

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

## General Services Committee

The meeting will be held at **6.00 pm** on **11 October 2021**

**Council Chamber, Civic Offices, New Road, Grays, Essex RM17 6SL**

### Membership:

Councillors Robert Gledhill (Chair), John Kent (Vice-Chair), Mark Coxshall, Shane Hebb, Victoria Holloway, Barry Johnson and Fraser Massey

### Substitutes:

Councillors Jack Duffin, Deborah Huelin, Andrew Jefferies, Luke Spillman and Lynn Worrall

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### Agenda

Open to Public and Press

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<b>1 Apologies for Absence</b>	
<b>2 Minutes</b>	<b>5 - 8</b>
To approve as a correct record the minutes of General Services Committee meeting held on 5 July 2021.	
<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 Declarations of Interests</b>	

## Exclusion of the Public and Press

Members are asked to consider whether the press and public should be excluded from the meeting during consideration of an agenda item on the grounds that it involves the likely disclosure of exempt information as specified in Part I of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act.

In each case, Members are asked to decide whether, in all the circumstances, the public interest in maintaining the exemption (and discussing the matter in private) outweighs the public interest in disclosing the information.

### **5 Recruitment of Assistant Director Children's Services - Shortlisting**

Paperwork for this item will follow under separate cover.

On completion of Item 5 the Committee will resume in public session for Item 6.

### **6 Thurrock Regeneration Limited (TRL) Progress Report**

**9 - 16**

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

Please contact Matthew Boulter, Democratic & Governance Services Manager and Deputy Monitoring Officer by sending an email to [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)

Agenda published on: **1 October 2021**

## Information for members of the public and councillors

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1. If you are feeling ill or have tested positive for Covid and are isolating you should remain at home, the meeting will be webcast and you can attend in that way.
2. You are recommended to wear a face covering (where able) when attending the meeting and moving around the council offices to reduce any chance of infection. Removal of any face covering would be advisable when speaking publically at the meeting.
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The council welcomes the filming, photography, recording and use of social media at council and committee meetings as a means of reporting on its proceedings because it helps to make the council more transparent and accountable to its local communities.

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- You should connect to TBC-CIVIC
- Enter the password **Thurrock** to connect to/join the Wi-Fi network.
- A Terms & Conditions page should appear and you have to accept these before you can begin using Wi-Fi. Some devices require you to access your browser to bring up the Terms & Conditions page, which you must accept.

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Members of the Council should ensure that their device is sufficiently charged, although a limited number of charging points will be available in Members Services.

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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 General Services Committee held on 5 July 2021 at 6.00 pm

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**Present:** Councillors Robert Gledhill (Chair), John Kent (Vice-Chair), Mark Coxshall, Shane Hebb, Victoria Holloway, Barry Johnson and Fraser Massey

**In attendance:** Ian Hunt, Assistant Director Law and Governance and Monitoring Officer  
Mykela Pratt, Strategic Lead HR, Resourcing and Improvement  
Matthew Boulter, Democratic Services Manager

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### **6. Minutes**

The minutes of the General Services Committee held on 15 June 2021 were approved as a correct record.

### **7. Items of Urgent Business**

There were no items of urgent business.

### **8. Declarations of Interests**

There were no declarations of interest.

### **9. Paid Leave for Miscarriage**

Officers presented the report. Cllr Kent asked whether the Council had compared the policy to private companies and not just local councils. Officers highlighted that the policy was very new within the workplace generally and they knew from evidence that private firms offered between 3 and 10 days for such leave, however, the Council contained its comparisons to other local councils in the report.

Cllr Holloway stated that women could bleed for 7 to 10 days after a miscarriage and therefore she suggested the leave should be extended to 10 days. Officers responded that the 5 days in the policy was the baseline for leave and there were other options available to extend this which included sick leave and compassionate leave. The manager would have discretion. It was clarified that sick leave for pregnancy issues did not count towards the usual absence triggers.

Cllrs Hebb and Coxshall supported the report and Cllr Holloway's view respectively. Cllr Kent likewise supported the report and moved that the policy be extended to cover 10 days absence not 5. Officers stated this could be implemented and drew members' attention to potential service impact.

**RESOLVED: That:**

- 1. The Committee support the proposal to provide paid leave provision for employees who suffer a miscarriage.**
- 2. The provision be extended from 5 days to 10 days.**

**10. Thurrock Regeneration Limited**

Cllr Coxshall introduced the report giving a history of the issue coming to General Services Committee last year and the discussions that took place. Various conflicts of interest with board members in the past (who were also council officers) meant that he was supportive of option 1 in the report, namely to create an independent board to steer the body. He added that TRL could cover the commercial build aims of the council too.

Cllr Kent also supported option 1 and felt this arrangement would progress complex sites that were available for housing purposes.

Cllr Hebb also supported option 1 and suggested that update reports should return to the committee when suitable and through discussion with the committee it was felt an update report should come to them for review no less than six months a year.

Cllr Johnson thought the arrangements could work but noted that Members still needed to have the responsibility of where to build and that must be got right.

**RESOLVED: That:**

- 1. That the Committee appoints the Corporate Director of Resources and Place Delivery to attend the Shareholders meeting of TRL as the Council's nominated proxy**
- 2. That the Committee directs the Corporate Director of Resources and Place Delivery to vote on behalf of the shareholder:**
  - 2.1 To agree the proposed future TRL governance and Board structure in consultation with the Director of TRL;**
  - 2.2 To agree that the Director of TRL can implement an agreed structure for the Board and TRL can commence the recruitment process of Directors to its Board;**
  - 2.3 To ensure Directors of TRL can undertake their statutory responsibilities to make decisions in the best interests of the company;**

**2.4 To implement a revised Scheme of Delegation to provide certainty of governance and decision making for the company and the shareholders**

**3. An update report will return to the Committee when suitable but should be no less than a six month period.**

**The meeting finished at 6.23 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)**

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<b>11 October 2021</b>		<b>ITEM: 6</b>
<b>General Services Committee</b>		
<b>TRL Progress Report</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Key	
<b>Report of:</b> Councillor Mark Coxshall, Cabinet Member for Regeneration, Strategic Planning and External Relationships		
<b>Accountable Assistant Director:</b> N/A		
<b>Accountable Director:</b> Sean Clark, Corporate Director of Resources and Place Delivery		
<b>This report is Public</b>		

## Executive Summary

Thurrock Regeneration Ltd (TRL) is wholly owned by Thurrock Council. There is subsidiary company, Thurrock Regeneration Homes Ltd (TRHL), this is wholly owned by TRL. Within the Council, delegated authority has been given by proxy via to the General Services Committee to the Director of Resources and Place Delivery (to act on behalf of the Shareholders).

Currently both companies have one Director and Chair - Roger Harris (the former Corporate Director Adults, Housing Health and Children's Services).

On the 5th July 2021, the GSC agreed an Independent Board could be appointed and any previous restrictions on the existing Director of TRL be removed. TRL can appoint up to another four directors as per their articles of association.

This report provides an update on the companies' progress since July 2021.

### 1. Recommendation

#### 1.1 The contents of the report are noted

### 2. Introduction and Background

2.1 TRL is a regeneration and investment company – building a range of property across various tenures. The principle focus of the company is to support the achievement of the Council's wider regeneration goals through the delivery of specific schemes which support the delivery of new homes in the borough.

- 2.2 TRL gives the Council a vehicle to increase the delivery rate of housing development, particularly on brownfield sites, and to ensure the delivery of affordable housing, especially in a tight housing sector market where private sector developers see less profit in delivering affordable housing. It is part of the housing solution to provide more homes within the Borough.
- 2.3 The Local Plan for Thurrock (currently at Issues and Options Stage 2) has an indicative target of building 32,000 homes over the next Local Plan period to 2037. There are currently 62,000 homes in the Borough, so the Local Plan target is almost a 50% increase in the housing numbers in Thurrock.
- 2.4 The South Essex Strategic Housing Market Assessment (May 2017) also sets out the objectively assessed need for Housing in Thurrock between 2014 and 2037 as 1,074-1,381 new dwellings per annum, of which c 472 dwellings per annum should be affordable housing. TRL, in partnership, with the Council can positively contribute to these targets.
- 2.5 Progress to date has seen the delivery of one housing scheme (St Chads), providing 128 homes (including 26 affordable homes).
- 2.6 TRL also owns the site at Belmont Road, having purchased the site from the Council. Planning permission has been granted for 80 homes.

### **3.0 Issues, Options and Analysis of Options – Updates on Progress**

#### **3.1 Governance and Recruitment**

- 3.1.1 In order to achieve its ambitions, TRL requires strong governance and a resilient Board of Directors. The current articles of association for the company provide a structure of a maximum of five directors, a company secretary and various consultants (e.g. legal and finance). The deciding vote rests with the Chairperson of the Board.
- 3.1.2 Good corporate governance will ensure the Board is resourced with the necessary skills and experience to scrutinise recommendations and make qualified decisions, and that external directors can be remunerated. There is a need for the company to be independent and agile in their ability to respond to market forces and make decisions. The Board should regularly undertake a skills audit to ensure that it has an appropriate balance of skills and experience appropriate for the type of company they are running.
- 3.1.3 It is evident that the TRL Board would need to evolve as its development programme and profile grows. It should be noted, any Director of the company must (under the Companies Act 2006) act in the best interests of the company. TRL are currently looking for strategic thinkers with a proven track record in housing development, finance, property and/or development and legal services.

3.1.4 Recruitment has commenced through numerous and will conclude by end of October 2021. The nominal process for recruitment is:

- Remuneration Policy - agreed;
- Production of recruitment pack - concluded;
- Out to advert – in process;
- Review director applications (the panel includes; Director of TRL and Corporate Director of Resources and Place Delivery);
- Shortlist, interview and recommendations to the shareholder (GSC) to agreed (The Director of Resources and Place Delivery nominated by proxy) to discuss appointment decisions; and
- Appoint selected Directors.

3.1.5 Commitment will be a minimum of 15 days per year through, in the main, attending and contributing at Board meetings. The appointment would be for an initial three year term.

## **3.2 Remuneration Policy**

3.2.1 The key objective of a remuneration policy for Board Members is to ensure that the company attracts, retains and motivates competent, committed and appropriately remunerated persons to enable the effective delivery of the company's objectives and the continued success of the organisation.

3.2.2 The remuneration policy was agreed at a General Meeting on 2<sup>nd</sup> September 2021.

3.2.3 The awarded fee will reflect individual experience and qualifications whilst reflecting an expected time commitment. Board Members are to be awarded £4,500 per annum for a minimum commitment of 15 days per year (mainly being attendance at Board meetings). The appointment would be for an initial three year term.

3.2.4 When determining the pay levels and terms and conditions of appointment of Board Members, the company considers other comparable housing companies remunerations but also factor in the following:

- Nature, breadth and scope of the Board Member role, including reference to the Company strategic plans and/or risks;
- Market comparison benchmark data for comparable roles in organisations of a similar size and nature at the time of appointment;
- Market conditions (including availability of appropriate prospective candidates and similar roles); and
- Performance of the Company; performance as assessed by the Company Chair through the annual objective-setting and appraisal process. This takes into account an assessment of Board Member attributes, experience, knowledge and ongoing qualifications.

### **3.3 Belmont Road, Grays**

3.3.1 TRL owns the Belmont Road site. The planning consent for the current 80 unit scheme was granted on 15 November 2018 with condition #1 of the planning consent stating: "The development hereby permitted must be begun not later than the expiration of 3 years from the date of this permission". In effect, without any material start on site by 15 November 2021, the current planning consent will lapse and become null & void.

3.3.2 All feasible options have been explored for sustaining the current planning consent and it is not considered possible to meet the material start condition. It is therefore necessary submit another planning application.

3.3.3 Over recent months the Board of TRL has considered:

- Financial viability;
- Comparative budget estimates;
- Indicative delivery programme; and
- Risk profile.

3.3.4 At a TRL Board meeting on 21<sup>st</sup> September 2021, the Board agreed to amend the currently consented scheme (amending the design to meet current design standards), but keeping the overall design, unit and tenure mix as currently approved by the Local Planning Authority, for 80 residential units.

3.3.5 TRL wants to ensure the Belmont Road development is progressed and on site as soon as possible, in order to provide further homes (private and affordable) to residents of the Borough, working in partnership with the Council to be part of the solution of providing new homes in Thurrock.

### **3.4 St Chads Estate, Tilbury**

3.4.1. TRL has an operational subsidiary company named Thurrock Regeneration Homes Ltd (TRHL). TRHL is wholly owned by TRL, keeping separate the strategic development and sales aims of the parent company (TRL) from the operational management of its assets through the subsidiary (THRL).

3.4.2 Providing quality rental housing under assured short hold properties TRHL is providing for different housing needs not currently provided for by the local housing market.

3.4.3 The St Chads estate has 128 properties - TRHL currently owns and rents 102 properties with the remaining 26 properties owned by a Housing Association partner, providing affordable housing in perpetuity for Thurrock residents. There is a mix of 2, 3 and 4 bed houses on the estate. The estate was completed in August 2017.

- 3.4.4 TRHL works in partnership with its managing agent HERA to undertake estate management and maintenance services this including; lettings, income management and tenancy management.
- 3.4.5 HERA and TRHL have monthly contract meetings to review performance and discuss any areas of concern and agreed, where appropriate, any action. There are numerous key performance indicators upon which HERA report monthly including rents and lettings. This is to ensure services are managed well and any issues are resolved at the earliest opportunity.
- 3.4.6 Tenants can communicate with HERA via their current IT portal or by post, email, or telephone. Tenants are provided with a group email and telephone number, ensuring that all calls and emails can be logged and allocated to the appropriate person. If an issue affects multiple tenants, a group email is sent to all tenants advising of the situation and what action we are taking to remedy it. Once an issue is resolved all tenants receive a further update.

### **3.5 Business Planning and MTFs**

- 3.5.1. TRL are continue to review and update the business plan modelling to ensure financial and business decisions are optimised. TRL works closely with finance colleagues in Thurrock Council via a SLA to ensure its financial obligations are fulfilled in respect of financial reporting.
- 3.5.2 The financial planning will consider further schemes if they can clear the financial viability assessment included in the development appraisal process and make a positive contribution towards the delivery of the company business plan.
- 3.5.3 TRL continues to work with the Council to consider potential land disposals that enable TRL to develop further schemes which support both the objectives of the company and the Council.

## **4. Reasons for Recommendation**

- 4.1 To increase the rate of delivery of housing development and new homes in the Borough of all tenures.
- 4.2 To note progress of company activity.

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

- 5.1 None

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

- 6.1 The proposed list of housing development sites aligns closely with the Council's Vision and Priorities. In particular it resonates with the "Place"

theme which focuses on houses, places and environments in which residents can take pride.

## **7. Implications**

### **7.1 Financial**

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

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

### **7.2 Legal**

This is an update report in relation to the companies activities, Members are receiving the report as shareholders of the companies which have their own management and operational board for decision making. The legal implications are where relevant detailed within the body of the report.

Implications verified by: **Ian Hunt**  
**Assistant Director Law and Governance**

### **7.3 Diversity and Equality**

The recruitment and remuneration of Board Members will be conducted using a fair and consistent approach that supports and encourages diversity of representation and is compliant with the Equality Act 2010 and Public Sector Equality Duty.

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

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

- TRL Remuneration Policy (Company document)
- TRL Business Plan (Company document)
- TRL Business Plan modelling (Company document)

**9. Appendices to the report**

None

**Report Author:**

Helen McCabe

TRL Development Manager/Company Secretary

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