basis of the information in this report, the proposed procurement strategy will comply with the Council's Contract Procedure Rules.

The report's author and responsible directorate are requested to keep Legal Services fully informed at every stage of the proposed tender exercise. Legal Services are on hand and available to assist and answer any questions that may arise.

### **7.3 Diversity and Equality**

Implications verified by: **Becky Lee**  
**Team Manager - Community Development and Equalities**

These contract will deliver a service specifically intended to maintain the living environment of residents and general public and council owned buildings. Contractors will be required to ensure they meet the requirements set out in the within the contract and also through the evaluation process, and have the technical skills to deliver the necessary elements with a strong customer focus making adjustments where required to the needs of residents and the public.

A full community equality impact assessment has been undertaken of the implementation of the delivery of the housing investment programmes.

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

- None

**9. Appendices to the report**

- None

**Report Author:**

Susan Murray

Asset Investment and Delivery Manager

Adults, Housing and Health

<b>11 March 2020</b>		<b>ITEM: 13</b>
<b>Cabinet</b>		
<b>Contract for Short Term Temporary Accommodation</b>		
<b>Wards and communities affected:</b> All		<b>Key Decision:</b> Key
<b>Report of:</b> Councillor Barry Johnson – Portfolio Holder for Housing		
<b>Accountable Assistant Director:</b> Carol Hinvest - Assistant Director of Housing		
<b>Accountable Director:</b> Roger Harris, Corporate Director of Adults, Housing and Health		
<b>This report is</b> Public		

## Executive Summary

Thurrock Council is seeking authority to procure and establish a contract with letting agents and landlords to provide, and manage short term temporary accommodation for single persons, families at risk of homelessness, and former Looked After Children transitioning into adulthood.

The aim of this procurement is to establish a pool of accredited agents and landlords, set minimum property standards that homes shall meet before they can be accepted by the Council and standardise property charges for each property type. The Council's preference is for accommodation to be within Thurrock to accommodate current education, social, support needs and family connections.

Currently the Council uses various forms of accommodation to house around 535 households per year, including private rented properties, council stock, hostels and in some cases Bed and Breakfast where there is no alternative, although this is not the preference.

Under this contract accommodation is required under two separate lots:

Lot 1 – Aftercare Accommodation. Providing accommodation to young people aged 18- 25 years.

Lot 2 - Temporary Accommodation. Providing accommodation to single applicants and families with children.

The combined cost of the contracts over a period of four years is expected to be in the region of £6,000,000 and therefore Cabinet approval is sought to authorise the

procurement process. The anticipated contract value includes the direct costs of property rentals.

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

- 1.1 That Cabinet approves to proceed to tender for a contract for Letting Agents and Landlords for short term accommodation and agrees to delegate authority for award of the contract to the Director of Adults, Housing and Health in consultation with the Portfolio Holder for Housing.**

## **2. Introduction and Background**

- 2.1 Thurrock Council has a statutory duty under the Housing Act 1996 Part VII, (as amended by the Homelessness Act 2002) where the homeless duty is owed to secure accommodation for applicants.
- 2.2 There are additional statutory powers and duties placed on Authorities to provide help and assistance to other categories of people including certain young people leaving care and families at risk of homelessness following an adverse decision that they are intentionally homeless.
- 2.3 In order to help meet this continuous need, the Council currently has use of a range of temporary accommodation, including hostels and its own stock. However, there are significant pressures in securing affordable accommodation in Thurrock as demand exceeds supply.
- 2.4 There is currently no formal contract in place between the council and private agents and landlords in providing temporary accommodation. Provision on an ad hoc basis increases the risk that sufficient accommodation within Thurrock will not be forthcoming when required.

### **Aftercare Accommodation**

- 2.5 The Council's Head Start Housing programme offers accommodation to young people eligible for an after care service. Head Start Housing is responsible for managing a portfolio of suitable accommodation to support young people as they transition into adulthood and successful independent living.
- 2.6 As part of the Head Start, the Council spot purchases aftercare accommodation through a number of lettings agents, who manage the accommodation at an agreed weekly price. The majority of the accommodation used to accommodate young people is furnished shared accommodation (although self-contained units, hostels and, very occasionally, Bed and Breakfast are used). The aftercare accommodation are located within and outside of Thurrock.

- 2.7 The table below shows the number of placements made within each type of aftercare accommodation, as at December 2019.

**Table 1- Aftercare Placements**

Type	Out of Borough	In Borough	Grand Total
B&B	-	1	1
Furnished Let	22	21	43
Hostel	-	15	15
Grand Total	22	37	59

### **Temporary Accommodation- Housing duty**

- 2.8 The Council provides temporary accommodation in order to discharge its interim duty to house homeless households who are assessed as in priority need, pending the decision regarding any long term duty. Temporary accommodation is arranged by Housing or Children's Services, depending on the household's situation.
- 2.9 When applicants are placed in temporary accommodation they can claim Housing Benefit (HB) to cover some of the cost of the accommodation. The temporary accommodation charge is set in line with the 2011 LHA rates. Local Authorities can only claim 90% of the above rates.
- 2.10 The table below shows the number of temporary accommodation placements made by the Housing service, as at the end of December 2019.

**Table 2- Housing Placements**

December 2019			
	Out of Borough	In Borough	Grand Total
B&B	1	3	4
Furnished Let ( Council Stock)		61	61
Hostel		41	41
Private Let	51	55	106
<b>Grand Total</b>	<b>52</b>	<b>160</b>	<b>212</b>

- 2.11 The table below shows the number of families Children's Social Care have placed in temporary accommodation as at 31 October 2019. There may be an overlap with the below as the duties owed to individuals by the different departments may change within the same period. Essentially, households may initially be owed a duty by the Housing Department, the provision of accommodation would be transferred to Children Social Care if a decision was made that they are intentionally homeless.

**Table 3- Children Service- Families Placement**

Homeless	11
At risk of homelessness	4
No recourse to public funds	15
<b>Grand Total</b>	<b>30</b>

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

- 3.1 Aftercare Accommodation was originally going to be procured as a standalone contract, but, on identifying and reviewing the spend on accommodation across the Council it was proposed that it should be procured as part of one larger exercise covering all short and long term accommodation requirements, both in Housing and Children's Services.
- 3.2 Currently, accommodation is scarce in Thurrock, resulting in the marketplace being positioned in favour of the provider. Part of the reason for the heightened demand is due to London authorities leasing properties in Thurrock to house their residents. This buoyancy from the provider's prospective means landlords and agents often have their choice of customers and command of the required rent levels.
- 3.3 Due to a shortage in suitable move-on accommodation, people are staying in short term temporary accommodation for longer than is desired. This has financial implications and also affects the health and wellbeing of individuals being accommodated. Authorities are legally required to limit the use of bed and breakfast or shared accommodation for families to a maximum term of 6 weeks.
- 3.4 The proposed procurement exercise is seeking to establish a pool of accredited and reputable providers, working to agreed delivery standards. This is expected to result in a reduction in the use of emergency Bed and Breakfast accommodation and the provision of poor quality properties.
- 3.5 There is a struggle to find suitable accommodation at short notice for families that are homeless, this is not only very costly but the standard is not always acceptable when having to source private accommodation.
- 3.6 There have been some ambiguity around the terms proposed by some agents, which resulted in huge costs to the Council. Children Social Care holds a monthly Homeless Tracker Panel and is supported by the Housing Solutions Team to find suitable accommodation for families. Due to the limited

availability and costs, the properties are usually sourced outside of the borough intense work has been undertaken to reduce the number of cases on the Homeless Tracker panel however, most of these families would prefer to remain within Thurrock but this is most often not feasible due to availability of housing.

- 3.7 Continuing to spot purchase is not recommended, as the services would still need to negotiate ad hoc arrangements with providers often resulting in higher costs. It is possible that this option would increase the potential for further withdrawals from providers and increase the risk of a lack of suitable temporary accommodation, with the risk of having to rely on the use of bed and breakfast accommodation for homeless households, with associated costs to the council.
- 3.8 The contract will establish a preferred provider framework which will allow the Council to call off properties which are available for applicants in need of accommodation and regularise the current spot purchase arrangement.
- 3.9 This arrangement will firm up the obligations of the council, landlords and agents, and households by ensuring:
- The council fulfils its responsibilities in making payments to the landlords and agents in a timely fashion.
  - Agents and landlords provide properties in good condition, keep these maintained and manage evictions.
  - Households to occupy the accommodation and abide by the licence terms.

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

- 4.1 The reason for the recommendation is to ensure the Council meets its statutory duty to provide accommodation to eligible people. The purpose of the contract is to ensure homeless clients are housed in suitable, secure and safe accommodation which meets minimum statutory standards and reduces the risk that it will be necessary to use costly bed and breakfast accommodation to house homeless households to whom the council has a duty.
- 4.2 The lack of formal contracts with providers has potential to create operational tension, confusion or lack of confidence between the council and landlords and agents.

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

- 5.1 To further develop the proposals contained in this report, the council will have consulted with some housing providers through a soft market exercise. This will be used to inform the contract specification.

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

- 6.1 The provision of accommodation will touch upon each of the Council's vision and priorities (i.e. **People, Place and Prosperity**).
- 6.2 In addition, the service will support the goals of the Health and Wellbeing Strategy, in particular:
- A4. Fewer children and adults in poverty
  - C1. Give parents the support they need
  - D2. When services are required, they are organised around the individual
- 6.3 The service will support Core Priority 1 of the Housing Strategy, in particular, by enhancing the quality of housing in the private sector.

## **7. Implications**

### **7.1 Financial**

Implications verified by: **Michael Jones**  
**Strategic Lead - Finance**

The procurement of temporary accommodation which limits the use of expensive bed and breakfast provision will result in financial efficiencies in the provision of temporary accommodation solutions. The 2019/20 housing general fund budget is forecasting an adverse deficit at the end of the financial year, and therefore alternative ways in which the service is provided, as well as a review of the long-term financial implications are under consideration as part of the Councils 2020/21 budget setting process and medium term financial strategy.

### **7.2 Legal**

Implications verified by: **Martin Hall**  
**Housing Solicitor/Team Leader**  
  
**Courage Emovon**  
**Acting Strategic Lead, Deputy Head of Legal & Deputy Monitoring Officer**

The provision of temporary accommodation is a legal requirement and is detailed within the Housing Act 1996 as amended and Childrens Act 1989. The authority is required to have such accommodation which is suitable to accommodate households where a duty is triggered. Failure to comply would leave the council open to criticism and potential legal challenge. It is therefore necessary that the council has access to suitable accommodation to fulfil its legal obligations.

### **7.3 Diversity and Equality**



Implications verified by: **Rebecca Lee**  
**Team Manager - Community Development and Equalities.**

As outlined within this report the provision of temporary accommodation is required to meet the needs of residents in order to meet the legal requirements. The procurement of the management and supply contract will enable the authority to fulfil its duties to a range of people including those with protected characteristics. The allocation of this type of provision would be subject to detailed assessments informed through a community equality impact assessment to identify and address any issues affecting those with the protected characteristics.

**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: Stage 1 Form

**Report Author:**

Lorrita Johnson

Housing Solutions Lead

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## PROCUREMENT STAGE 1<sup>1</sup> – APPROVAL TO PROCEED TO TENDER

This form must be completed for all procurements above the tender threshold (£75,000 - Services and Supplies and £500,000 - Works)

If contract value is over Cabinet approval threshold (£750,000) this form shall be appended to the Cabinet report. This form will be “open” for publication.

<b>1.</b>	<b>INTRODUCTION</b>	
1.1	Contract Title	Letting Agents for Temporary Accommodation
1.2	Reference	N/A
1.3	Directorate	Adults, Housing and Health and Children's Services
1.4	Contract Cost	£6,000,000
1.5	Description	The provision of letting agents to source, let and manage temporary accommodation for single applicants and families with children, as well as those receiving aftercare.
1.6	Contract Term	3 + 1 years from 1 <sup>st</sup> July 2020.
1.7	Political Sensitivity	N/A

<b>2.</b>	<b>BUSINESS CASE</b>	
2.1	Business Case	<p>Currently the Council spot purchases temporary accommodation from multiple suppliers. Various forms of accommodation are used, including nightly lets, furnished lets, hostels and where there is no alternative, B&amp;Bs. The accommodation is situated in various locations across Thurrock, with some outside Thurrock.</p> <p>The aim of this procurement is to standardise the process for housing those at risk of homelessness and set contractual property standards. The Council's preference is for accommodation to be within Thurrock to accommodate current education needs and family connections.</p> <p>Accommodation is required for:  <b>Aftercare Accommodation</b> Providing accommodation to young people aged 18+ on leaving the care system.  <b>Temporary Accommodation</b> Providing accommodation to single applicants and families with children.</p>
2.2	Key Deliverables	<p>The Agent will provide the following services for both existing and newly sourced accommodation:</p> <ul style="list-style-type: none"> <li>• Lettings Services</li> <li>• Systems, controls and procedures</li> <li>• Tenancy management</li> <li>• Asset management</li> <li>• Grounds and estate management</li> <li>• Repairs, statutory inspections and cyclical maintenance</li> </ul>

<sup>1</sup> Docusign Version, April 2019 onwards

2.3	Commercial Pressures	This requirement is being sourced from a seller's market, where demand is high and supply is limited. Consequently significant cashable savings are not anticipated to be delivered through this contract.
2.4	Contractor Employment Status <sup>2</sup>	N/A
2.5	Award Criteria	60% Quality 40% Price
2.6	Social Value	The contract is expected to contribute to social value by aiming to increase the number of properties being used for this purpose in Thurrock, rather than out of borough. This will have a positive impact socially, economically and environmentally.
2.7	Previous Contract	N/A

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<sup>2</sup> Use online self-assessment tool: <https://www.gov.uk/guidance/check-employment-status-for-tax>

<b>3. FINANCIAL CONSIDERATIONS</b>							
3.1	Previous Contract Cost	N/A					
3.2	Scope Changes	Is there any increase / decrease in scope that could impact costs?	No				
3.3	Annual Cost	Year	20/21 £000's	21/22 £000's	22/23 £000's	Later £000's	Total £000's
		Total Spend	<b>£1,125</b>	<b>£1,500</b>	<b>£1,500</b>	<b>£1,875</b>	<b>£6,000</b>
3.4	Funding Breakdown Identified	Revenue Budget	£1,125	£1,500	£1,500	£1,875	£6,000
		Capital Budget	£	£	£	£	£
		Other (Please State)	£	£	£	£	£
		Other (Please State)	£	£	£	£	£
		<b>Total Funding</b>	<b>£1,125</b>	<b>£1,500</b>	<b>£1,500</b>	<b>£1,875</b>	<b>£6,000</b>
3.5	Budget Code(s)	CA009, HG251 CA033					
3.6	Unsupported borrowing	N/A					
3.7	Other Financial Implications	See 2.3					

<b>4. PROCUREMENT ROUTE</b>		
4.1	Procurement Route	EU Open Tender
4.2	Procurement Route Rationale	The contract will be above the EU threshold. The Council wishes to appoint multiple providers, therefore there is no requirement to shortlist.
4.3	Does the contract require a waiver?	No
4.4	Single Source justification	N/A - not a single source
4.5	Waiver Rationale	N/A

<b>5. PROCUREMENT TIMETABLE</b>		
5.1	Procurement Timetable	Publish Contract Notice
		23 March 2020
		Selection Questionnaire Return
		N/A
		Invitation to Tender Issue
		23 March 2020
		Invitation to Tender Return
		01 May 2020
		Notification of Result
		01 June 2020
		Standstill Period
		02 - 11 June 2020
		Expected Award Date
		12 June 2020
		Contract Commencement
		01 July 2020

6.	RISKS, CONSULTATION AND MANAGEMENT					
6.1	Tender Process Risks	Risk Level			Negative Impact	Mitigation
	Limited competition	C - Significant Likelihood	II - Significant Impact	CII - High Risk	Few options for accommodation, resulting in placements made outside of the contract	Market engagement to stimulate interest, and manageable tender process to encourage bids.
	Timetable overrun	C - Significant Likelihood	III - Marginal Impact	CIII- Low Risk	Delayed contract award	Ensure project team aware of timetable and deadlines
	-	N/A	N/A	N/A	-	-
6.2	Contract Performance Risks	Risk Level			Negative Impact	Mitigation
	Limited placement options	C - Significant Likelihood	II - Significant Impact	CII - High Risk	Placements made outside of the contract	Market engagement to stimulate interest, and manageable tender process to encourage bids.
	Unsuitable properties offered	D - Low Likelihood	II - Significant Impact	DII - Low Risk	Service users without adequate living arrangements	Contract to include robust quality assurance measures
6.3	Contingency	If the procurement process did not deliver the number of properties required to fulfil the service, the Council would need to find properties outside of the contract, and use B&Bs where there is no other option.				
6.4	Consultation	The proposed contract will go for consultation through Directors Board and Cabinet.				
6.5	Project and Contract Management <sup>3</sup>	Tier 1 - High Level Contract Management				
		The contract will be managed by officers in Housing and Children's Services, as it will be used by both services.				
6.6	Procurement Implications	Procurement agrees with the approach set out.				

7.	LEGAL, FINANCE AND PROCUREMENT APPROVAL		
7.1	Procurement	I confirm that I have been consulted and agree with the information contained in this report in so far as it relates to Procurement implications	
		Name	Kiri Mason
		Signed	<div>DocuSigned by: </div>
		Date	<div>2AF5C14F159948F...</div> 06 February 2020
7.2	Legal	I confirm that I have been consulted and agree with the information contained in this report in so far as it relates to Legal implications	
		Name	Kevin Molloy
		Signed	<div>DocuSigned by: </div>
		Date	<div>092F84B43BB54AF...</div> 06 February 2020

<sup>3</sup> Refer to the contract management framework or your category manager for guidance

7.3	Finance	I confirm that I have been consulted and agree with the information contained in this report in so far as it relates to Financial implications	
		Name	Mike Jones
		Signed	DocuSigned by: Mike Jones
		Date	03 March 2020

8.	<b>APPROVAL TO PROCEED</b>		
8.1	Approval Level	Over £750,000 - Cabinet	
8.2	Responsible Officer	I confirm that this procurement will be carried out in accordance with Rule 5 of the Council's Contract Procedure Rules (Chapter 9, Part 2 of the Constitution) and in particular the following duties have been met: <ul style="list-style-type: none"> <li>• Compliance will occur with all regulatory or statutory provisions and the Council's decision making requirements</li> <li>• The Contract will be included on the Council's Contract Register</li> <li>• Value for Money will be achieved</li> <li>• Advice has or will be sought from the Director of Finance and Corporate governance as to an appropriate security bond or guarantee</li> <li>• Document Retention Policy has and will be complied with</li> <li>• Financial Evaluation will be made of all the proposed tenders including the recommended bidder</li> <li>• Advice has been and will be sought and followed from Procurement, Legal and Finance as necessary</li> </ul>	
		Name	Lorrita Johnson
		Signed	DocuSigned by: Lorrita Johnson
		Date	06 February 2020
8.3	Assistant Director	In accordance with the Contract Procedure Rules, I confirm the accuracy of the information contained within this form and authorise this request to <b>Proceed to Tender</b> including, where relevant, the permitting of a Waiver from the Contract Procedure Rules in accordance with Rule 13.	
		Name	-
		Signed	-
		Date	-
8.4	Corporate Director	In accordance with the Contract Procedure Rules, I confirm the accuracy of the information contained within this form and authorise this request to <b>Proceed to Tender</b> including, where relevant, the permitting of a Waiver from the Contract Procedure Rules in accordance with Rule 13. I confirm that the Portfolio Holder has been consulted as required	
		Name	Roger Harris
		Signed	
		Date	

8.5	Director of Finance and IT (If waiver required)	In accordance with the Contract Procedure Rules, I confirm the accuracy of the information contained within this form and authorise this request to <b>Proceed to Tender</b> including, where relevant, the permitting of a Waiver from the Contract Procedure Rules in accordance with Rule 13.	
		Name	-
		Signed	-
		Date	-
8.6	Cabinet	Minute Number	TBC
		Date	11 March 2020
Now send complete form to Procurement Services signed and scanned			



<b>11 March 2020</b>		<b>ITEM: 14</b>
<b>Cabinet</b>		
<b>Post 18 Autism Support Service</b>		
<b>Ward and communities affected:</b> All		<b>Key Decision:</b> Key
<b>Report of:</b> Councillor Sue Little, Cabinet Member Children's and Adult Social Care		
<b>Accountable Assistant Director:</b> Michele Lucas, Education and Skills		
<b>Accountable Director:</b> Roger Harris, Corporate Director Adults, Housing and Health		
<b>This report is</b> Public		

## Executive Summary

Adult Social Care and Education have undertaken significant work to establish the options available to deliver support to young people aged 18 to 25 with Autism and behaviour that challenges services. With the advent of the Autism Act 2014, our local Autism Action Plan and our Preparing for Adulthood Strategy 2019-2022 it is clear that community and service response require significant development.

Our local specialist school Treetops has implemented a well-respected approach to supporting and educating young people with Autism and challenging behaviour. The approach, Applied Behaviour Analysis and Positive Behaviour Support (ABA), is one that delivers individualised methods of teaching. This approach supports all aspects of learning and everyday life designed to reinforce patterns of behaviour that are positive reducing behaviour that challenges.

To test the requirements a pilot was developed for a local service and based on the positive outcomes of that pilot a service has been designed to offer a local provision.

This report will be presented to Health Overview and Scrutiny Committee prior to Cabinet. Owing to the timeline to dispatch papers for both meetings comments from Health Overview and Scrutiny Committee will be reported to Cabinet.

Adult Social Care and Education are now in a position to tender for a Framework to deliver ABA services within Thurrock.

1. **Recommendation(s):**
  - 1.1 **For Cabinet to agree the proposed process to commence procurement to establish a Framework for a Post 18 Autism Support Service for Thurrock for young people aged 18 to 25 with a diagnosis of autism and disabilities that challenge service responses.**
  - 1.2 **For Cabinet to agree delegated authority to award the contract to the Corporate Director for Adults Housing and Health in agreement with the Cabinet Member for Children's and Adults Social Care.**

## **2. Introduction and Background**

- 2.1 Adult Social Care and Education has recognised the need for a local Post 18 Autism Support Service for young people aged 18 to 25 who would otherwise be at risk of being placed in expensive out of borough residential care.

Autism is a lifelong developmental disability and although some people can live relatively independently, others have highly complex needs requiring a lifetime of specialist care and support.

- 2.2 Each young person will requires a bespoke care package to suit their individual needs, where it suits them best including in the community, family home or in young people's own homes.
- 2.3 Provision will support young people in learning life skills to prepare and transition into adulthood and will enable them to remain in their local community living semi independently or potentially, independently.
- 2.4 The population of young people aged 18 to 24 years old in Thurrock identified on the Autistic Spectrum in 2019 is 130 projected to grow to 158 young people by 2030.

This equates to an increase of 22% or about 28 young people therefore demand for provision is likely to continue to grow, reflecting an increasing population of young people in Thurrock diagnosed on the Autism spectrum.

The population may rise further with planning permission for a third specialist school in Thurrock, in addition to Treetops and Beacon Hill Academy as more families may move into the borough.

- 2.5 It is projected that up to 10 young people a year will require access to the Post 18 Autism Service. The cost of provision to each young person will be divided between Education and Adult Social Care based on the needs of the young person and the type of provision delivered to each individual.
- 2.6 The transitions panel will monitor and agree the young people eligible for provision each year and inform decisions regarding directorate financial contributions for each young person.

- 2.7 The pilot project for Post 18 Autism Support in Thurrock has been delivered by a local provider based in the community and they have delivered the existing provision since September 2017.
- 2.8 The criteria for participation in the pilot included young people with a diagnosis of autism being able to move on and live semi independently, or independently, with appropriate support. These young people had very high levels of need and also had behaviour considered challenging to services.
- 2.9 The aim of the 2 year pilot was to devise, develop and implement a programme that would:
- Teach skills needed for individuals to be as independent as possible;
  - Teach procedures that are systematically implemented by a Board Certified Behaviour Analysts devising each individuals programme and training staff to implement that programme;
  - Collate data which is monitored weekly to ensure the effectiveness of the programme and that each individual is making progress; and
  - Use errorless teaching increasing functional skills reinforcing positive behaviours and decreasing behaviours that prevent individuals from accessing the community.
- 2.10 The pilot has provided evidence of need and demonstrated the following successful outcomes:
- Increased skills to participate in community and lifestyle activities with reduced support;
  - Increased community activities and participation including work experience and traveling to destinations on public transport;
  - Reduction in challenging behaviours;
  - Successful healthcare visits and medical examinations and procedures;
  - Collaborative working with parents / carers and medical teams; and
  - Successful transitions from the 2-year pilot programme into supported living accommodation.
- 2.11 The approach used by the provider with young people accessing their service is the Applied Behaviour Approach (ABA). This has been the most common based approach used in Thurrock including within specialist education provision however we recognise that there are other approaches e.g. Positive Behavioural Support (PBS) that might be delivered.
- 2.12 Existing Post 18 educational support for young people with a diagnosis on the Autistic Spectrum in Thurrock includes provision of two specialist schools; Treetops and Beacon Hill Academy with planning permission for a further specialist school.

- 2.13 Additionally, Post 18 educational support in Thurrock is provided at Palmer's Campus USP College, South Essex College and Thurrock Adult Community College (TACC).
- 2.14 Further specialist educational support not delivered at school is provided by Olive AP Academy.
- 2.15 The educational element of provision will support learning and development post 18 together with a social aspect to support the development of life skills.
- 2.16 Education, Health and Care Plan's (EHCP) that young people will have will identify education, health and social care needs beyond 18 and will remain in place, if required, until the young person reaches the age of 25.
- 2.17 The provider will work within the parameters of Thurrock's Autism pathway and the Preparing for Adulthood Strategy 2019-2022.

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

- 3.1 There is a lack of specialist support in the borough for young people with autism and additional disabilities with behaviours that challenge services. This has resulted in these young people being placed in expensive out of borough residential care away from local support networks and their communities.

It is important to consider that the potential providers are able to deliver varying approaches but must be familiar with the Applied Behaviour Approach (ABA) as young people accessing this service from Thurrock will be most familiar with this approach.

It is imperative that the approach offered to young people and their parents/carers and families, is person centred and bespoke to each young person. We acknowledge approaches offered by a potential provider may differ from ABA.

It is important in establishing a Framework that a responsive service is delivered allowing a number of expert providers to be sourced to deliver specialist approaches to meet the needs of each young person.

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

- 4.1 For Cabinet to agree the proposed process to commence the procurement to establish a framework for a Post 18 Autism Support Service for young people aged 18 to 25 with a diagnosis of autism and disabilities that challenge service responses.

For Cabinet to agree delegated authority to award the contract to the Corporate Director for Adults Housing and Health in agreement with the Cabinet Member for Children's and Adults Social Care.

## **5. Consultation**

### **5.1 Professionals**

5.1.1 Consultation with key stakeholders has been undertaken, including but not exhaustive of:

- Childrens Social Care colleagues;
- Adults Social Care colleagues;
- Thurrock Adult Community College (TACC);
- Specialist Schools - Treetops and Beacon Hill Academy;
- Autism Action Group (AAG) and
- Community and Voluntary Sector (CVS).

5.1.2 A joint Thurrock Childrens and Adult's commissioning market engagement event was held in October 2019. This was advertised via Eventbrite and additionally, the details were sent to colleagues in Essex County Council and London Borough authorities asking for awareness of the event to be raised via their networks and commissioned providers.

5.1.3 The event was successful with 10 organisations attending and expressing an informal interest in the delivery of community based Post 18 Autism Services in Thurrock.

5.1.4 A number of these providers deliver services similar to the existing pilot provision. They engaged at the event in a dialogue about delivering innovative approaches and bespoke care packages to each young person and their family/carers within the principles of wellbeing and place based commissioning.

5.1.5 Feedback from the event has informed the development of the service specification.

### **5.2 Public**

5.2.1 There is an opportunity to ensure that we co-design provision with young people, parents/carers and their families.

5.2.2 Consultation are being carried out in partnership with our operational colleagues in Children's and Adult's Social Care including our Preparing for Adulthood colleagues.

5.2.3 This will be undertaken using a variety of communication methods, including but not exhaustive of:

- Meetings;
- Telephone;
- Email; and

- Questionnaire.

5.2.4 This is to ensure that people with lived experience of autism and their parents/carers and families can contribute to the development of services. Feedback from young people, parents/carers and families will inform further development of the service specification.

### 5.3 **Tender timeline**

5.3.1 It is estimated that the tender will be published in late March 2020 with the contract award scheduled in late May to early June 2020.

5.3.2 The contract mobilisation period is scheduled to start from the 1 August 2020.

5.4 This report concerning Post 18 Autism Services will be presented to Health Overview and Scrutiny Committee prior to Cabinet. Any comments from Health Overview and Scrutiny Committee will be feedback to Cabinet.

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

6.1 The delivery of the Post 18 Autism Service outlined in this report impact the following Council Priorities:

- **People** – a borough where people of all ages are proud to work and play, live and stay; and
- **Prosperity** – a borough, which enables everyone to achieve their aspirations.

## 7. **Implications**

### 7.1 **Financial**

Implications verified by: **David May**  
**Strategic Lead Finance**

Eligibility for this service will be determined by an Education Health and Care Plan (EHCP) assessment. EHCP's are funded from a combination of Social Care, Health and the Dedicated Schools Grant depending on the specific requirements of each plan. This service is an increase over current provision but represents increased value for money and the minimisation of external high cost provisions. The increase in budget from 2021/22 will need to be prioritised from existing budgets and demographic growth.

### 7.2 **Legal**

Implications verified by: **Courage Emovon**

**Acting Strategic Lead, Deputy Head of Legal  
Services, Deputy Monitoring Officer**

The Care Act 2014 provides a legal framework for Adult Social Care and places a legal duty on Council's to promote people's wellbeing. The Council must comply with the provisions of the Public Contract Regulations 2015 and the Council's Contract Procedure Rules in the proposed procurement of a post 18 Autism Support Services.

**7.3 Diversity and Equality**

Implications verified by: **Natalie Smith**  
**Strategic Lead - Community Development and  
Equalities Manager**

The service outlined within this report will provide support to some of the most vulnerable young people in Thurrock and is intended to prevent these young people from being placed in out of borough, expensive residential care.

**7.4 Other implications** (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder, or Impact on Looked After Children)

N/A

**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):

N/A

**9. Appendices to the report**

N/A

**Report Author:**

Allison Buchanan  
Children's Commissioner  
Children's Services

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<b>11 March 2020</b>		<b>ITEM: 15</b>
<b>Cabinet</b>		
<b>Tuition Support Services</b>		
<b>Wards and communities affected:</b> All		<b>Key Decision:</b> Key
<b>Report of:</b> Councillor Andrew Jefferies, Cabinet Member for Education		
<b>Accountable Assistant Director:</b> Michele Lucas, Assistant Director Education & Skills		
<b>Accountable Director:</b> Roger Harris, Corporate Director Adults, Housing & Health		
<b>This report is</b> Public		

## Executive Summary

This reports sets out the Local Authority's Children's Services request to commission a range of Tuition Services to support children and young people who require intensive one to one learning support. The service is for children and young people who are unable to attend school or where it has been identified that external one to one tuition may better suit their learning needs to improve attainment outcomes across all key phases.

Tuition Support services include the arrangements made by the Council to provide a broad range of high-quality one-to-one tuition and group-based alternative curriculum options for children and young people who are currently out of school because of <sup>1</sup>permanent exclusion, school refusal, or because the Council is in the process of finding a suitable school placement to meet identified needs.

These services aim to ensure that:

- Children and young people can access full-time education appropriate to their level of needs.
- Children and young people engage with education and achieve awards / qualifications in accordance with their ability.
- Wherever possible, children and young people will ultimately return to school full time.

The total cost is estimated to be up to £850,000 over five years, therefore, Cabinet approval is required.

- 1. Recommendations that Cabinet:**
  - 1.1 Agree that a tender process be initiated to procure Tuition Support services.**
  - 1.2 Agree that delegated authority to award the contract is given to the Director of Children's Services in consultation with the Portfolio Holder for Education.**
- 2. Introduction and Background**
  - 2.1 The Council has a statutory duty to ensure all children aged 5-16 are receiving an education, as set out in section 19 of the Education Act 1996, if a child of compulsory school age (between 5 and 16 years old) cannot attend school for reasons of illness, exclusion from school or otherwise, the local authority must make arrangements to provide 'suitable education' either at a school or some other suitable venue.
  - 2.2 The term 'suitable education' is defined as efficient education suitable to the child's age, ability and aptitude and to any special educational needs he or she may have. The education to be arranged by the local authority should be on a full-time basis, unless, in the interests of the child, part-time education is considered to be more suitable. This would be for reasons relating to the child's physical or mental health.
  - 2.3 The Council is intensifying the level of work with special and mainstream schools to ensure they can support children to remain and reintegrate into schools, where it is appropriate for them to do so. The model being developed is expected to reduce the number of children requiring tuition over the next three years. The Department for Education notes that with the exception of Ofsted judgements, there is no systematic way of identifying and celebrating effective practice in tuition support services. At present, the majority of children are offered core subjects within the curriculum such as maths, science and english. Going forward attendance, educational attainment, employment and transition to employment and training post-16 will be incorporated into the commissioning of Tuition Support Services.
  - 2.4 It is proposed that to meet children's needs, the Council establishes a framework of multiple providers to deliver the service. The framework is intended primarily for use by the Council's Special Educational Needs service, the Virtual School Team and the Inclusion Team.
  - 2.5 Thurrock schools (particularly secondary schools) may also use the framework from time to time in order to source tuition services for children and young people for whom it is felt that a mixture of school-based and out-of-school education would be most suitable.
  - 2.6 The framework would be divided into two lots, as shown below:

**Lot 1: One to One Tutoring** to provide high quality teaching for individuals who are currently out of school and cannot engage with group-based provision or it is felt that a one-to-one service is most suitable.

**Lot 2: Group-Based Alternative Provision** to provide group-based alternative education and innovative approaches to engaging young people in education where other approaches have failed to meet their needs. This may include practical courses such as motor mechanics, bricklaying and plumbing, or hairdressing; work placements, and caring for animals.

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

- 3.1 Children's Services' current offer is limited to the standard curriculum delivered by three providers, of which one has provided a service to the Council for over three years and delivered the majority of the standard tuition services offered in Thurrock. This meant the Council did not benefit from a competitive process and was limited in the range of services available.
- 3.2 The two additional providers broadened the offer, but the Council was still reliant on spot purchasing. To further improve the service the proposed framework will ensure simple and easy access to a broad range of provision better equipped to meet the specific needs of children.
- 3.3 The decision to split the contract into lots was due to the potential for some education providers in the marketplace only being interested in providing, or able to provide, one of the services (i.e. one to one tuition, or group-based alternative provision). This separation of services should increase the number of providers that are able to tender for each separate service, therefore increasing competition overall.
- 3.4 The term Alternative Provision is used within Lot 2 because the services are wider than the provision historically referred to as 'tuition'. Alternative Provision includes the traditional one-to-one session whereby the standard curriculum; Maths, English and Science, is taught in a formal (or semi-formal) setting by a qualified teacher. However, it also covers a variety of specialist and informal provision ranging from services focusing on building self-esteem and confidence through vocational training and team work to services offering mentoring, personal development and work experience.
- 3.5 In addition to the proposed framework, Children's Services is developing a model giving Thurrock schools the opportunity to offer specialist places to children who might otherwise attend external tuition placements or alternative provision facilities. The model aligns with the Department for Education's reform programme encouraging local authorities to work with special and mainstream schools to ensure they can support children to remain and reintegrate into their schools, where it is appropriate for them to do so. The procurement of the Tuition Support framework will run parallel to the specialist places model, which aims to be in place by September 2020. It is anticipated

that the cost of the framework will reduce as fewer specialist and informal providers will be required when the specialist places model is established.

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

- 4.1 Under Section 19 of the Education Act 1996, the Council has a statutory duty to make arrangements to provide 'suitable education' either at school or elsewhere for a child of compulsory school age (between 5 and 16 years old) who cannot attend school for reasons of illness, exclusion from school or otherwise.
- 4.2 The education to be arranged by the local authority should be on a full-time basis, unless, in the interests of the child, part-time education is considered to be more suitable. This would be for reasons relating to the child's physical or mental health
- 4.3 By putting a framework of providers in place the Council will not only be meeting its obligation to ensure all education is accessible to school age children, but will also ensure those appointed to provide Tuition Support services are of a quality that ensures the best outcomes for children in Thurrock.

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

- 5.1 Directors' Management Team, Children's Services was consulted on 12 November 2019. No amendments to the report were requested.

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

- 6.1 The provision of accommodation will positively impact the Council's vision and priorities for People by providing high quality, consistent and accessible education which is right the first time.
- 6.2 In addition, the service will support the goals of the Thurrock Children and Young People Plan, in particular:
  - 1.1 Raise attainment at the end of all key stages with a particular focus on early Years, Foundation stage, Key Stage One and Key Stage Two
  - 1.3 Ensure progression to higher level qualifications and employment.
  - 3.1 Promote the attainment and achievement of underachieving children.
  - 3.2 Promote and support inclusion.
  - 4.2 Provide outstanding services to the most vulnerable children and young people.

## **7. Implications**

### **7.1 Financial**

Implications verified by: **David May**  
**Strategic Lead - Finance**

A competitive procurement exercise will be carried out which should result in savings year on year as opposed to expenditure incurred using the current spot purchase arrangement.

Although it is anticipated that there will be an increase on the previous spend initially, we are expecting to make savings by prohibiting spot purchasing (except in exceptional circumstances) and shifting to the proposed framework agreement which will afford economies of scale, prevent provider monopoly and increase competition which is likely to reduce cost.

Funding is provided from the Dedicated Schools Grant, High Needs Block funding. It is important that the Local Authority is able to demonstrate improved outcomes and value for money in the long term.

### **7.2 Legal**

Implications verified by: **Courage Emovon**  
**Acting Strategic Lead & Deputy Head of Legal Services**

The services described within this report relates to provision of Education services and fall within scope of the Light Touch Regime under the Public Contracts Regulations 2015 and afford the Council certain flexibilities in their tender although the requirements of Regulation 75 and 76 on notices and principles of awarding contracts must be complied with.

The Council has a general responsibility for Education in its area as provided by Clause 13 of the Education Act 1996. The Council also have a duty under Clause 19 to make arrangement for provision of suitable education in pupil referral units and elsewhere.

Legal Services will provide advice as and when required in relation to any tender for the services proposed in this report.

### **7.3 Diversity and Equality**

Implications verified by: **Natalie Smith**  
**Strategic Lead - Community Development & Equalities**

The Council has a statutory duty under the Equality Act 2010 to promote equality of opportunity in the provision of services and employment. This means that due regard should be given by the Council to the equality implication of any strategy, policy or function of the Council. This means that the Council must ensure that all policies and local strategies promote the inclusion of all groups and equality of opportunity. Any tendering process should be designed with these duties in mind.

The Council's procurement strategy should be followed to ensure equality of opportunity in the tendering process. If a tendering process is initiated and a contractor selected, the Council must ensure its new partner meets the statutory duties of a local authority in the provision of tuition support for children and young people who are currently out of school because of permanent exclusion, school refusal, or because the Council is in the process of finding a suitable school placement to meet identified needs. The Council must also ensure a new partner meets the statutory duties of a local authority in its HR policies.

The authority should note that where an external supplier carries out a function, the Council remains responsible for meeting the statutory duty set out in the Equality Act 2010.

The authority should give due regard to ensuring that all services are delivered in a way which is non-discriminatory, and promotes equality of opportunity for staff and service users. The services provided should cater for the needs of all users. The tender process should involve service users and stakeholders as much as possible.

Ensuring prospective contractors provide services for the whole community and identify the needs of particularly vulnerable groups should be a key aspect of the tender process. Prospective contractors should give due regard to the diverse needs of children in Thurrock and plan to meet these accordingly. It would be most advised that an Equality Impact Assessment be conducted to inform any decision on the options presented.

**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: Stage 1 Form

**Report Author**

Temí Fawehinmi

Contract and Performance Manager

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## PROCUREMENT STAGE 1<sup>1</sup> – APPROVAL TO PROCEED TO TENDER

This form must be completed for all procurements above the tender threshold (£75,000 - Services and Supplies and £500,000 - Works)

If contract value is over Cabinet approval threshold (£750,000) this form shall be appended to the Cabinet report. This form will be “open” for publication.

<b>1.</b>	<b>INTRODUCTION</b>	
1.1	Contract Title	Tuition Support Services
1.2	Reference	<i>TBC</i>
1.3	Directorate	Childrens’ Services
1.4	Contract Cost	£850,000 including extension options
1.5	Description	Development of a pool of providers to deliver high quality, cost effective and efficient Tuition Services outside of the school where they are enrolled. The service is for children who are unable to attend school or where it has been identified that external one to one tuition or group based alternative provision may better suit their learning needs to improve attainment outcomes and support GCSE preparation.
1.6	Contract Term	Three years with the option to extend for a further two years
1.7	Political Sensitivity	N/A

<b>2.</b>	<b>BUSINESS CASE</b>	
2.1	Business Case	<p>It is proposed that to meet children’s needs, the Council establishes a framework of multiple providers to deliver the service. The framework is intended primarily for use by the Council’s Special Educational Needs service, the Virtual School Team and the Inclusion Team.</p> <p>Thurrock schools (especially secondary schools) may also use the framework from time to time in order to source tuition services for children and young people for whom it is felt that a mixture of school-based and out-of-school education would be most suitable.</p> <p>The framework will be divided into two lots, as shown below:</p> <p>Lot 1: Tuition Services (One to One Tutoring)  Lot 2: Alternative Provision (Group-Based Alternative Education)</p> <p>Historically there has never been a formal contract in place for this provision. The aim of this procurement is to establish a list of pre-qualified providers to deliver the services.</p>

<sup>1</sup> Docusign Version, April 2019 onwards

2.2	Key Deliverables	<p>These services aim to ensure that:</p> <ul style="list-style-type: none"> <li>• Children and young people can access full-time education appropriate to their level of needs.</li> <li>• Children and young people engage with education and achieve awards / qualifications in accordance with their ability.</li> <li>• Wherever possible, children and young people will ultimately return to school full time.</li> </ul>
2.3	Commercial Pressures	N/A
2.4	Contractor Employment Status <sup>2</sup>	N/A
2.5	Award Criteria	60:40 Quality : Price
2.6	Social Value	<p>The Council expects providers to deliver initiatives such as:</p> <ul style="list-style-type: none"> <li>• working with local partners to deliver subsidised tutoring provision in Thurrock</li> <li>• providing additional capacity to the Council's community and voluntary sector through employer supported volunteering</li> <li>• sourcing Tutors and Alternative Provision Leads Tutors locally to Thurrock wherever possible and reducing carbon emissions resulting from distance travelled by staff</li> </ul>
2.7	Previous Contract	N/A

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<sup>2</sup> Use online self-assessment tool: <https://www.gov.uk/guidance/check-employment-status-for-tax>

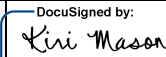
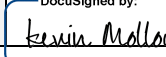
<b>3. FINANCIAL CONSIDERATIONS</b>							
3.1	Previous Contract Cost	N/A					
3.2	Scope Changes	Is there any increase / decrease in scope that could impact costs?	No				
3.3	Annual Cost	Year	20/21 £000's	21/22 £000's	22/23 £000's	Later £000's	Total £000's
		Total Spend	<b>£250</b>	<b>£150</b>	<b>£150</b>	<b>£300</b>	<b>£850</b>
3.4	Funding Breakdown Identified	Revenue Budget	£250	£150	£150	<b>£300</b>	£850
		Capital Budget	-	-	-	-	-
		Other (Please State)	-	-	-	-	-
		Other (Please State)	-	-	-	-	-
		<b>Total Funding</b>	<b>£250</b>	<b>£150</b>	<b>£150</b>	<b>£300</b>	<b>£850</b>
3.5	Budget Code(s)	Services accessing Tuition Support Services: SEND Team, Access and Inclusion Team and the Virtual School.  Budget Codes: AA004-1750, AA005-1750, AA005-2631, AA140-1750, AA183-1750					
3.6	Unsupported borrowing	N/A					
3.7	Other Financial Implications	It is anticipated that savings will be made by formalising the contract.					

<b>4. PROCUREMENT ROUTE</b>		
4.1	Procurement Route	EU Open Tender
4.2	Procurement Route Rationale	The procurement aims to appoint multiple providers, therefore competition will be encouraged by using the open procedure, with no shortlisting stage.
4.3	Does the contract require a waiver?	No
4.4	Single Source justification	N/A - not a single source
4.5	Waiver Rationale	N/A

<b>5. PROCUREMENT TIMETABLE</b>		
5.1	Procurement Timetable	Publish Contract Notice
		06 April 2020
		Selection Questionnaire Return
		N/A
		Invitation to Tender Issue
		06 April 2020
		Invitation to Tender Return
		15 May 2020
		Notification of Result
		15 June 2020
		Standstill Period
		16 – 25 June 2020
		Expected Award Date
		26 June 2020
		Contract Commencement
		01 October 2020



6.	RISKS, CONSULTATION AND MANAGEMENT					
6.1	Tender Process Risks	Risk Level			Negative Impact	Mitigation
	Lack of tender submissions	D - Low Likelihood	II - Significant Impact	DII - Low Risk	Lack of competition and choice	Open procedure to make contract more attractive
	Timetable Overrun	D - Low Likelihood	III - Marginal Impact	DIII - Low Risk	Contract not in place by expected date	Pre-agree timetable and key milestones
	-	-	-	-	-	-
6.2	Contract Performance Risks	Risk Level			Negative Impact	Mitigation
	Non-performance	D - Low Likelihood	II - Significant Impact	DII - Low Risk	Children not getting educational needs met, reputational damage	KPIs set and monitored regularly
	Lack of choice	D - Low Likelihood	II - Significant Impact	DII - Low Risk	Spot purchasing outside of framework	Open procedure chosen to encourage more bids
6.3	Contingency	Should the contract award be delayed or be terminated early, the Council would put an interim arrangement in place on a spot purchase basis. As this will be a multiple supplier framework, the termination of one provider should not impact the service critically, but would reduce choice.				
6.4	Consultation	A report will be presented for scrutiny at Director's Board, Children's Overview & Scrutiny, and Cabinet.				
6.5	Project and Contract Management <sup>3</sup>	Tier 2 - Medium Level Contract Management				
		The contract will be managed by Temi Fawehinmi				
6.6	Procurement Implications	Procurement agrees with the approach set out				

7.	LEGAL, FINANCE AND PROCUREMENT APPROVAL		
7.1	Procurement	I confirm that I have been consulted and agree with the information contained in this report in so far as it relates to Procurement implications	
		Name	Kiri Mason
		Signed	<div>DocuSigned by: </div>
		Date	<div>2AF5C14F159948F... 28 January 2020</div>
7.2	Legal	I confirm that I have been consulted and agree with the information contained in this report in so far as it relates to Legal implications	
		Name	Kevin Molloy
		Signed	<div>DocuSigned by: </div> <div>092F84B43BB544F</div>

<sup>3</sup> Refer to the contract management framework or your category manager for guidance

		Date	29 January 2020
7.3	Finance	I confirm that I have been consulted and agree with the information contained in this report in so far as it relates to Financial implications	
		Name	David May
		Signed	DocuSigned by: <i>David May</i>
		Date	6C4CEE007AC74AB... 29 January 2020

8.	<b>APPROVAL TO PROCEED</b>		
8.1	Approval Level	Over £750,000 - Cabinet	
8.2	Responsible Officer	I confirm that this procurement will be carried out in accordance with Rule 5 of the Council's Contract Procedure Rules (Chapter 9, Part 2 of the Constitution) and in particular the following duties have been met:	
		<ul style="list-style-type: none"> <li>• Compliance will occur with all regulatory or statutory provisions and the Council's decision making requirements</li> <li>• The Contract will be included on the Council's Contract Register</li> <li>• Value for Money will be achieved</li> <li>• Advice has or will be sought from the Director of Finance and Corporate governance as to an appropriate security bond or guarantee</li> <li>• Document Retention Policy has and will be complied with</li> <li>• Financial Evaluation will be made of all the proposed tenders including the recommended bidder</li> <li>• Advice has been and will be sought and followed from Procurement, Legal and Finance as necessary</li> </ul>	
		Name	Temi Fawehinmi
		Signed	DocuSigned by: <i>Temi Fawehinmi</i>
		Date	8397E32AC95E472... 28 January 2020
8.3	Assistant Director	In accordance with the Contract Procedure Rules, I confirm the accuracy of the information contained within this form and authorise this request to <b>Proceed to Tender</b> including, where relevant, the permitting of a Waiver from the Contract Procedure Rules in accordance with Rule 13.	
		Name	-
		Signed	-
		Date	-
8.4	Corporate Director	In accordance with the Contract Procedure Rules, I confirm the accuracy of the information contained within this form and authorise this request to <b>Proceed to Tender</b> including, where relevant, the permitting of a Waiver from the Contract Procedure Rules in accordance with Rule 13.	
		I confirm that the Portfolio Holder has been consulted as required	
		Name	Roger Harris
		Signed	DocuSigned by: <i>Roger Harris</i>
		Date	EACE23EB2D694A0... 29 January 2020

8.5	Director of Finance and IT (If waiver required)	In accordance with the Contract Procedure Rules, I confirm the accuracy of the information contained within this form and authorise this request to <b>Proceed to Tender</b> including, where relevant, the permitting of a Waiver from the Contract Procedure Rules in accordance with Rule 13.	
		Name	-
		Signed	-
		Date	-
8.6	Cabinet	Minute Number	TBC
		Date	12 <sup>th</sup> February 2020
Now send complete form to Procurement Services signed and scanned			

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11 March 2020		ITEM: 16 Decision: 110525
Cabinet		
Purfleet Centre Regeneration		
Wards and communities affected: West Thurrock and South Stifford	Key Decision: Key	
Report of: Councillor Mark Coxshall, Portfolio Holder for Regeneration and Strategic Planning		
Accountable Assistant Director: David Moore, Interim Assistant Director Place		
Accountable Director: Andrew Millard, Corporate Director Place		
This report is Public		

## Executive Summary

The purpose of this report is to approve the appropriation of land in 'Phase 1A' of the Purfleet Centre Regeneration Limited masterplan ('Purfleet Centre Project'/'the Project'), from its existing use, to planning purposes in accordance with S.122 Local Government Act 1972.

### 1. Recommendation(s)

It is recommended that Cabinet agrees to:

- 1.1 approve the appropriation of the areas of land referred to in this report and shown edged red and on the plan at Appendix 1a to this report, for planning purposes in order to facilitate the development of 'Phase 1A' of the Purfleet Centre Regeneration Limited masterplan.
- 1.2 in respect of the areas of land shown edged red on the plans at Appendix 1a to this report:
  - (i) to note that the consequence of taking the decision in (a) above is to enable easements and other rights to be overridden in accordance with the provisions of section 203 of the Housing and Planning Act 2016; and
  - (ii) to authorise Officers to take such necessary administrative and accounting steps to give effect to the appropriation.

## **2. Introduction and Background**

The Purfleet Centre Project (“the Project”) is one of the six Growth Hubs in the Borough, and is a key part of the Council’s regeneration programme. An outline planning application for the Project was granted on 20th December 2019 (planning application reference 17/01668/OUT) which establishes the principle of comprehensive redevelopment of central Purfleet with a residential-led, mixed-use development, including a film, television and media studio complex, a new primary school and new local facilities.

Reserved matters for Phase 1A of the Project were approved by Thurrock Planning Committee on 9th January 2020 (planning application reference number 1/00313/REM).

- 2.1. Cabinet will be aware that the Council has been seeking to acquire the land within the Development Agreement’s redline boundary by private treaty for many years. Significant progress has been made with this task and the Council now owns c. 60% of the required site area.

The land in Phase 1A is approximately 2.36 hectares in size, and is shown edged red on the plan at Appendix 1a. It is bounded by Caspian Way to the north, London Road and existing Botany Terrace to the south, Church Hollow to the west and car park and open storage to the east. The land also encompasses a woodland area known as Hollow Woods, which extends to 1.5 hectares.

- 2.2. With regards to Hollow Woods, it is proposed to appropriate 0.9 hectares of this area to planning purposes, to permit the construction of new family housing and a new road running east to west across the site. The remaining 0.6 hectares of Hollow Woods will be retained and enhanced as publicly accessible open space. This will enable the provision of significantly improved amenity green space in an area where there is currently little to no formal access, thereby increasing usage by local residents.
- 2.3. PCRL, under a licence from the Council, intend to remediate the land held within Phase 1A in preparation for development to progress. The site preparation work is intended to commence in spring 2020 with the first tranche of 61 homes due to commence construction by summer 2020.

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

### **Use of Powers**

- 3.1. This report seeks approval to appropriate the Council owned land to planning purposes to facilitate the Phase 1A development. This is necessary because the Council’s land within Phase 1A is subject to third party rights which (if enforced) could stop the Phase 1A development from proceeding.

- 3.2. At Appendix 6 to this report is a schedule, which describes the land that is proposed to be appropriated including its nature, current use, ownership position and third party rights that have been identified. It can be seen from the schedule that the Council's existing freehold land ownership is subject to a variety of third party rights such as rights of way, rights to lay and maintain services and rights of access (including for vehicles).
- 3.3. Where land is held by a local authority for planning purposes, it is possible to rely on section 203 of the Housing and Planning Act 2016 to carry out development, even if that means that doing so will breach third party rights. Those rights can be overridden and the person with the benefit of them will not be able to seek an injunction to stop the development. Instead, compensation may become payable to those whose rights are overridden.
- 3.4. The Council does not currently hold the land within Phase 1A for planning purposes, so as to be able to rely on the powers to override third party rights. It is therefore necessary for the Council to first appropriate its land to planning purposes in accordance with Section 122 of the Local Government Act 1972.
- 3.5. To appropriate the land to planning purposes, the Council must consider whether the land is no longer needed for the purposes for which it is currently held. As the purpose of the appropriation is to engage the provisions of section 203 of the Housing and Planning Act 2016, the Council should not resolve to appropriate unless it has good reason to think that the interference with the private rights affected is necessary and proportionate to enable the Phase 1A development to be carried out.
- 3.6. Furthermore, before appropriating the land to planning purposes to enable section 203 to take effect, the Council will also need to be satisfied that it could have compulsorily acquired the land. This means that the Council must be satisfied that the appropriation of the land would facilitate the carrying out of development, redevelopment or improvement of the land which would be likely to contribute to the promotion or improvement of the economic, social and/or environmental well-being of its area. It is also necessary to consider whether those objectives could have been achieved by other means, such as by securing the release of the third party rights by agreement.
- 3.7. Officers have carried out a series of necessary tests, including the following:-
- Checked ownership and current use of the land
  - Carried out a two day survey of Hollow Woods, which showed that no members of the public accessed the land or attempted to use the land for enjoyment or recreational purposes
  - Placed notices advising about the intended appropriation in local newspapers (no objections were received)
  - Wrote to identified beneficiaries of title (where beneficiaries were known), but no responses were received
  - Checked that the appropriation of the land will deliver important economic, social and environmental benefits

- Considered whether the development could proceed without interfering in the rights identified.

3.8. These tests have been considered and are detailed in Appendix 7, attached to this report. It is the view of officers that these tests have been met.

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

4.1. Taking all the above into account, it is recommended that the Council determines that the land in question is no longer required for the purposes for which it is being held at present and confirm the appropriation of the land for planning purposes. The appropriation is necessary in order to facilitate the delivery of Phase 1A of the Purfleet development, which is a long-standing objective of the Council. There is a clear need and justification for proceeding with the appropriation as soon as practicable, and the potential interference with third party rights is considered to be proportionate and justified in the circumstances.

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

5.1. As required under section 203 of the Housing and Planning Act, notices were placed in two consecutive editions of the Thurrock Gazette on 2nd January 2020 and 9th January 2020. No objections to the proposed appropriation have been received.

5.2. Known beneficiaries have been written to and again no objections to the proposed appropriation have been received.

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

6.1. As set out above, the Project is referenced in the Council's Economic Development and Regeneration Strategies and the Local Development Framework. In particular, the Project fulfils the requirements of Policy CSTP5 (Neighbourhood Renewal) which identifies Purfleet as a priority regeneration area.

6.2. The Project is also in accordance with the principles set out in the NPPF and the NPPG, and complies with the spatial objectives of the Council's Core Strategy which promote Purfleet as a centre for regeneration. The Project also broadly complies with a number of adopted Core Strategy Spatial and Thematic policies set out in the Council's Core Strategy and Local Plan.

6.3. The proposals under consideration will make a significant contribution to achieving the Council's vision for Purfleet and will be of great benefit to new and existing residents.

#### **7. Implications**

##### **7.1. Financial**

Implications verified by: **Rosie Hurst**  
**Senior Financial Accountant**

There are no financial implications directly arising as a result of these proposals, though it is of note to consider that the engagement of section 203 of the 1990 Act will translate third party interests to compensation. Should compensation requests arise it is thought at this stage that this could be covered under the existing land assembly budgets allocated to the project.

## **7.2. Legal**

Implications verified by: **Tim Hallam**  
**Acting Assistant Director Law & Governance, Head of Legal, & Monitoring Officer**

The benefit of section 203 of the Housing and Planning Act 2016 is that third party interests in land are overridden and converted to a right to claim compensation where land is either acquired or appropriated for planning purposes. In practice, this means that any beneficiaries of third party rights that are interfered with as a result of the carrying out of the development cannot prevent the development from proceeding by seeking an injunction from the courts, and as a result the development proposed can proceed.

Section 122 of the Local Government Act 1972 enables the Council to appropriate land for any statutory purpose for which it is authorised to acquire the land, provided that the Council is satisfied that the land is no longer needed for its current purpose.

In addition under section 122(2A) of the Local Government Act 1972, the Council may not appropriate any land comprised in open space without first advertising its intention to do so, and considering any objections received. As referenced in the body of the report, notices of the Council's intention to appropriate the land were published in the Thurrock Gazette on 2<sup>nd</sup> January 2020 and 9<sup>th</sup> January 2020. The consultation period concluded on 24<sup>th</sup> January 2020 and no representations were received.

An appropriation for planning purposes is a reference to the appropriation of it for purposes for which it can be acquired under sections 226 or 227 of the Town and Country Planning Act 1990 (TCPA). In this case it is necessary to consider whether the land would be capable of being acquired under section 226 of the TCPA.

Section 226 empowers a local authority, on being authorised to do so by the Secretary of State, to acquire compulsorily land in its area:

- If the authority think that the acquisition will facilitate the carrying out of

- development, re-development or improvement on or in relation to the land (section 226(1)(a)); or
- which is required for a purpose which it is necessary to achieve in the interests of the proper planning of an area in which that land is situated (Section 226(1)(b)).

The power conferred by section 226(1)(a) is the most appropriate for the planning purposes to be realised at the Phase 1A development. Section 226(1A) of the TCPA provides that a local authority must not exercise its power of compulsory acquisition under section 226(1)(a), unless it thinks that the development, redevelopment or improvement is likely to contribute to the achievement of any one or more of the following objectives:

- the promotion or improvement of the economic well-being of the area;
- the promotion or improvement of the social well-being of the area; and
- the promotion or improvement of the environmental well-being of the area

As set out above, Officers consider that the land within the area shown on the plan at Appendix 1a / 1b is no longer required for the purpose for which it is currently held, because it is required instead to meet important planning purposes, namely, to facilitate its development and use, in conjunction with other land, as part of the comprehensive redevelopment of Phase 1A of the Project, which in turn will deliver economic, social and environmental benefits to the Purfleet area.

Consideration must be given to the interference with rights protected by the Human Rights Act 1998. In this case a decision to override easements and other rights represents an interference with rights protected under Article 1 of the Protocol to the European Convention on Human Rights. (the right to peaceful enjoyment of possessions) and Article 8 of the European Convention on Human Rights (right to respect for private and family life, home and correspondence). Any decision to interfere with such rights must strike a fair balance between the public interest associated with the development proposals referred to above and the interference with private rights.

Given the clear and substantial public benefits associated with the development proposals referred to in the body of the report, the fact that there is no feasible alternative means of achieving those public benefits, and a compelling case in the public interest for the use of the powers to override rights and the availability of compensation to those whose rights are overridden, it is considered that the interference with the private rights of those affected would be lawful, justified and proportionate.

The Council's internal legal team has reviewed the content of this report and is in agreement that the powers described have been used appropriately and that due process has been followed.

### **7.3. Diversity and Equality**

Implications verified by:

**Natalie Smith**

**Strategic Lead, Community Development  
and Equalities**

The Development Proposals for this phase of the Project support long-term achievement of the Council's equality objectives and specifically those associated with resident's access to services in addition to supporting community integration and cohesion. Through construction to delivery, employment opportunities will be introduced along with the provision of new community facilities and a diverse mixture of housing types in Purfleet.

The appropriation outlined in this paper is supported by a statutory process that is compliant with all relevant equality legislation including the Equality Act 2010.

As noted in previous Cabinet papers concerning the proposed development, the supporting regeneration scheme will be informed by all relevant equality legislation with community equality impact assessments being undertaken in consultation with local residents and communities to inform and develop projects and phasing of the same.

The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- advance equality of opportunity between people from different groups
- foster good relations between people from different groups

The broad purpose of this duty is to integrate considerations of equality into day business and keep them under review in decision making, the design of policies and the delivery of services.

**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):**

- Outline planning application (ref 17/01668/OUT)  
<https://regs.thurrock.gov.uk/online-applications/>
- Reserved matters approval (ref 18/00313/REM)  
<https://regs.thurrock.gov.uk/online-applications/>
- Cabinet report dated 14<sup>th</sup> March 2018 – Purfleet Centre Update  
<https://democracy.thurrock.gov.uk/mgAi.aspx?ID=7313>

**9. Appendices to the report**

- Appendix 1a / 1b: Appropriations Plans
- Appendix 2: Phase 1A Reserved Matters Outline
- Appendix 3: Phase 1A Build Plan Dwelling Mix
- Appendix 4: Hollow Woods Survey
- Appendix 5a / 5b: Copy Letters / Belway and Fabrean
- Appendix 6: Appropriations Schedule
- Appendix 7: Detailed Legal Tests

**Report Author:**

David Moore

Interim Assistant Director

Place Delivery





CLIENT

swan / nu living

STRUCTURAL ENGINEER

SERVICES ENGINEER

CONSULTANT

KEY PLAN

Appendix 1A

NOTES:

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KEY

PHASE 1A DEVELOPMENT BOUNDARY

MASTERPLAN BOUNDARY

APPROPRIATED PART OF HOLLOW WOODS

REMAINING PART OF HOLLOW WOODS

EXISTING HOLLOW WOODS BOUNDARY

P1 05.02.20 Updated in line with Client instruction NP FD

No. Date Comment Drawn Chkd

Revisions

Issue Status

PRELIMINARY

tp bennett

architecture

interiors

planning

One Avenue Street London SE21 0HE UK +44 (0) 20 7520 9500 www.tpbenett.com

Project

A11709 Purfleet Phase 1A

Drawing Title

Appropriation of Hollow Woods

Drawn Date Scale @ A1 All Ref.

NP 05.02.20 1:1250

tp bennett Project No. Drawing Number Rev

A11709 D 2001 P1



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Page 101

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STRUCTURAL ENGINEER

SERVICES ENGINEER

CONSULTANT

KEY PLAN

Appendix 1B

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KEY

APPROPRIATION BOUNDARY

MASTERPLAN BOUNDARY

PHASE 1A DEVELOPMENT BOUNDARY

P1 05.02.20 Updated in line with Client Instructions NP FD

No.

Date

Comment

Drawn

Chkd.

Revisions

Issue Status

PRELIMINARY

tp bennett

architecture

interiors

planning

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Project

A11709 Purfleet Phase 1A

Drawing Title

Land Appropriation Area

Drawn

Date

Scale @ A1

Alt. Ref.

NP 1

05.02.2020

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tp bennett Project No.

Drawing Number

Rev

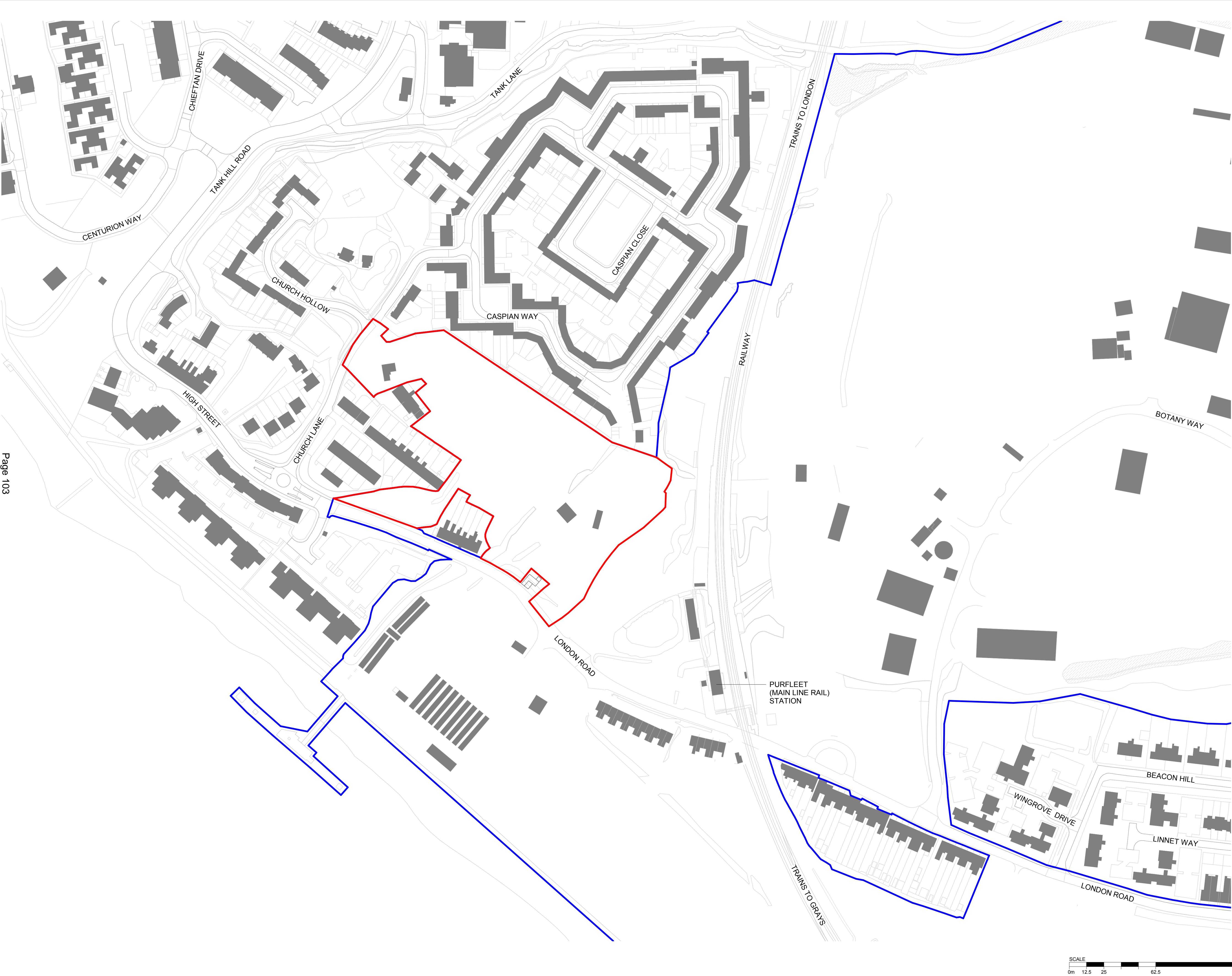
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P1



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Revision details on drawing refer to changes against previous revision.

REVISIONS			DRWN	CHKD
REV	DATE	DESCRIPTION		
P01	19.01.18	WORK-IN-PROGRESS	KSS	AP
P02	12.02.18	ISSUED FOR APPROVAL	KSS	AK
P03	16.02.18	ISSUED FOR APPROVAL	KSS	AK
P04	20.02.18	ISSUED FOR APPROVAL	KSS	AK
P05	23.08.19	ISSUED FOR APPROVAL	KSS	DB

GENERAL NOTES AND LEGEND

Appendix 2

KEY

<span style="color: red;">—</span>	DEVELOPMENT BOUNDARY
<span style="color: blue;">—</span>	MASTERPLAN BOUNDARY
<span style="display: inline-block; width: 10px; height: 10px; background-color: grey; border: 1px solid black;"></span>	EXISTING BUILDINGS

KSS

London Kent KSGROUP.COM

1 James Street London W1U 1DR

7 Blighs Walk Sevenoaks TN13 1DB

T+44(0)20 7907 2222

CLIENT

PCRL

PROJECT

KSS Project Reference: 17808

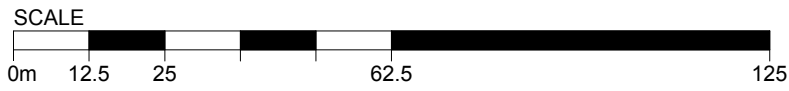
PURFLEET CENTRE REGENERATION ZONE 1A

DRAWING TITLE

SITE LOCATION PLAN

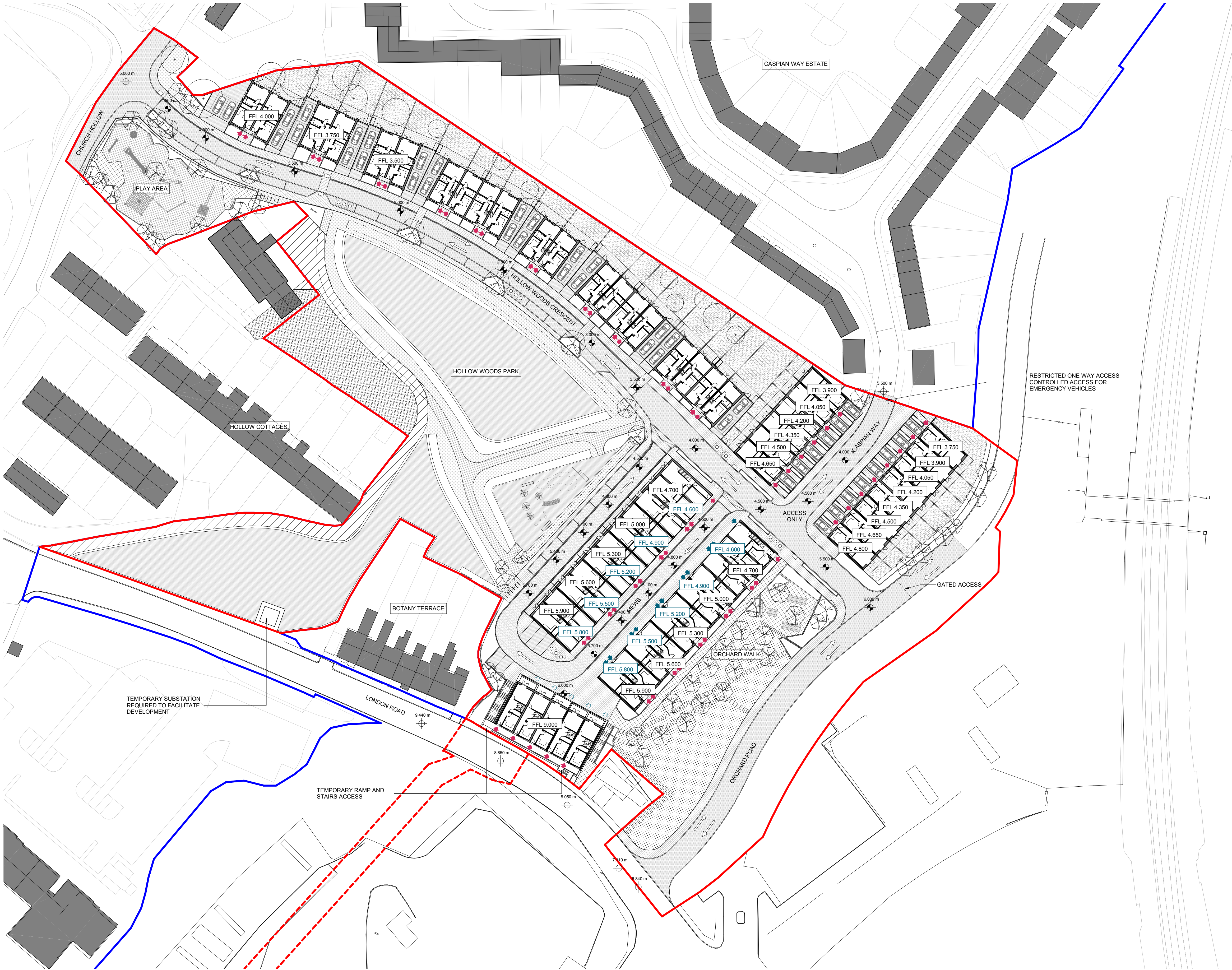
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File Ref	Checked By	Date Checked	
PFT-KSS-Z1-A-ZZ-M3-A-0001	DB	23.08.19	
Status	Suitability	Revision	
FOR APPROVAL	S2	P05	

Project Ref.	Originator	Zone	Sub-Zone	Level	Type	Role	Sequence
PFT-KSS-Z1-A-ZZ-DR-A-9001							



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	P02	19.01.18	WORK-IN-PROGRESS	KSS	AP			
	P03	26.01.18	WORK-IN-PROGRESS	KSS	AP			
	P04	30.01.18	WIP - REVISED/ADDITIONAL LEVELS	KSS	AP			
	P05	31.01.18	WORK-IN-PROGRESS	KSS	AP			
	P06	06.02.18	WORK-IN-PROGRESS	KSS	AP			
	P07	12.02.18	ISSUED FOR APPROVAL	KSS	AK			
	P08	14.02.18	ISSUED FOR APPROVAL	KSS	AK			

GENERAL NOTES AND LEGEND

GENERAL NOTES

Appendix 3

- KEY
- DEVELOPMENT BOUNDARY
  - MASTERPLAN SITE BOUNDARY
  - AREA REQUIRED FOR TEMPORARY WORKS TO FACILITATE DEVELOPMENT
  - EXISTING BUILDINGS
  - EXISTING LEVEL (AOD)
  - PROPOSED LEVEL (AOD)
  - MAIN ENTRANCE
  - SECONDARY ENTRANCE
  - LOWER SECONDARY ENTRANCE
  - MAIN ENTRANCE LEVEL (AOD)
  - SECONDARY ENTRANCE (GARAGE) LEVEL (AOD)
  - TRAFFIC DIRECTION

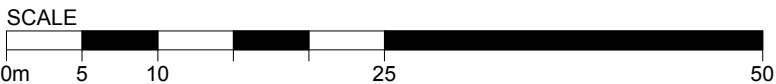
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E 987654000 mm (NORTHINGS AND EASTINGS)

**KSS** London 1 James Street London W1U 1DR  
Kent 7 Blighs Walk Sevenoaks TN13 1DB  
KSSGROUP.COM T+44(0)20 7907 2222

CLIENT  
**PCRL**  
PROJECT KSS Project Reference: 17808  
**PURFLEET CENTRE REGENERATION  
ZONE 1A**  
DRAWING TITLE  
**SITE BUILDING ENTRY LEVEL PLAN**

DRAWING DATA & REFERENCE				Drawn By	Date Drawn
Scale	Sheet Format			KSS	05.01.18
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File Ref	Checked By	Date Checked			
PFT-KSS-Z1-A-ZZ-M3-A-0001	AK	14.02.18			
Status	Suitability	Revision			
FOR APPROVAL	S2	P08			

Project Ref.	Originator	Zone	Sub-Zone	Level	Type	Role	Sequence
PFT-KSS-Z1-A-ZZ-DR-A-9101							





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### **HOLLOW WOODS: PURFLEET**

#### **SURVEY:**

Thursday 31 October 2019: 12noon – 4pm

Friday 1 November 2019: 9am – 12 noon

#### **LOCATION:**

Hollow Woods are located in the town of Purfleet Essex within the ward of West Thurrock and South Stifford electoral division which is in the constituency of Thurrock.

Nearest postcode location is RM19 1QR. The site can accessed by a private resident non-tarmac vehicular dirt path from London Road which leads to Hollow Woods.

The site (Hollow Woods) are bounded by London Road to the South, Church Lane to the West, Caspian Way to the North, and Cornwall House Carpark to the East.

#### **PURPOSE OF SURVEY:**

To observe and monitor the use of land (Hollow Woods) during a set period of days and times.

#### **DESCRIPTION OF LOCATION:**

Situated within a conservation area and covering approximately 9050 square meters the land is predominantly densely overgrown low grade green space covered by varying heights of unmanaged shrubs, bushes and trees.

No purpose built man made paths can be seen and no historic trodden walkways are evident.

Because of the extremely dense foliage almost all of the location are unable to be accessed and the ability to walk into most parts of the location is not possible.

The topography over the land ranges from between ground level to approximately 2/3 metres in height toward the boundary of London road.

No specific ongoing maintenance of the land is evident other than sporadic places of minor clearance where soil ground surveys have taken place for soil investigation purposes. (See photos)

Parts of the land have been and are being used to dump rubbish around its periphery and could pose a health and safety risk.

#### **SURVEY OUTCOME:**

The survey took place over 2 days with dates and times specified in the report.

Two officers from Thurrock Council were based directly at the location and positioned to observe any movement and use over the land.

During the time of the survey, officers did not observe any members of the public either accessing the land or attempting to use the land for enjoyment or recreational purposes.

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## Appendix 5A

Civic Offices  
New Road  
Grays  
Essex  
RM17 6SL

The Company Secretary

18 December 2019

### **Purfleet Centre Regeneration Scheme Proposed Appropriation of Land for Planning Purposes Land at London Road, Purfleet**

Thurrock Borough Council ("the Council") is working in partnership with Purfleet Centre Regeneration Limited ("PCRL") to build new homes on land at London Road, Purfleet ("the Land"), the majority of which is owned by the Council, to provide much-needed housing and associated uses. ("the Purfleet Centre Regeneration Scheme").

We are writing to you because we think you may have the benefit of rights which may be affected by the proposed redevelopment of the Land.

The Land is subject to private rights which could affect the proposed redevelopment. To facilitate the Purfleet Centre Regeneration Scheme, the Council considers it necessary to seek authorisation from its Cabinet to appropriate the Land for planning purposes, which, if authorised, will enable the Council to rely upon section 203 of the Housing and Planning Act 2016 to carry out building works on the Land in accordance with planning permission, notwithstanding that the works might interfere with third party rights.

The purpose of the intended appropriation is to facilitate the delivery of Phase 1A of the Purfleet Centre Regeneration Scheme which will bring significant social, economic and environmental benefits to the area. A plan showing the boundary of Phase 1A and the extent of the Land which is proposed to be appropriated is included with this letter.

Before making any decision on the proposed appropriation of the Land for planning purposes, the Council will consider any written representations received. If you have any comments in respect of the proposed appropriation of the Land, the potential impact of the scheme on your rights, or you would like to discuss the scheme proposals with me, please contact me on 01375 652585 by 24<sup>th</sup> January 2020.

Yours Sincerely

Mike Gappy

**Regeneration Programme Manager**

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## Appendix 5B

Civic Offices  
New Road  
Grays  
Essex  
RM17 6SL

The Company Secretary

18 December 2019

**Purfleet Centre Regeneration Scheme  
Proposed Appropriation of Land for Planning Purposes  
Land at London Road, Purfleet  
Bellway Homes Title number EX364207**

Thurrock Borough Council ("the Council") is working in partnership with Purfleet Centre Regeneration Limited ("PCRL") to build new homes on land at London Road, Purfleet ("the Land"), the majority of which is owned by the Council, to provide much-needed housing and associated uses ("the Purfleet Centre Regeneration Scheme").

We are writing to you because we think you may have the benefit of rights which may be affected by the proposed redevelopment of the Land.

The Land is subject to private rights which could affect the proposed redevelopment. To facilitate the Purfleet Centre Regeneration Scheme, the Council considers it necessary to seek authorisation from its Cabinet to appropriate the Land for planning purposes, which, if authorised, will enable the Council to rely upon section 203 of the Housing and Planning Act 2016 to carry out building works on the Land in accordance with planning permission, notwithstanding that the works might interfere with third party rights.

The purpose of the intended appropriation is to facilitate the delivery of Phase 1A of the Purfleet Centre Regeneration Scheme which will bring significant social, economic and environmental benefits to the area. A plan showing the boundary of Phase 1A and the extent of the Land which is proposed to be appropriated is included with this letter.

Before making any decision on the proposed appropriation of the Land for planning purposes, the Council will consider any written representations received. If you have any comments in respect of the proposed appropriation of the Land, the potential impact of the scheme on your rights, or you would like to discuss the scheme proposals with me, please contact me on 01375 652585 by 24<sup>th</sup> January 2020.

Yours Sincerely

Mike Gappy

**Regeneration Programme Manager**

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## Purfleet - Appropriation - Schedule

## Appendix 6

Description of the land	Details of third party interests (e.g. easements, restrictive covenants, private rights of way, rights to light)
Land to the north east of 4 Botany Terrace	Right of way (as noted on title number EX369970) between London Road and the [rear of (4) Botany Terrace]
Land to the north of London Road	<p>Right to lay and maintain drains, an outfall water supply and electric cables (as noted on title number EX370401)</p> <p>Right to connect and use service media and rights to inspect maintain repair and renew the same. Right to relocate service media if necessary (as noted on title number EX370401)</p> <p>Right to use any roads or ways which may be, at any time prior to 20 June 2061, constructed on the land and to maintain, repair and renew the same (as noted on title number EX370401)</p> <p>Right to use service media and to make connections to the same, including ancillary rights of entry and access (as noted on title EX370401)</p>
Outdoor vehicle storage area and car park on land adjacent to former Cornwall House to the north of London Road]	<p>A right of way over for the carriage of heavy equipment to or from London Road (as noted on title EX638770)</p> <p>A right of way benefiting the 'Work's (as noted on title EX638770)</p> <p>A right for neighbouring land to use service media lying beneath the land including ancillary rights of entry and access (as noted on title EX638770)</p> <p>The right to enter to repair, renew, maintain or replace any structures or other means of delineation along the boundary (as noted on title EX638770)</p> <p>Rights of entry for the purpose of repairing the building on the adjoining land (as noted on title EX638770)</p> <p>Rights to pass on foot or with vehicles in the case of emergency only to gain alternative access (as noted on title EX638770)</p> <p>The right to free and uninterrupted passage of electricity through any pipes or cables (as noted on title EX638770)</p>

## Purfleet - Appropriation - Schedule

	All rights of way passage of services etc (as noted on title EX638770)
Land to the north of London Road	<p>Rights of drainage and rights in respect of water, gas and electricity supply services (as noted on title EX848352)</p> <p>The right to use the garden area (as noted on title EX848352)</p> <p>The right to pass and repass at all times and with or without vehicles over the roadway (as noted on title EX848352)</p> <p>The right and liberty to construct, renew, maintain and repair a tunnel under or through the railway embankment(as noted on title EX848352)</p> <p>The right to lay and maintain drains, an outfall water supply and electric cables (as noted on title EX848352)</p> <p>The right to connect up to use, pass and repass over and along all roads or ways which may be constructed upon the land and to enter upon the same to construct and thereafter maintain, clean, repair and renew all necessary roads and ways connecting to roads and ways on the land (as noted on title EX848352)</p> <p>The right to connect up to and use all Conduits which may be constructed upon the land and to enter upon the same to construct and thereafter maintain, clean, repair and renew all such Conduits (as noted on title EX848352)</p> <p>The right to passage of services and to enter with workmen to repair the pipes drains and other conducting media (in favour of number 3 Dipping Bungalows) (as noted on title EX848352)</p>



**PURFLEET CENTRE REGENERATION – Appropriations report**

- 1.1 This Appendix contains the detailed tests referred to in paragraph 3.7 of the main report.

**Is the land still required for the purposes for which it is currently held?**

- 1.2 The Council does not currently own or hold the land for any particular function or purpose. The schedule at Appendix 6 to this report therefore describes the current purpose of the land by reference to its existing use and physical description. It can be seen from the schedules that the land is currently used mainly as open space, with a small area to the west currently being used as a Council car park and outdoor vehicle storage area. These uses have been pursued on a temporary basis to limit the Council's liabilities associated with ownership of the land. It may be the case that some of this land has in the past been acquired and/or appropriated by the Council to planning purposes, however in the absence of any certainty regarding the functions for which it is held, officers consider it to be prudent and necessary to appropriate the land at this stage.
- 1.3 All of the land to be appropriated and shown on the plan at Appendix 1a is within the land required for Phase 1A, which itself forms part of the comprehensive Purfleet Centre Project. More specifically, the land to be appropriated will be redeveloped to provide new housing, together with associated car parking and landscaping.
- 1.4 Particular consideration should be given to the proposal to appropriate the woodland area known as 'Hollow Woods'. Officers have adopted a cautious approach, and proceeded on the basis that all or part of Hollow Woods comprises public open space. The woodland area is within the Purfleet Conservation Area, however, the contribution of this open space to the Conservation Area has been reduced over time. The Hollow Woods area has changed from being the edge of a quarrying area, to becoming an open and accessible area of allotment gardens in the 18th century and then in the late 20th century being unmanaged woodland, resulting in it becoming overgrown and poor-quality. The woodland is enclosed by a close-boarded fence and tree lined boundary, which together with the dense undergrowth makes access limited and difficult. Hollow Woods in its current state therefore no longer positively enhances the Conservation Area and no longer provides the local level of communal value that it might have had in the past.
- 1.5 In October 2019 the Council undertook a 2 day survey to assess the current use of Hollow Woods by local residents, to enable the Council to assess whether the land was required for its current purpose. During the period of assessment, the Council officers did not observe any members of the public either accessing the land or attempting to use the land for enjoyment or recreational purposes Appendix 4. This provides a strong indication that the land is no longer serving its current purpose.

- 1.6 Officers therefore consider that all of the land within its ownership in Phase 1A, including that part comprising Hollow Woods, is no longer required for the purpose for which it is currently held. It is required instead to meet important planning purposes, namely, to facilitate its development and use, in conjunction with other land, as part of Phase 1A of the comprehensive Purfleet Centre Project.

***Steps that have been taken to negotiate the release of rights by agreement***

- 1.7 It can be seen from the Schedule at Appendix 6 to this Report that many of the beneficiaries of the rights are unknown, therefore it has not been possible to negotiate a release of the rights by private treaty. Where the beneficiaries of the rights have been identified, the Council has written to the beneficiary to provide them with the opportunity to make contact with the Council regarding its proposals. This has not, however, resulted in any response from the beneficiaries. Redacted copies of the letters are enclosed at Appendix 5a / 5b.
- 1.8 Notices advising of the intended appropriation of the presumed open space land, and the wider area, have been published in local newspapers, but this has not resulted in persons with the benefit of rights coming forward. Two responses were received asking for further information but no objections were received by the end of the consultation period (24th January - nor have any been received at the time of writing). The objection period has now passed.
- 1.9 Officers therefore conclude that it will not be possible to secure a release of the rights by negotiation either within a reasonable timetable, or at all, and having regard to the programme for redevelopment, Officers consider that appropriation of the land is necessary to enable the development to come forward within the development timetable.

**The need for appropriation and development - Economic, Social and Environmental Well-Being Benefits**

- 1.10 Officers consider that the appropriation of the land, will facilitate the delivery of important economic, social and environmental benefits. Phase 1A is the first development phase within the Project's masterplan and is an opportunity to demonstrate what regeneration can bring to Purfleet. The ambition for Phase 1A is to provide a gateway to the future redevelopment of Purfleet and to create a new community integrating with the existing. In particular, proposals will:
- Provide high quality family homes with access to green spaces and the future town centre;
  - Preserve and enhance open spaces and improve public access to these;
  - Enhance the character of the Purfleet Conservation Area;
  - Provide new dedicated play areas and community amenity that can serve both existing and new Purfleet residents;.
  - Connect new and existing Purfleet in a visible and legible manner;

- Improve walkability and connections for existing residents to the train station and proposed town centre;
- Keep development to the periphery of the Conservation Area, whilst enhancing the context of Hollow Cottages.

1.11 The development of Phase 1A will also make a significant contribution to the overall public benefits which will result from the delivery of the wider Purfleet Centre Project. The benefits which will derive from the Project as a whole include:

- a reduction in unemployment, due to the generation of jobs during both the construction and end use of the Project (currently estimated at circa 2,200 new jobs being created as a result of the development of the whole Project, creating a significant net increase compared to the existing situation);
- a population increase predicted between 47% and 59% once the development of the Project has completed;
- a substantial contribution to housing supply with the provision of up to 2,850 new dwellings (assuming an annual delivery rate of circa 150 units per annum) with the beneficial consequential impact of increased expenditure within the area due to an increase in the economically active working age population of the area;
- the provision of a new primary school;
- the provision of a new medical centre; and
- the provision of new community floorspaces within the D1 floorspace to be brought forward.

***Could the Public Benefits Be Achieved in the Absence of the Interference With the Rights?***

1.12 Officers have considered whether the development could proceed without interfering with the rights identified. Officers are satisfied that the development could not proceed and the associated public benefits described above could not be achieved without appropriating the land to planning purposes to enable those rights to be overridden.

1.13 Officers have considered whether the delivery of Phase 1A could be blocked by any legal or physical impediments (other than those to be addressed through the appropriation) and are not aware of any such reason why Phase 1A should not proceed. It complies with planning policy at all levels, outline planning permission is in place and reserved matters approval also be granted. PCRL are poised to start preparatory work for Phase 1A in readiness for the construction of new homes by the summer. Were the land not to be appropriated for planning purposes, it would not be possible to commence work on site because there is an unacceptable risk posed by the potential existence of enforceable third party rights. Appropriation is therefore required to provide certainty of delivery. Furthermore, the Officers consider that it is prudent to ensure that the land is held for the appropriate purposes and is subject to appropriate functions and duties, before the development is commenced. As such, it is necessary for appropriation to take place now.

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11 March 2020		ITEM: 17 Decision: 110526
Cabinet		
Integrated Transport Block Capital Programme 2020/21, DfT Block Maintenance Capital Programme 2020/21 and A126 Safer Roads Programme		
Wards and communities affected: All	Key Decision: No	
Report of: Councillor Ben Maney - Portfolio Holder for Highways and Transport		
Accountable Assistant Director: Leigh Nicholson – Interim Assistant Director Planning, Transport and Public Protection & Julie Nelder – Assistance Director Highways, Fleet and Logistics		
Accountable Director: Andy Millard – Director of Place & Julie Rogers – Director of Environment and Highways		
This report is Public		

## Executive Summary

This report sets out the recommended programme of work which will utilise the funding allocations available to the Transport Development Service and Highways Infrastructure within the 2020/21 financial year.

The report covers the Integrated Transport Block Capital allocation that is allocated to the Council through the Department for Transport's (DfT) annual capital settlement of £971,000 and DfT Block Allocation for Maintenance of £1,938,000.

It sets out the proposed programme of expenditure for 2020/21, to implement improvement and enhancement schemes covering the following strategic priority areas as set out within the Council's Transport Strategy and Implementation Plan.

Public Transport Infrastructure	Walking, Cycling & Rights of Way
Parking Management	Minor Works
Freight Management	Road Safety Engineering
Safer Routes to Schools	Traffic Management

In addition, DfT have confirmed that the Council will receive a further £2,488,792 (over the next 3 years) to deliver safety improvements on the A126 section of the road network. This funding has been allocated through the Safer Roads Fund with £907,194 allocated to the 2020/21 financial year.

With respects to the DfT Block Maintenance Allocation the Council achieved its full allocation by obtaining Band 3 via Highway Maintenance Efficiencies Programme (HMEP) which secured an additional £334,000.

This report was presented to Planning, Transport, Regeneration Overview and Scrutiny on 21/01/2020. The Committee's comments are summarised in section 5 of this report.

## **1. Recommendations**

**Cabinet approve the report and the following Cabinet recommendations:**

- 1.1 Approve the Integrated Transport Block Capital Programme for 2020/21 (as detailed in Appendix 1) and notes the process by which the Safer Routes to School and Road Safety Engineering programme are assessed and prioritised for implementation.**
- 1.2 Approve the A126 Safer Roads fund programme for the next 3 years (as detailed in Appendix 2).**
- 1.3 Delegate authority to the Director of Place, in consultation with the Cabinet Member for Highways and Transport, to review and make local changes to the ITB and Safer Roads programmes taking into account local views and priorities.**
- 1.4 Approve the DfT Maintenance Block Allocation programme for 2020/21 (as detailed in Appendix 2).**
- 1.5 Delegate authority to the Director of Environment and Highways, in consultation with the Cabinet Member for Highways and Transport, to review and make local changes to the DfT Maintenance Block Allocation programme.**

## **2. Introduction and Background**

- 2.1 This report seeks approval for the 2020/21 Integrated Transport Block (ITB) Capital Programme. The programme sets out how the Council will prioritise funding from the Department for Transport (DfT) to enhance transport infrastructure and service provision within the Borough. It also establishes the provision for variation to the programme and the means by which requests for additional works are considered and authorised.**
- 2.2 This report also identifies the DfT Safer Roads fund allocation that will be used to deliver safety improvements on the A126 section of the road network. Funding will be allocated over the next 3 years.**
- 2.3 This report also seeks approval for the 2020/21 DfT Block Allocation Programme which is prioritised in alignment with Thurrock Council Highways**

Assets Management Strategy. This is the key document which ties into the HMEP programme.

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

#### **2020/21 Integrated Transport Block Capital Programme**

- 3.1 The DfT annual settlement provides the allocation for Integrated Transport Block (ITB) schemes and Maintenance Block Allocation depending on HMEP banding. The total Integrated Transport Block capital programme allocation for Thurrock in 2020/21 amounts to £971,000 and £1,938,000 for Maintenance.
- 3.2 The ITB programme has the ability to deliver an extensive range of transport improvements which reflect the vision and aims set out within the Council's long term Transport Strategy (2013-26). Tackling congestion, delivering accessibility, improving air quality and making Thurrock's roads safer are core elements of the Transport Strategy, which support sustainable growth and regeneration in the Borough.
- 3.3 It is recommended that the 2020/21 ITB programme focuses on Road Safety, Freight Management, Walking, Cycling and Rights of Way, Public Transport, Traffic Management and Safer Routes to Schools. It should be noted that the benefits of some schemes will overlap due to the nature of work delivered. For example, traffic management schemes will deliver air quality benefits while rights of way and safer routes to school schemes can encourage walking and cycling and help to reduce congestion and improve local air quality.
- 3.4 It is important to identify a consistent methodology for prioritising and delivering certain elements of the ITB Capital Programme. As previously agreed, Safer Routes to Schools (SRTS) and Road Safety Engineering proposals will continue to be delivered by applying set criteria in order to prioritise and deliver these schemes over a five-year period.
- 3.5 Members are advised that the allocation is not 'ring fenced' for spend in the specific areas set out by DfT and therefore, Local Authorities have some flexibility to manage these allocations. As a result, the funding allocations may be amended within the total allocation to meet local needs on the network.
- 3.6 The table below provides a summary of how the DfT funding is allocated across the Council's ITB works programme. These allocations are informed by the Council's Transport Strategy and Implementation Plan. The full programme of works is attached at Appendix 1.

**Table 1**

<b>Integrated Transport Block (ITB) allocation</b>	
Public Transport Infrastructure	£45,000
Walking & Cycling (RoW)	£71,000
Parking Management	£45,000
Minor Works	£70,000
Freight Management	£240,000
Road Safety Engineering	£250,000
Safer Routes to Schools	£250,000
<b>Total</b>	<b>£971,000</b>

- 3.7 The Maintenance Programme is built around the good practice principals set out in the Code of Practice for Well Maintained Infrastructure. The Council's adopted approach to this is via Highway Maintenance Strategy, which focus on maintaining and prioritising the asset in the most efficient way. Not just focusing on the financial element, but also the end user. It is therefore generated on a data lead approach.

#### **A126 Safer Roads fund**

- 3.8 The A126 has been identified, through the Safer Roads Foundation assessment, as being one of 50 'A' roads in the United Kingdom where there is the highest risk of collision resulting in death or serious injury.
- 3.9 The Council will receive £2,488,792 to deliver a range of measures aimed at improving safety for all road users along the A126 – between the A13 (Lakeside) and Tilbury with implementation programmed over a 3 year period.
- 3.10 The funding allocation for the next 3 years is set out below.

**Table 2**

<b>A126 Safer Roads allocation</b>			
<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>Total</b>
907,194	790,799	790,799	2,488,792

- 3.11 Measures will include improved lining, signage, roadside clearance, cycle lanes, new and upgraded signalised crossings and traffic calming. More detail information from the Safer Roads funding submission is attached in Appendix 2.
- 3.12 In November 2019 the Transport Development team made a number of 'capital bids' for additional funding to support priority traffic improvement schemes which would go beyond the funding allocation by DfT. These schemes include A1306 enhancements, which coupled with the A126 funding would significantly improve capacity and safety on the road network in this part of the Borough.



## **Variation**

- 3.13 The Council receives regular requests for improvements to be carried out on the transport network. These requests are prioritised using the agreed scheme determination process. The responsibility to authorise recommendations is delegated to the Director of Place and Director of Environment and Highways in consultation with the Cabinet Member for Highways and Transport.
- 3.14 Whilst there is limited flexibility within the programme once agreed, in some cases requests will need to be implemented within the current financial year rather than held pending a future programme. This might include works to protect the public from risk of injury for example.
- 3.15 Similarly, delegated authority can be used if schemes are subject to cost changes as a result of increasing scope or unforeseen revisions to schemes.

## **4. Reasons for Recommendation**

- 4.1 Approving the recommendations set out in this report will enable the ITB Capital Programme, Maintenance Block Allocation Programme and the Safer Roads programme to be implemented to ensure ongoing improvements to transport infrastructure and service provision within the Borough.

## **5. Consultation**

- 5.1 The ITB Capital Programme and Maintenance Block Allocation Programme has been developed in line with the priority areas identified and agreed in the Council's Transport Strategy and Highway Maintenance Strategy, following extensive community and stakeholder engagement.
- 5.2 Local residents, interest groups and key stakeholders (including the Thurrock Road User Group, Congestion Taskforce, Bus User Group, Local Access Forum and Your Place, Your Voice etc.) have been influential in providing regular input for the evidence base that has informed the development of the ITB Capital Programme. Input and feedback from these groups has also supported the direction of the Safer Roads funding submission, although focused engagement (including site exhibitions) will be explored and progressed in 2020. Ward Members will be advised of works affecting their respective wards.
- 5.3 The ITB Capital Programme and Maintenance report was submitted to PTR Overview and Scrutiny Committee on 21 January 2020. At the meeting Members of the Committee queried the package of measures that could be introduced as part of the A126 safety improvement scheme. Officers explained how the allocated funding would be utilised over the next three

years, including survey work to identify the root causes of accidents along the A126 and developing interventions based upon a data led approach.

- 5.4 Members of the Committee also requested further information on the roads to be resurfaced which was provided at the meeting. Members commented that some parts of South Road in South Ockendon are in a poor condition and in need of resurfacing.

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

- 6.1 The ITB Capital Programme, Maintenance Block Allocation Programme and Safer Roads fund will help improve and enhance the transport network across the Borough making it safer, less congested and more accessible, thereby promoting and supporting People, Place and Prosperity within Thurrock.

**7. Implications**

**7.1 Financial**

Implications verified by: **Mark Terry**  
**Senior Financial Accountant - Corporate Finance**

The Council will be allocated capital funding of £971,000 for ITB and £1,938,000 Block Allocation for Maintenance in 2020/21.

In June 2018 the DfT confirmed Thurrock Council's funding allocation of £2,488,792 from the Safer Roads fund. Funds will be received in advance of the 2020/21 financial year and are to be apportioned as set out in Section 3.4 of this report. Further information is available at

<https://www.gov.uk/government/speeches/road-safety-recent-progress-and-future-work>

The cost of implementation will be contained within the funding announced by Government or built into future capital programmes.

**7.2 Legal**

Implications verified by: **Tim Hallam**  
**Acting Assistant Director of Law & Governance, Head of Legal, and Monitoring Officer**

The legal implications are included in the body of the report.

### 7.3 Diversity and Equality

Implications verified by: **Natalie Smith**  
**Strategic Lead - Community Development & Equalities**

An Equality Impact Assessment has been undertaken for the 2020/21 ITB Capital Programme and the Safer Roads fund. The EQIA recognises the transport interventions that will support improved quality of life in the Borough and its social and economic regeneration as well as transport priorities for, congestion & CO2 mitigation, accessibility, safety, air quality and climate change adaptation.

Access to services and the safety of residents have been highlighted and will be addressed throughout the plan period. The ITB and Safer Roads programme takes account of specific areas of the borough and population where implementation will be prioritised to improve road safety, air quality and access to services, taking account of legislative considerations such as the Equality Act. These have been applied to the capital programme.

### 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 Transport Strategy
- Implementation Plan
- DfT Safer Roads funding application
- Highway Maintenance Strategy

### 9. **Appendices to the report**

- Appendix 1 – 2020/21 ITB Capital Programme
- Appendix 2 – Safer Roads budget schedule, severity map and Project Plan
- Appendix 3 – DfT Maintenance Block Allocation Programme

### **Report Author:**

Mat Kiely

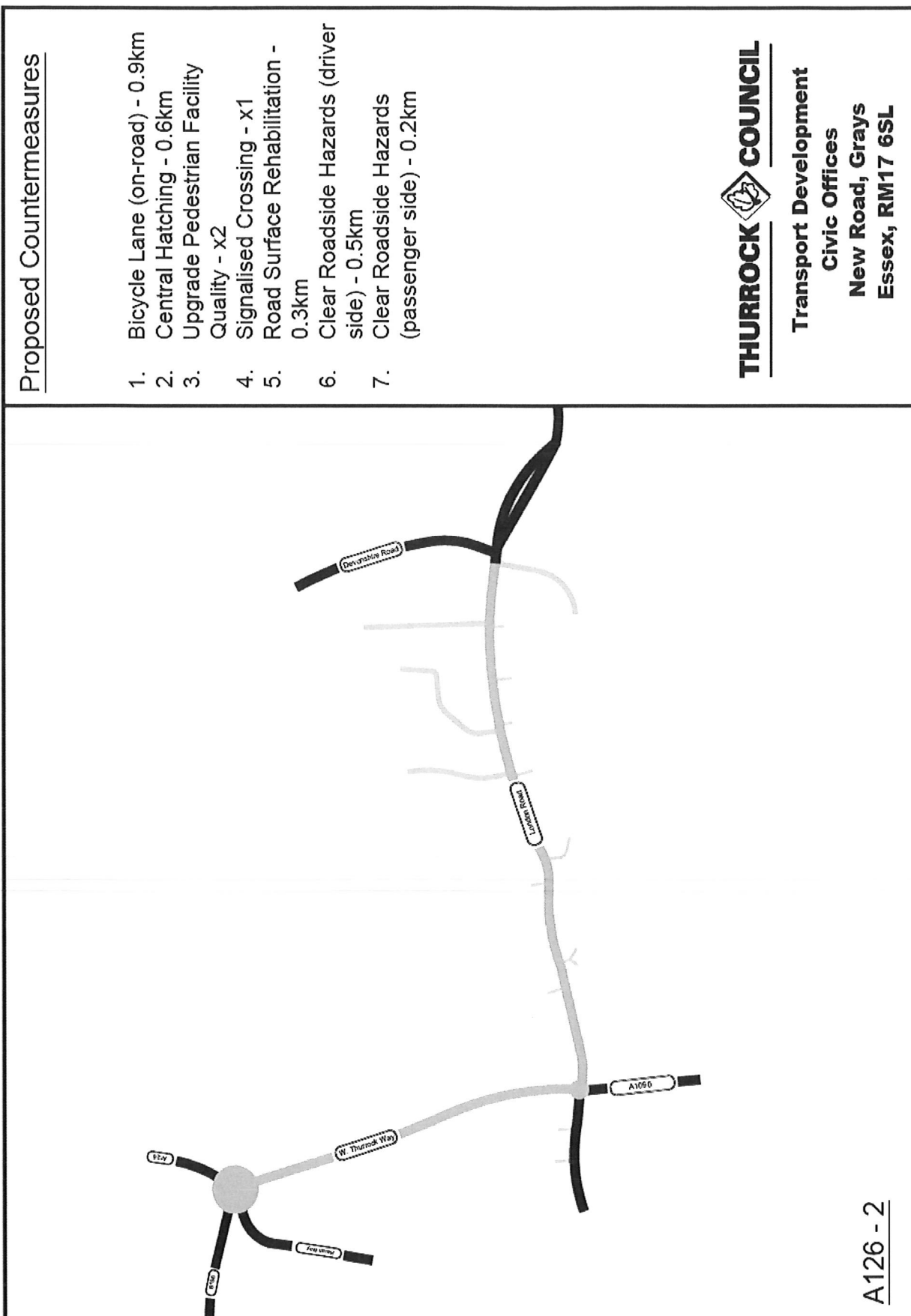
Transportation Services Strategic Lead

Transport Development

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2021-2021 Integrated Transport Budget - Appendix 1									
		Allocations		£	%				
			PASSENGER TRANSPORT		£45,000	4.63%			
			WALKING & CYCLING		£71,000	7.31%			
			PARKING MANAGEMENT		£45,000	4.63%			
			MINOR WORKS		£70,000	7.21%			
			FREIGHT MANAGEMENT		£240,000	24.72%			
			ROAD SAFETY ENGINEERING		£250,000	25.75%			
			SAFER ROUTES TO SCHOOL		£250,000	25.75%			
			CARRY OVER		£205,000				
			Total ITB (excluding CARRY OVER)		£971,000				
			Overall Budget PROVISION		£1,176,000				
Budget Code	S106 code	Funding type	Project Name	Type	Capital Budget	Carry Over	External funding	Total budget	Comments
			PASSENGER TRANSPORT						
			Bus Infrastructure improvements		45,000			£45,000	
Sub Total					45,000	0	0	45,000	
			WALKING & CYCLING						
			PRoW Infrastructure improvements		71,000			£71,000	
Sub Total					71,000	0	0	71,000	
			PARKING MANAGEMENT						
			Ad-Hoc Parking Requests	Ad-Hoc Requests	25,000			£25,000	
			Disabled Parking Bays	Ad-Hoc Requests	20,000			£20,000	
Sub Total					45,000	0	0	45,000	
			MINOR WORKS						
			Road Safety Audits	FEASIBILITY	10,000			£10,000	
			Ad-Hoc Speed Surveys	Ad-Hoc Requests	10,000			£10,000	
			Ad-Hoc Minor Works	Ad-Hoc Requests	50,000			£51,000	
Sub Total					70,000	0	0	71,000	
			FREIGHT MANAGEMENT						
			ROUNABOUT SCHEME - SHIP LANE	BANK	165,000	25,000		£190,000	
			H-O-T-H SCHEME	FEASIBILITY & DESIGN	65,000	10,000		£75,000	
			ORSETT VILLAGE CONSULT	CONSULTATION	10,000			£10,000	
Sub Total					240,000	35,000	0	275,000	
			ROAD SAFETY ENGINEERING						
			SAFETY CAMERA & RED ROUTE SCHEME- LODGE LANE	IMPLEMENTATION	200000	50,000		250000	EF - Kerb-it budget Required
			SAFETY CAMERA SCHEME - ?	FEASIBILITY & DESIGN	50,000			£50,000	
Sub Total					250,000	50,000	0	£300,000	
			SAFER ROUTES TO SCHOOL						
			Warren Primary - Silver	carry over		20,000		20000	
			St. Cleres School - Silver	carry over		20,000		20000	
			Horndon On The Hill Primary - Silver	carry over		20,000		20000	
			Benyon Primary - Bronze	carry over		20,000		20000	
			Ockendon Academy - Bonze	carry over		20,000		20000	
			Harris Primary Mayflower - Bronze	carry over		20,000		20000	
			Corringham Primary School - Bronze		20000			20000	
			9 other schools once accredited		230000			230000	
Sub Total					250,000	120,000	0	£370,000	
TOTAL					971,000.00	205,000.00	0.00	£1,177,000	

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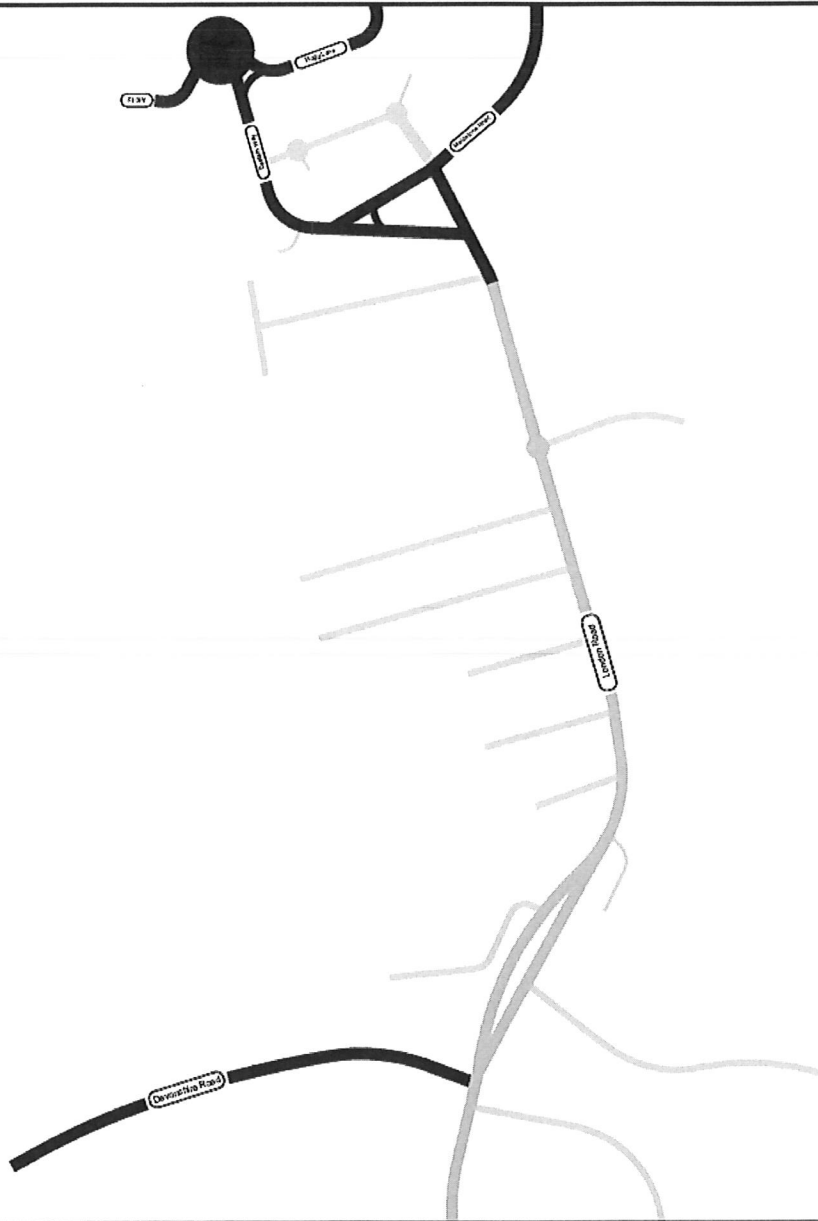


## Proposed Countermeasures

1. Bicycle Lane (on-road) - 0.3km
2. Clear Roadside Hazards (driver side) - 0.1km
3. Traffic Calming - 0.9km
4. Skid Resistance (paved Road) - 0.2km



**Transport Development  
Civic Offices  
New Road, Grays  
Essex, RM17 6SL**



A126 - 3



## Proposed Countermeasures

1. Bicycle Lane (on-road) - 0.2km
2. Traffic Calming - 0.2km
3. Sight Distance (obstruction removal) - 0.2km



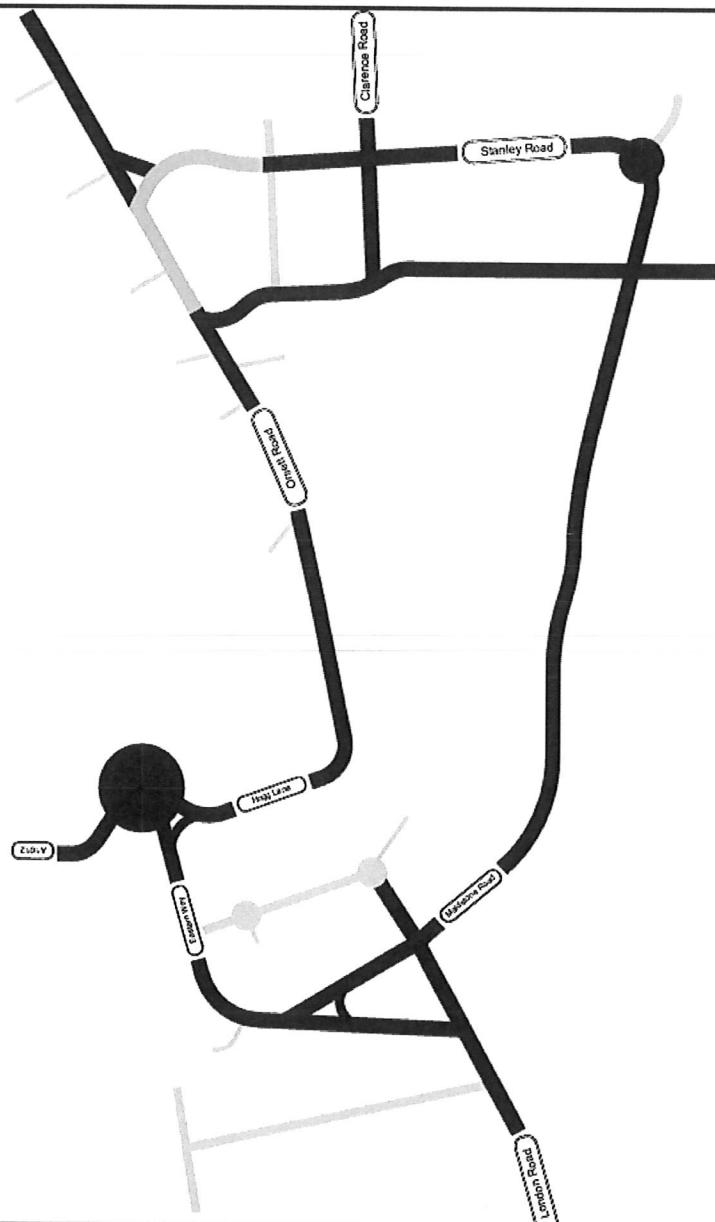
**THURROCK COUNCIL**

**Transport Development**

**Civic Offices**

**New Road, Grays**

**Essex, RM17 6SL**



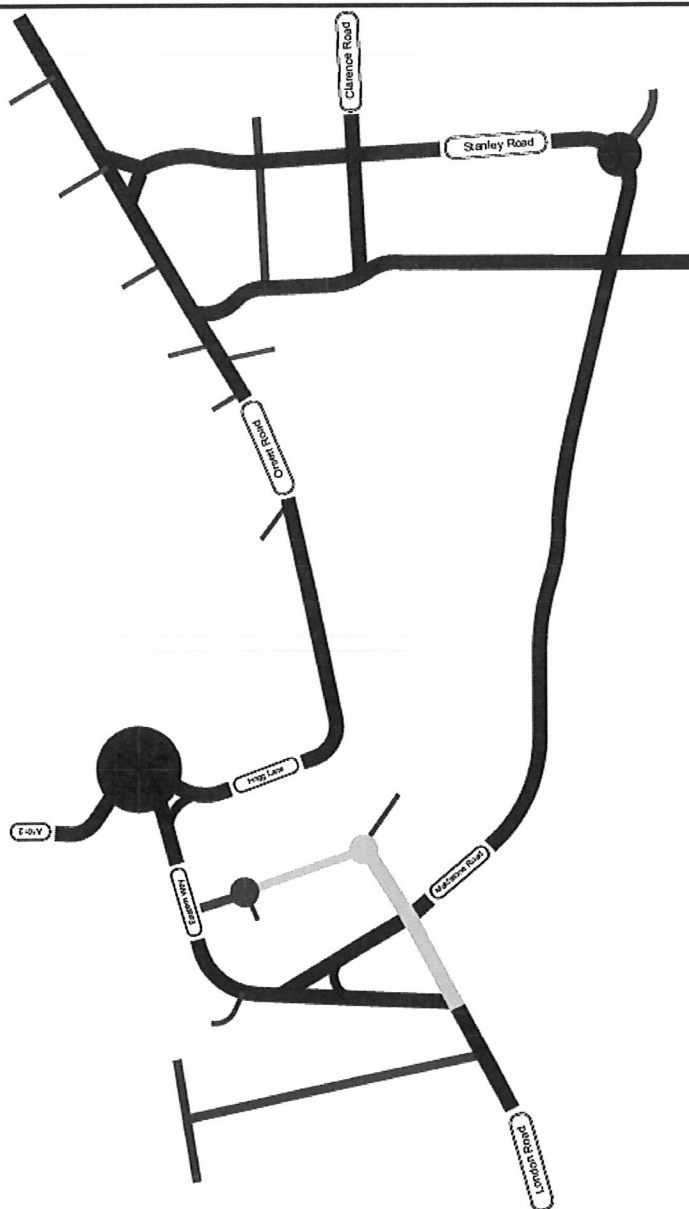
A126 - 3b

## Proposed Countermeasures

1. Central Hatching - 0.2km



**Transport Development  
Civic Offices  
New Road, Grays  
Essex, RM17 6SL**



A126 - 4



# Budget Schedule

Item	Description	Length/ Quantity	Estimated Cost (£)
01	Central Hatching	1.3km	60,000
02	Clear Roadside Hazards (driver side)	1.4km	283,568
03	Clear Roadside Hazards (passenger side)	0.3km	59,835
04	Road Surface Rehabilitation	1.2km	420,000
05	Skid Resistance (paved road)	0.2km	85,714
06	Bicycle Lane (on road)	1.4km	36,936
07	Bicycle Lane (off road)	0.3km	55,355
08	Signalised Crossing	2 sites	160,000
09	Upgrade pedestrian facility quality	2 sites	50,644
10	Site Distance (obstruction removal)	1.5km	60,272
11	Improve Delineation	1km	37,257
12	Traffic Calming	4.5km	911,562
13	Clear Roadside Hazards (bike lane)	0.2km	41,395
<b>Sub Total</b>			<b>2,262,538</b>
Cost contingency risk allowance (cost overrun)			226,253
<b>Total</b>			<b>2,488,792</b>

# A126 Project Plan

Road Name	From	To	2020/21				2021/22				2022/23				2023/24			
			April	May	June	July	August	September	October	November	December	January	February	March	April	May	June	July
A126	A13	Lancaster RAB																
West Thurrock Way	Lancaster RAB	Harris RAB																
London Road	Harris RAB	Devonshire Rd																
London Road	Devonshire Rd	Eastern Ave																
Eastern avenue/Hogg Lane	London Rd	Orsett Rd																
Orsett Road	Hogg Lane	Stanley Rd																
Stanley Road	Orsett Rd	Clarence Rd																
Clarence Road	Stanley Rd	Bridge Rd																
Bridge Road	Clarence Rd	East Thurrock Rd																
East Thurrock Road	Bridge Rd	Broadway																
Broadway	East Thurrock Rd	Dock Rd																
Dock Road	Broadway	Marshfoot Rd																
Marshfoot Road	Dock Rd	St Chads Rd																
St Chads Road	Marshfoot Rd	Montreal Rd																
Montreal Road	St Chads Rd	Dock Rd																
Dock Road	Montreal Rd	Calcutta Rd																
Dock Road	Calcutta Rd	Amazon Access RAB																

Design, audit stage & Public Consultation
Procurement of contracts
Permitting
Mobilisation
Projected Completion Date
Monitoring Period
Not included in project

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Highways Maintenance Capital Works Programme 2020-21 - Appendix 3				
Allocations	DfT Maintenance block allocation		DfT	1,604,000
	Incentive fund Band 3 Block		TC	334,000
	Total Maintenance			1,938,000
	TOTAL			1,938,000
Cost Code	Project		Funding Source	Budget
E2828	LTP Maintenance - Bridges			
Sub Total				-
E???	LTP Maintenance - Classified Maintenance (Resurfacing / Reconstruction)			
	SOUTHEND ROAD	CORRINGHAM	DfT	
	FERRY ROAD	TILBURY	DfT	
	STANFORD ROAD	ORSETT	DfT	
	BRENTWOOD ROAD	CHADWELL ST MARY	DfT	
	BRENTWOOD ROAD	ORSETT	DfT	
	MARSHFOOT ROAD	CHADWELL ST MARY	DfT	
	SOUTH ROAD	SOUTH OCKENDON	DfT	
	PRINCESS MARGARET ROAD	EAST TILBURY	DfT	
	EAST TILBURY ROAD	LINFORD	DfT	
	LONDON ROAD	PURFLEET	DfT	
	SOUTHEND ROAD	GRAYS	DfT	
	DOCK ROAD	TILBURY	DfT	
	BULPHAN BYPASS	BULPHAN	DfT	
	BURGHLEY ROAD	CHAFFORD HUNDRED	DfT	
	BUTTS LANE	STANFORD-LE-HOPE	DfT	
	ELIZABETH ROAD	CHAFFORD HUNDRED	DfT	
	HIGH ROAD	ORSETT	DfT	
Patching	PRE-PATCHING	-	DfT	
Jointing	JOINTING	-	DfT	
Sub Total				990,000
E???	LTP Maintenance - Unclassified (Resurfacing / Reconstruction)			
	WHITMORE AVENUE	STIFFORD CLAYS	DfT	
	KING EDWARD DRIVE	GRAYS	DfT	
	WARD AVENUE	GRAYS	DfT	
	GORDON ROAD	CORRINGHAM	DfT	
	THE SORRELLS	CORRINGHAM	DfT	
	WATERSON ROAD	CHADWELL ST MARY	DfT	
	BUCKINGHAM HILL ROAD	LINFORD	DfT	
	FORT ROAD	TILBURY	DfT	
	FEENAN HIGHWAY	TILBURY	DfT	
Sub Total				358,000
E???	LTP Maintenance - Footway & Cycleway Maintenance			
	BELLMAINE AVENUE	CORRINGHAM	DfT	
	DAINES CLOSE	SOUTH OCKENDON	DfT	
	WINDSOR AVENUE	GRAYS	DfT	
	SCHOOL LANE	ORSETT	DfT	
	VICTORIA ROAD	STANFORD LE HOPE	DfT	
	CARNACH GREEN	SOUTH OCKENDON	DfT	
	HATHAWAY ROAD	GRAYS	DfT	
	SPRINGHOUSE ROAD	CORRINGHAM	DfT	
	ADELAIDE ROAD	TILBURY	DfT	
Sub Total				240,000
E2877	LTP Maintenance - Streetlighting			
	Borough wide column replacement		DfT	50,000
Sub Total				50,000
E2878	LTP Maintenance - Other infrastructure (drainage)			
	Borough wide drainage remedials		DfT	150,000
Sub Total				150,000
	LTP Maintenance - Traffic Signals			
	Boroughwide signal upgrades		DfT	100,000
Sub Total				100,000
	LTP Maintenance - Other Road Markings			
	Boroughwide		DfT	50,000
Sub Total				50,000
	LTP Maintenance - Other Safety Barriers			
Sub Total				-
	MAINTENANCE TOTAL			1,938,000

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<b>11 March 2020</b>		<b>ITEM: 18</b>
<b>Cabinet</b>		
<b>Quarter 3 (Month 9) Corporate Performance Report 2019/20</b>		
<b>Wards and communities affected:</b> All		<b>Key Decision:</b> Non-key
<b>Report of:</b> Councillor Deborah Huelin, Cabinet Member for Central Services and Communities		
<b>Accountable Assistant Director:</b> n/a		
<b>Accountable Director:</b> Karen Wheeler, Director of Strategy, Communications & Customer Services		
<b>This report is</b> public		

## Executive Summary

This is the Quarter 3 (Month 9) corporate performance monitoring report for 2019/20 reporting up to the end of December 2019.

At this stage in the year, this is a very positive report as overall 85% of indicators are currently achieving target and 60% are better than the previous year.

This report provides a progress update in relation to the performance of those KPIs, including a focus on some specific highlights and challenges. Of particular note are the significant achievements in recruiting new apprentices.

This report details the statistical evidence the council will use to monitor the progress and performance against the council's priorities. For 2019/20, these set of indicators were agreed by Cabinet in July 2019.

This report was presented to Corporate Overview and Scrutiny Committee on 10 March 2020, feedback from which will be raised at this meeting.

### 1. Recommendation(s)

- 1.1 To note and comment upon the performance of the key corporate performance indicators in particular those areas which are off target.
- 1.2 To identify any areas which require additional consideration.

## 2. Introduction and Background

- 2.1 The performance of the priority activities of the council is monitored through the Corporate Key Performance Indicator (KPI) framework. This provides a mixture of strategic and operational indicators.
- 2.2 The indicators have been chosen to be as clear and simple to understand as possible, whilst balancing the need to ensure the council is monitoring those things which are of most importance, both operationally and strategically.
- 2.3 This reflects the demand for council services increasing and being ever more complicated and the need for a holistic approach to monitoring data and intelligence. Analysis of performance and internal processes at service level by Directors continued monthly throughout 2018/19 and will continue throughout 2019/20.
- 2.4 These indicators will continue to be reported to both Corporate Overview and Scrutiny Committee and on to Cabinet on a quarterly basis, throughout 2019/20.
- 2.5 In line with the recommendation from Corporate Overview and Scrutiny Committee in June 2019, throughout 2019/20, where performance is below target, commentary will be included to show the intended improvement plan. This is included in Section 3.5 as the “Route to Green”.

## 3. Issues, Options and Analysis of Options

- 3.1 This report is a monitoring report, therefore there is no options analysis.

### 3.2 Summary of Corporate KPI Performance

Quarter 3 2019/20 Performance against target		Direction of Travel compared to 2018/19	
Achieved	85% (34)	↑ BETTER	60.5% (23)
		→ STATIC	21.1% (8)
Failed	15% (6)	↓ WORSE	18.4% (7)

This is higher than the 67.5% overall percentage achieving target in 2018/19 and the higher than the Quarter 2 position of 74% achieving target.

### 3.3 On target performance

85% of corporate KPIs achieved their end of year targets.

Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	Qtr 2 Outturn	In month Oct	In month Nov	In month Dec	Qtr 3 Outturn	Qtr 3 Status	Direction of Travel since 2018/19	Qtr 3 Target	2019/20 Target
Number of delayed transfers of care - days from hospital (attrib. to NHS, ASC & Joint)	Cllr Little	2,459	414	819	111	159	In arrears	In arrears	ACHIEVED	↑	2,281	3,036 (prov)
% General tenant satisfaction with neighbourhoods/services provided by Housing	Cllr Johnson	68%	73.9%	75.5%	69.9%	76.0%	77.3%	75.1%	ACHIEVED	↑	75%	75%
% of repairs completed within target	Cllr Johnson	97.7%	97.4%	97.3%	98.3%	99.2%	99.4%	97.9%	ACHIEVED	↑	95%	95%
% Rent collected	Cllr Johnson	98.8%	89.6%	93.7%	94.2%	95.0%	97.3%	97.3%	ACHIEVED	↑	98%	98%
Average time to turnaround/re-let voids (in days)	Cllr Johnson	26.64 days	26.5 days	26.8 days	22.5 days	19.8 days	19.1 days	25.4 days	ACHIEVED	↑	28 days	28 days
Number of health hazards removed as a direct result of private sector housing team intervention	Cllr Johnson	896	201	579	56	110	77	822	ACHIEVED	↑	675	900
Proportion of people using social care who receive direct payments	Cllr Little	33.1%	36.5%	36.6%	36.5%	35.7%	34.9%	34.9%	ACHIEVED	↑	32%	32%
No of new apprenticeships started (incl current staff undertaking new apprentice standards) as % of workforce	Cllr Huelin	60	7	39	4	4	4	51	ACHIEVED	↑	43	59 (2.3%)
Contact Centre - Face to Face average waiting times (minutes)	Cllr Huelin	03:56	01:02	00:59	01:09	01:01	00:50	00:50	ACHIEVED	↑	3 mins	3 mins
% of refuse bins emptied on correct day	Cllr Watkins	97.85%	99.40%	99.49%	99.6%	99.5%	99.6%	99.55%	ACHIEVED	↑	98.50%	98.50%
% of potholes repaired within policy and agreed timeframe	Cllr Maney	99.10%	100%	99%	100%	100%	100%	100%	ACHIEVED	↑	98%	98%

Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	Qtr 2 Outturn	In month Oct	In month Nov	In month Dec	Qtr 3 Outturn	Qtr 3 Status	Direction of Travel since 2018/19	Qtr 3 Target	2019/20 Target
% occupancy of commercial properties	Cllr Coxshall	89%	91%	91%				92%	ACHIEVED	↑	88%	88%
Proportion of older people (65+) still at home 91 days after discharge from hospital into reablement/ rehabilitation	Cllr Little	82.5%	86.9%	86.2%				90.6%	ACHIEVED	↑	86.3%	86.3% (prov)
No of placements available within council for volunteers	Cllr Huelin	180	191	240				211	ACHIEVED	↑	200	210
% of volunteer placements filled within council	Cllr Huelin	85%	90%	90%				95%	ACHIEVED	↑	94%	96%
Number of additional hypertensive patients diagnosed following screening programmes	Cllr Mayes	694	255	477				835	ACHIEVED	↑	450	600
Successful completion of treatment in Young People's Drug & Alcohol service (YTD)	Cllr Mayes	89%	100%	95%				88%	ACHIEVED	↑	70%	70%
Number of GP practices with a profile card and agreed joint priorities within the preceding 12 months	Cllr Mayes	93%	100%	100%				100%	ACHIEVED	↑	93%	93%
% NEET + Unknown 16-17 year olds (Age at start of academic year)	Cllr Jefferies	1.9%	2.5%	1.50%				1.70%	ACHIEVED	↑	1.6%	1.6%
Number of places accessed for two year olds for early years education in the borough	Cllr Jefferies	79.6%	N/A (Termly)	73.49% (Summer)				88.06% (Autumn)	ACHIEVED	↑	75%	75%
% of 17-21 yr old Care Leavers in Education, Employment or Training	Cllr Jefferies	62%	61%	66%				67%	ACHIEVED	↑	Above national average (51%)	
% of young people who reoffend after a previously recorded offence	Cllr Little	18%	18% (Q4)	11% (Q1)				9% (Q2)	ACHIEVED	↑	National average (39.6% 2017/18)	

Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	Qtr 2 Outturn	In month Oct	In month Nov	In month Dec	Qtr 3 Outturn	Qtr 3 Status	Direction of Travel since 2018/19	Qtr 3 Target	2019/20 Target
Tenant satisfaction with Transforming Homes	Cllr Johnson	87.5%	86.2%	88.0%	87.0%	81.1%	89.6%	87.0%	ACHIEVED	➔	85%	85%
Overall spend to budget on HRA (£K variance)	Cllr Johnson	£0	£0	£0	£0	£0	£0	£0	ACHIEVED	➔	£0	£0
% of Major planning applications processed in deadline	Cllr Coxshall	100%	100%	100%	100%	100%	100%	100%	ACHIEVED	➔	90%	90%
% of Minor planning applications processed in deadline	Cllr Coxshall	100%	100%	100%	100%	100%	100%	100%	ACHIEVED	➔	90%	90%
Overall spend to budget on General Fund (% variance against forecast)	Cllr Hebb	0%	0%	0%	0%	0%	0%	0%	ACHIEVED	➔	0	0
Forecast Council Tax collected	Cllr Hebb	98.9%	98.9%	98.9%	98.9%	98.9%	98.9%	98.9%	ACHIEVED	➔	98.9%	98.9%
Forecast National Non-Domestic Rates (NNDR) collected	Cllr Hebb	98.9%	99.3%	99.3%	99.3%	99.3%	99.3%	99.3%	ACHIEVED	➔	99.3%	99.3%
Total gross external income (fees & charges) (based on sales forecast)	Cllr Hebb	£9.3m	£7.34m	£7.73m	£7.73m	£7.73m	£8.1m	£8.1m	ACHIEVED	⬇	£7.7k	£7.7k
Average time (in days) for a child to be adopted (3 year average) (ie time between entering care and moving in with adoptive family)	Cllr Little	343 days (Revised figure)	366	381				445 (prov.)	ACHIEVED	⬇	National average (486 2015-18)	
% of all schools judged "good" or better	Cllr Jefferies	88%	88%	88%				85%	ACHIEVED	⬇	National average (85.6%)	
Number of new Micro Enterprises started since 1 April 2019	Cllr Huelin	new KPI	14	27				33	ACHIEVED	N/A	20	20
No of Thurrock businesses benefitting from ERDF programmes	Cllr Coxshall	68	13	(4) 17				(19) 36	ACHIEVED	not comparable	30	40
Value (£) of council owned property disposals	Cllr Coxshall	n/a	£320k	£470k				£470k	n/a	n/a	Baseline	Baseline
Street Cleanliness - a) Litter	Cllr Watkins	10.06%	Tranche 1 8%	Tranche 2 5.83% (6.92% YTD)				not yet due	n/a	n/a	9%	9%
Street Cleanliness - c) Graffiti	Cllr Watkins	4.28%	Tranche 1 3.67%	Tranche 2 4% (3.83% YTD)				not yet due	n/a	n/a	3%	3%

### 3.4 In focus for Quarter 3

Of particular note in Quarter 3 are the following indicators for which more detail is provided below:

Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	Qtr 2 Outturn	In month Oct	In month Nov	In month Dec	Qtr 3 Outturn	Qtr 3 Status	Direction of Travel since 2018/19	Qtr 3 Target	2019/20 Target
No of new apprenticeships started (incl current staff undertaking new apprentice standards)	Cllr Huelin	60	7	39	4	4	4	51	ACHIEVED	➔	43	59 (2.3% of workforce)
<p>This indicator is above target for quarter 3. Indeed the January data has now shown that the end of year target has already been exceeded two months earlier than forecast.</p> <p>The good performance this year has been largely driven by the success from our second annual apprentice recruitment day held in July 2019 and an increase in awareness from managers across the council of the value of apprentices. Additionally, linking in with the Continuing Professional Development (CPD) programme, the council has been able to utilise opportunities to upskill existing staff with apprenticeships as an alternative which helps utilise our levy pot and keeps the CPD budget free for those development opportunities not available via an apprenticeship. All directorates now have apprentices, with Children's Services having 24 in total.</p> <p>Apprentices have now become such an embedded part of the workforce that at the recent Staff Awards there were 16 nominations for the Apprentice of the Year category.</p>												

### 3.5 Off target indicators

At the end of Quarter 3, 6 indicators failed to meet their target.

Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	Qtr 2 Outturn	In month Oct	In month Nov	In month Dec	Qtr 3 Outturn	Qtr 3 Status	Direction of Travel since 2018/19	Qtr 3 Target	2019/20 Target
Number of applicants with family commitments in Bed & Breakfast for six weeks or more (ie those presenting as homeless who have dependent child(ren) or are pregnant)	Cllr Johnson	0	0	0	0	1	1	2	FAILED	↓	0	0
Although this missed the target, the incidences of this are still very uncommon. On these occasions, this was due to both a lack of provision within the borough of suitable size to transfer applicants into, as well as a limited number of staff who are trained to manage temporary accommodation placements.												
Route to <b>GREEN</b>												
Although the target of 0 has not been achieved, the number of applicants in bed and breakfast accommodation for more than six weeks are low. Comparatively, performance this year is consistent with last year (2018/19) and significantly better than performance in 2017/18.												
The council now has a system which identifies applicants at week 4 of their placement. This enables all officers to see the placements due to be relocated before the expiration of the 6 weeks. Additional officers have now been trained to manage temporary accommodation placements to ensure effective support to applicants.												

Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	Qtr 2 Outturn	In month Oct	In month Nov	In month Dec	Qtr 3 Outturn	Qtr 3 Status	Direction of Travel since 2018/19	Qtr 3 Target	2019/20 Target
% of primary schools judged "good" or better	Cllr Jefferies	90%	92%	92%				92%	FAILED	→	94%	94%
36 of Thurrock's 39 primary schools were judged as "good" or better at inspection. The national average for this indicator is 88%, so Thurrock is performing above the national average. Two schools have recently joined a multi-academy trust and therefore will not be due to be inspected until at least 2022 and the other school judged to be "requires improvement" is not due for re-inspection until 2022.												
Route to <b>GREEN</b>												
The Multi Academy Trusts are working with their individual schools to improve. The council is working across the borough with all schools to improve recruitment and retention of good quality teachers. A range of training needs have been identified and the teaching schools are deploying Specialist Leaders in Education (SLEs) to improve individual teachers. However, this indicator will not change until a school has an inspection, the timing of which the service does not have control.												

Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	Qtr 2 Outturn	In month Oct	In month Nov	In month Dec	Qtr 3 Outturn	Qtr 3 Status	Direction of Travel since 2018/19	Qtr 3 Target	2019/20 Target
Payment rate of Fixed Penalty Notices (FPNs)	Cllr Gledhill	61.60%	53.1%	54.4%	55.5%	59.1%	64.6%	59.3%	FAILED	↓	70%	70%
<p>The payment rate of FPNs saw an increase in December albeit that the proportion paid is still below target. This indicator has been below target for the year.</p>												
Route to <b>GREEN</b>												
<p>The work undertaken to review the process earlier this year continues to have a positive impact with the payment rate increasing in the 3<sup>rd</sup> quarter. Non-payment of FPNs is unacceptable and cases continue to be pursued, resulting in legal action.</p>												

Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	Qtr 2 Outturn	In month Oct	In month Nov	In month Dec	Qtr 3 Outturn	Qtr 3 Status	Direction of Travel since 2018/19	Qtr 3 YTD Target	2019/20 Target
% Household waste reused/ recycled/ composted	Cllr Watkins	37.5% (prov)	39%	36%	30%	32%	27%	30%	FAILED	↓	43.5%	41%
<p>The tonnage of composting from both domestic bins and the Household Waste and Recycling centre continue to be very low in December. This has had an overall negative impact on the figures for that month.</p> <p style="text-align: center;"><b>Route to GREEN</b></p> <p>It has been previously noted that the route to green for this performance indicator is a long and slow one with a number of work streams in place that are contributing to ensuring an improvement in the recycling rate for Thurrock. These actions will take time to implement and to have an effect.</p> <p>Some of the work that is currently underway includes:</p> <ul style="list-style-type: none"> <li>• The cross party waste working group has launched a consultation with residents to inform the review of the waste strategy. A benefit of this is that we will gain greater insight into the recycling behaviours and information needs of residents. The consultation is currently set to close in March 2020.</li> <li>• A bin sticker and recycling guide will be distributed to all households in February ensuring that details of what can be discarded in each of the bins is clear and that residents are reminded of this.</li> <li>• A specific communications campaign targeting the recycling of metals such as tin cans and aerosols is about to be launched. This follows the successful plastic recycling campaign that ran in the first half of this financial year.</li> <li>• In the past 6 months the Recycling Project Officer has reached more than 8,500 pupils within the borough through recycling assemblies at schools and through Scout groups</li> </ul> <p>Work continues on the planning and preparation for the rollout of the recycling programme to all flats within the Borough, due to commence May 2020.</p>												



Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	Qtr 2 Outturn	In month Oct	In month Nov	In month Dec	Qtr 3 Outturn	Qtr 3 Status	Direction of Travel since 2018/19	Qtr 3 Target	2019/20 Target
Number of library members (signed up and active within 12 months for loans and PC use)	Cllr Huelin	25,756	25,383	25,865				25,652	FAILED	↓	26,528	26,785

Libraries have joined 1,750 new members during Oct - Dec 2019 which is very positive. However this figure also takes account of customers who have not used the service in the last 12 months and classifies them as 'inactive' and are therefore taken out of this membership figure calculation.

#### Route to GREEN

Libraries continue to promote membership and have developed a communications plan to help promote the full offer to residents as a result of becoming a member. The opening of the new Aveley Community Hub including the local library is already seeing an increase in membership in this part of the borough. Class visits will continue and families are encouraged to join their children during these visits. All libraries have a daily new member target and all staff have been reminded to maintain the impetus and continue to promote library membership. The marketing campaign, including social media, to promote the benefits of library membership commenced in January 2020 and is ongoing and a new method of measuring the success of this campaign will be included in next year's corporate KPI list.

Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	Qtr 2 Outturn	In month Oct	In month Nov	In month Dec	Qtr 3 Outturn	Qtr 3 Status	Direction of Travel since 2018/19	Qtr 3 Target	2019/20 Target
Permanent admissions of older people (aged 65+) to residential and nursing care homes per 100,000 population	Cllr Little	669 per 100,000	139 (33)	345 (82)	429 (102)	462 (110)	542 (129)	542 (129)	FAILED	↓	496 (118)	656 (prov)

Performance is 46 per 100,000 population over target, this equates to 129 permanent admissions which is 11 over the profiled target. Due to the nature of this indicator, it is difficult to predict the demand for residential/nursing care, and an increase could be as a result of various factors such as increasing ageing population, and increasing complexity of need (resulting in unsuitability of other community-based services).

In addition, 47 of the 129 individuals are "full costers" (36%) which means that these placements are not funded by the council. Analysis with the Eastern Region has shown that most other local authorities do not have "full costers" because once an individual is assessed as able to fund their own care, the council duty is discharged and the individual is required to make a private arrangement with the care home. In Thurrock, the council will still make the placement, provided at council-agreed rates and will continue to support the individual with reviews etc. As such, Thurrock figures for this indicator are higher than other local authorities.

#### Route to GREEN

Individuals are only placed in residential or nursing care if this is the most appropriate setting to meet their needs and all other community-based services have been considered and deemed unable to meet the need. The indicator has been recently audited to ensure all individuals placed in permanent residential/nursing care were placed appropriately. We have a range of other community based services available, including the Joint Reablement Team, a range of home care providers including the new Wellbeing Teams which are being further rolled out, interim and reablement beds, extra care, sheltered housing and supported living. We have also extended the Bridging Service to March 2020 to provide additional capacity. This ensures that individuals are only placed in residential care when this is absolutely necessary to ensure their safety and wellbeing.

### 3.6 Other key indicators

Throughout the year the council also monitors some other indicators as part of the corporate scorecard which, whilst not performance related, are important to keep under review.

Demand Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1	Qtr 2	In month Oct	In month Nov	In month Dec	Qtr 3	Direction of Travel since 2018/19
Contact Centre - Face to Face - no of visitors	Cllr Huelin	68,822	14,489	29,964	5,056	4,911	4,191	44,122	↓
Number of households at risk of homelessness approaching the Council for assistance	Cllr Johnson	1,605	418	988	190	195	104	1,477	↑
No of homeless cases accepted	Cllr Johnson	97	27	42	19	4	10	75	↑

## 4. Reasons for Recommendation

- 4.1 The corporate priorities and associated performance framework are fundamental to articulating what the council is aiming to achieve. It is best practice to report on the performance of the council. It shows effective levels of governance and transparency and showcases strong performance as well as an acknowledgement of where we need to improve.
- 4.2 This report highlights what the council will focus on during 2019/20 and confirms the governance and monitoring mechanisms which were in place to ensure that priorities are delivered.

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

- 5.1 Performance against the corporate priorities was monitored through Performance Board, a cross-council officer group of performance experts representing each service. Performance Board will continue to consider the corporate KPIs on a monthly basis, highlighting areas of particular focus to Directors Board.
- 5.2 Each quarter a report will continue to be presented to Corporate Overview and Scrutiny Committee, and finally reported to Cabinet. This report was presented to Corporate Overview and Scrutiny Committee on 10 March 2020, feedback from which will be raised at this meeting.

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

6.1 The vision and priorities cascade into every bit of the council and further to our partners, through key strategies, service plans, team plans and individual objectives.

6.2 This report will help decision makers and other interested parties, form a view of the success of the council's actions in working towards achieving the vision and priority ambitions.

## **7. Implications**

### **7.1 Financial**

Implications verified by: **Dammy Adewole**

**Senior Management Accountant – Central Services**

The report provides an update on performance against corporate priorities. There are financial KPIs within the corporate scorecard, the performance of which are included in the report.

Where there are issues of underperformance or increased demand, any recovery planning commissioned by the council may entail future financial implications, and will need to be considered as appropriate.

### **7.2 Legal**

Implications verified by: **Tim Hallam**

**Acting Head of Law, Assistant Director of Law and Governance and Monitoring Officer**

There are no direct legal implications arising from this report. However, where there are issues of underperformance or increased demand, any recovery planning commissioned by the council or associated individual priority projects may have legal implications, and as such will need to be addressed separately as decisions relating to those specific activities are considered.

### **7.3 Diversity and Equality**

Implications verified by: **Natalie Smith**

**Strategic Lead, Community Development and Equalities**

The Corporate Performance Framework for 2019/20 contains measures that help determine the level of progress with meeting wider diversity and equality ambitions, including youth employment and attainment, independent living,

vulnerable adults, volunteering etc. Individual commentary is given throughout the year within the regular monitoring reports regarding progress and actions.

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

The Corporate Performance Framework includes areas which affect a wide variety of issues, including those noted above. Where applicable these are covered in the report.

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):

N/A

9. **Appendices to the report**

N/A

**Report Author:**

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