

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 **7 February 2022**

South Essex College, High Street, Grays, RM17 6TF in room W1.22

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

Agenda

Open to Public and Press

	Page
1 Apologies for Absence	
2 Minutes	
Minutes of General Services Committee meeting held on 27 January 2022 will be included in the agenda of the 10 February 2022 committee.	
3 Items of Urgent Business	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
4 Declarations of Interests	
5 Constitution Working Group	5 - 10

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.

6 Recruitment of Assistant Directors for Regeneration and Place Delivery and Property & Facilities Management - Shortlisting

Paperwork for this item will follow under separate cover.

Queries regarding this Agenda or notification of apologies:

Please contact Jenny Shade, Senior Democratic Services Officer by sending an email to Direct.Democracy@thurrock.gov.uk

Agenda published on: **28 January 2022**

Information for members of the public and councillors

Access to Information and Meetings

Advice Regarding Public Attendance at Meetings:

Following changes to government advice there is no longer a requirement for public attendees to book seats in advance of a committee meeting. All public attendees are expected to comply with the following points when physically attending a committee meeting:

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.
3. Hand sanitiser will also be available at the entrance for your use.

Whilst the Council encourages all who are eligible to have vaccination and this is important in reducing risks around COVID-19, around 1 in 3 people with COVID-19 do not have any symptoms. This means they could be spreading the virus without knowing it. In line with government guidance testing twice a week increases the chances of detecting COVID-19 when you are infectious but aren't displaying symptoms, helping to make sure you do not spread COVID-19. Rapid lateral flow testing is available for free to anybody. To find out more about testing please visit <https://www.nhs.uk/conditions/coronavirus-covid-19/testing/regular-rapid-coronavirus-tests-if-you-do-not-have-symptoms/>

Members of the public have the right to see the agenda, which will be published no later than 5 working days before the meeting, and minutes once they are published.

Recording of meetings

This meeting will be live streamed and recorded with the video recording being published via the Council's online webcast channel: www.thurrock.gov.uk/webcast

If you have any queries regarding this, please contact Democratic Services at Direct.Democracy@thurrock.gov.uk

Guidelines on filming, photography, recording and use of social media at council and committee meetings

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.

Thurrock Council Wi-Fi

Wi-Fi is available throughout the Civic Offices. You can access Wi-Fi on your device by simply turning on the Wi-Fi on your laptop, Smartphone or tablet.

- 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.

The ICT department can offer support for council owned devices only.

Evacuation Procedures

In the case of an emergency, you should evacuate the building using the nearest available exit and congregate at the assembly point at Kings Walk.

How to view this agenda on a tablet device



You can view the agenda on your [iPad](#), [Android Device](#) or [Blackberry Playbook](#) with the free modern.gov app.

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.

To view any “exempt” information that may be included on the agenda for this meeting, Councillors should:

- Access the modern.gov app
- Enter your username and password

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

7 February 2022	ITEM: 5
General Services Committee	
Constitution Working Group	
Wards and communities affected: Not Applicable	Key Decision: Non-key
Report of: Matthew Boulter, Democratic Services Manager & Interim Monitoring Officer	
Accountable Assistant Director: Not Applicable	
Accountable Director: Sean Clark, Director of Resources and Place Making	
This report is Public	

Executive Summary

This report outlines a request to convene a time limited Constitution Working Group to discuss and propose amendments to the Council's current Constitution.

1. Recommendation(s)

- 1.1 To convene a time limited Constitution Working Group for the purposes of discussing then proposing amendments to the Constitution for Full Council to agree.**

2. Introduction and Background

- 2.1 The Constitution is the key governance document of the council. It is regularly kept updated to comply with changes to laws and a refreshed version is published annually on the Council's website. In recent months Members have expressed a desire to review and reflect on some of the sections of the Constitution.
- 2.2 The General Services Committee, under its terms of reference in the Constitution, has the authority to '*advise the Council on major changes to the Constitution*'. The constitutional expectation therefore is for this committee to discuss and present any amendments. However, in the past the Council has used a constitution working group to draw upon the wider membership of the council to discuss amendments and propose changes direct to Full Council. The purpose of this report is therefore to ask the General Services Committee to allow such a working group to perform the task that has been reserved for the committee in the constitution.

3. Issues, Options and Analysis of Options

- 3.1 The Monitoring Officer is able to make consequential amendments to the constitution to ensure the document complies with current law and the agreed structures of the Council (portfolio holder positions or director roles for example), as well as to make minor corrections in spelling and formatting. Any further significant amendments need to be agreed at a Full Council meeting. Past practice has seen a constitution working group convened to discuss these amendments before they are presented to a Council meeting.
- 3.2 At present the Constitution marks the General Services Committee out as the forum in which such amendments could be discussed. This Committee therefore has the option, on this occasion, to either keep the review of parts of the constitution within its work programme or to ask a working group to convene to undertake the work.
- 3.3 A working group is a flexible way to convene Members to discuss an issue with officers. The Constitution Working Group, if convened, would be clerked by Democratic Services with an aim to provide a report to Full Council outlining proposed amendments to the Constitution.
- 3.4 General Services Committee could ask that the report return to them before being tabled at a Full Council meeting but Members may wish to forgo this in the knowledge that all Members of General Services would be present and able to contribute to the debate at Full council.

Nature of the Constitution Working Group (CWG)

- 3.5 It is important that the CWG is a cross party group which allows Members from all parties, experience and backgrounds to comment on the proposals. With this in mind it is recommended that the Group is composed of up to 4 Members from each political group, including the independent Member.
- 3.6 If agreed, the CWG will convene over coming months to debate the proposed amendments. A recommended terms of reference is attached at Appendix 1.

4. Reasons for Recommendation

- 4.1 Feedback from Members in recent months has indicated that a Constitution Working Group would be a preferred way to deal with the amendments.

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

- 5.1 None.

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

- 6.1 It is essential for the Council to maintain its Constitution and regular reviews ensure efficiency of decision making and strong governance of the organisation. Allowing Members to discuss and propose amendments to the constitution ensures the document reflects the needs of the elected Members.

7. Implications

7.1 Financial

Implications verified by: **Dammy Adewole**
Senior Management Accountant
Resources and Place Delivery

There are no direct financial implications.

7.2 Legal

Implications verified by: **Matthew Boulter**
Interim Monitoring Officer

The report outlines the rules, procedures and options for convening a constitution working group to fulfil the work surrounding a review of parts of the Constitution. The Constitution must reflect and comply with legislation and any amendments proposed by Members would need to comply with the law. The final report to Full Council would be accompanied with full legal assessment and implications.

7.3 Diversity and Equality

Implications verified by: **Becky Lee**
Team Manager - Community Development and
Equalities, Adults, Housing and Health
Directorate

There are no direct equality implications.

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

No direct implications.

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

- None

9. Appendices to the report

- Appendix 1: Recommended terms of reference for the Constitution Working Group.

Report Author:

Matthew Boulter

Democratic Service Manager and Interim Monitoring Officer

Legal and Democratic Services

1.	Constitution Working Group	
Appointed by:	Number of Elected Members:	
Group Leaders	A Maximum of 12 (see political proportionality box)	
Chair and Vice-Chair appointed by:	Political Proportionality:	
To be appointed by The Constitution Working Group at their first meeting.	Up to four Members from each political group, including Independent Member.	
Quorum:	Co-opted Members to be appointed by Council:	
One third of the Group's Membership (4).	None	
Aims of the Constitution Working Group:		
<ol style="list-style-type: none"> 1. To review Member and officer recommendations in regards to amending Thurrock Council's Constitution. 2. To consider any other recommendations raised regarding Thurrock Council's Constitution during the term of the group. 3. The Constitution Working Group shall be time-limited up to and including the review of the suggested amendments and report back to General Services Committee/ Full Council. 		
Functions determined by Statute:		
None		

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