

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 14 September 2022

Committee Room 2, Civic Offices, New Road, Grays, Essex, RM17 6SL

#### Membership:

8

9

Councillors Mark Coxshall (Deputy Leader), Qaisar Abbas, Jack Duffin, Robert Gledhill, Shane Hebb, Deborah Huelin, Andrew Jefferies, Barry Johnson, Ben Maney and Luke Spillman

#### **Agenda**

#### Open to Public and Press

Page 1 **Apologies for Absence** 2 5 - 16 **Minutes** To approve as a correct record the minutes of Cabinet held on 13 July 2022. 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 **Declaration of Interests** 5 Statements by the Leader 6 **Briefings on Policy, Budget and Other Issues** 7 Petitions submitted by Members of the Public

**Questions from Non-Executive Members** 

Matters Referred to the Cabinet for Consideration by an

# **Overview and Scrutiny Committee**

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# Queries regarding this Agenda or notification of apologies:

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Agenda published on: 6 September 2022

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- 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.

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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 13 July 2022 at 7.00 pm

The deadline for call-in is Monday 25 July 2022 at 5.00pm

Present: Councillors Robert Gledhill (Leader), Mark Coxshall (Deputy

Leader), Qaisar Abbas, Shane Hebb, Deborah Huelin,

Barry Johnson, Ben Maney and Luke Spillman

**Apologies:** Councillors Jack Duffin and Andrew Jefferies

In attendance: Lyn Carpenter, Chief Executive

Matthew Boulter, Democratic Services and Governance

Manager, and Interim Monitoring Officer

Jenny Shade, Senior Democratic Services Officer

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

#### 13. Minutes

The minutes of the Cabinet meeting held on 15 June 2022 were approved as a true and correct record.

## 14. Items of Urgent Business

There were no items of urgent business.

#### 15. Declaration of Interests

Councillor Maney stated that although he did not have a declaration of interest, he had met with the landlords of one of the public houses outlined in the appendix of Item 10.

## 16. Statements by the Leader

The Leader opened his statement and thanked Essex Police and security staff for their hard work dealing with the bomb hoax at the Civic Offices on Monday. He stated that their prompt action ensured the safety of those in the building and surrounding areas, and allowed the area to be opened as soon as possible. He explained that the hoax led to the evacuation of the Civic Offices, South Essex College, local businesses and disrupted c2c train services, but a man had been arrested on suspicion of making a bomb hoax and possession of a knife, and was in police custody.

The Leader moved on and explained that yesterday a new project had been started to install new heating systems in three council owned tower blocks in

Chadwell St Mary, to reduce heating bills and ensure efficient energy consumption. He explained that Thurrock Council had been given a £3.2 million grant from central government to undertake these works, which would improve the 273 council flats in these blocks. He stated that this system would improve energy efficiency and therefore reduce resident's energy bills and reduce incidences of mould. He described how over the life cycle of the heat pumps, the system would save approximately 7080 tonnes of carbon emissions and improve the lives of residents. He added that the council would also be improving other areas of Chadwell St Mary by installing new play equipment on the heath; resurfacing Claudian Way; and undertaking consultation regarding the Kerb It Scheme on St Michaels Road, which would make it easier for residents to park for free and protect grass verges.

The Leader described how Cabinet Members had been pleased to see the Commonwealth baton arrive in Tilbury Port and Cruise Terminal, which he felt was a fitting place given Tilbury's Windrush history. He added that a new coastal pathway had also recently been opened through Thurrock and ran for 85 miles along the Essex coast from Southend to London.

The Leader provided the Clean It, Cut It Fill It Update and stated that since April 2022: 534 potholes had been filled; 341 fly tips cleared; 410 tonnes of waste cleared; and 522 fixed penalty notices had been issued. He stated that COVID-19 levels were currently rising, and urged residents to follow government guidance and minimise contact with people who had contracted the virus. He added that those residents travelling abroad for their summer holidays should check the government website for COVID international entry restrictions. The Leader also urged residents to look out for vulnerable family, friends, and neighbours during the current heatwave, and to make sure they wear sunscreen, hats, drink water and stay indoors where possible during the hottest parts of the day. He explained that refuse collection teams would be starting one hour earlier at 5am to ensure they were not working during the hottest part of the day, and apologised for any disruption this could cause residents. He added that refuse collection teams had also been issued hats, shorts, and water for their work during the summer heatwave.

The Leader explained that Councillors Abbas, Thandi, and Carter, alongside the Mayor, had joined spiritual leaders for Hindu prayers at the weekend at the Grays Lightship Café, as there was no Hindu temple in Thurrock. He stated that other groups who wished to contact Councillor Abbas could do so via email or the communities team.

### 17. Briefings on Policy, Budget and Other Issues

Councillor Spillman thanked officers and Councillor Carter for their hard work regarding the new heat systems at the tower blocks in Chadwell. He felt that the new heat pumps would improve the lives of residents in the tower blocks and save the money on their energy bills. He also thanked central government for providing the grant to Thurrock Council. The Leader echoed these comments and added that the new heat pump system could save residents approximately £500 per year on their electricity bill. He stated that the new

heat pumps would also create additional space near the tower blocks which would be used for a new community garden.

### 18. Petitions submitted by Members of the Public

No petitions had been submitted by members of the public.

#### 19. Questions from Non-Executive Members

No questions had been submitted by non-Executive Members.

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

Other than those items already contained within the agenda, no items had been referred to the Cabinet for their consideration by an overview and scrutiny committee.

## 21. Asset Review and 3Rs (Decision: 110613)

Councillor Coxshall introduced the report and stated that it outlined the next tranche of the 3Rs policy of release, reuse or retain. He felt that the Council should not own any assets that were not needed to deliver good services, and where possible assets not needed by the Council should be returned to the open market. He stated that in 2019 all Councillors had signed up to the policy of fewer buildings, better services, and this report worked to implement this policy. He explained that this report proposed that some assets were released as part of the community asset transfer scheme, and would ensure that community buildings were operated for long-term future needs. He added that numerous village halls had already requested the freehold for the building, and this report would allow this to happen, and in some instances would be given for free. He added that once the asset had been disposed of to village halls and scout groups, these groups would be able to access grants that they currently could not, and would free up their time by removing the necessity for lease renewals.

Councillor Hebb thanked Councillor Coxshall for his report and felt that community groups could operate these sites better than the Council, as they had more experience. He felt that the Council should not own buildings such as pubs, and the report was well-timed. He added that he had attended the Corporate Overview and Scrutiny Committee where the report had been discussed and had felt pleased to hear from a representative of the Scout Association in Thurrock that they supported the Council's disposal of the scout hut sites, as it would remove current conflicts of interest and would allow them to access more grants. Councillor Hebb also felt pleased to see the Stanford-le-Hope Children's Centre within the disposal list as he felt it was an underused and large building. He asked what the plan for this site would be if the site was released under the scheme. Councillor Coxshall replied that the site would be released, although this did not mean it would be sold on the open market, and could be reinvented as a community site through public

discussion. He agreed that the Council should not own assets such as pubs and scout huts, and this report outlined the first stage of the process to ensure transparency.

Councillor Maney supported the recommendations in the report. He felt that Thurrock had a thriving voluntary and third sector, and could run buildings such as village halls better than the Council. He felt it was an important step in the right direction and would ensure the buildings continued to be important community hubs. Councillor Huelin echoed Councillor Maney's comments and asked if a covenant would be in place when the freehold was transferred to ensure the building remained for community use. Councillor Coxshall stated that a covenant would be in place for the freehold exchanges to ensure they were not used for residential development. He added that the village hall committees would be able to sell the properties if they wished once the freehold had been transferred, but they would have to provide community assets in an alternative location as outlined in their covenants. Councillor Abbas supported the recommendations and felt it would be good for the assets to be fully controlled by the relevant community groups and forums. He asked how assets such as Purfleet Children's Centre would be transferred to community groups. Councillor Coxshall explained that the sites would be released to a community group or forum and assessed in line with policy, and groups could approach the Council if they wanted to take the building over.

The Leader stated that this was the largest release of sites by the Council and felt it was an open and transparent process. He agreed that the Council should not own sites such as pubs or care homes, and felt it would be better for operators of the care homes to own their own sites to reduce conflicts of interest. He added that he had spoken to community groups who were willing to take over the freeholds of some of the sites so they could access business rate relief and additional grants. Councillor Coxshall highlighted that some of the pictures in the appendices were generic photos, for example the HWRC site and Daiglen Drive, and did not show in detail the sites being proposed for release.

#### **RESOLVED: That Cabinet:**

- 1. Noted the success of the 3Rs program in generating capital receipts totalling £9.3m in the financial year 2021/22.
- 2. Noted the success of the previous review of operational properties in delivering revenue savings and identifying potential sites currently being developed by TRL and HRA.
- 3. Declared the operational properties in section 6.2 of this report surplus to requirements and receive a report back, where applicable, on the future of the sites and any alternative delivery consideration.
- 4. Declared surplus the properties as shown in Appendix 1, 2, 3, and 4; and approved the release or re-use of the properties as outlined.

5. Subject to agreement to release the assets in Appendix 1, 2, 3 and 4, delegated authority of the disposal to the Corporate Director of Resources and Place Delivery, in consultation with the Leader and the completion of a delegated authority decision report.

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

# 22. End of Year (April 2021-March 2022) Corporate Performance Report 2021/22

The Leader explained that this item would be brought forward.

Councillor Hebb introduced the report and stated that it was the end of year report from the 2021/22 municipal year, and felt that it showed the Council had improved following the disruption of the pandemic, as nearly 70% of indicators were better or the same as the 2020/21 year. He explained that in following reports COVID would not be used as an explanation for missed Key Performance Indicators (KPIs), unless the country entered another lockdown or further restrictions were implemented. He added that since the pandemic Thurrock had changed and grown, for example the new Thames Freeport and Towns Funds in Tilbury and Grays, and therefore the borough's vision should be changed and refreshed. He commented that this had been discussed at Corporate Overview and Scrutiny, who had had no objections to refreshing the Council's vision and would be receiving a more detailed report on this soon. He felt that the Council should also reconsider the current KPIs and review what areas were measured, for example by continuing to measure operational KPIs such as bin collections, but also starting to measure longerterm project milestones and delivery, which were not currently measured using KPIs.

Councillor Spillman highlighted the KPI relating to void re-let turnaround, which had not met target due to the sheltered accommodation team struggling to re-let first floor sheltered accommodation units. He stated that the team were working on this issue to build new units and re-purpose old units, and were discussing how to improve this KPI. Councillor Huelin highlighted the KPI relating to the adult social care team wishing for residents to utilise care provided by an external company rather than the Council, as this would ensure the cost to the resident was the same, but the cost to the Council was lower. She stated that many residents when receiving care, for example after leaving hospital, felt more comfortable with carers they knew, rather than new providers, which meant the KPI struggled to reach target. She added that post-COVID it could be difficult for residents to find carers from an external company, and this was compounded by changes to the NHS discharge policy, but felt it was important that residents were receiving good care. Councillor Huelin added that the Council would be collaboratively working with the NHS to ensure successful discharges into the community, and Thurrock would continue to pursue mindful decision making.

The Leader agreed that the relet turnaround time was a difficult KPI to meet

due to sheltered accommodation and the cost of new build accommodation. He highlighted page 558 of the agenda and the qualitative successes of the Council, and thanked officers and Members for their hard work throughout the year on their service areas. He explained that Members and officers would be considering all KPIs in the future to ensure KPIs were within the Council's remit and were operationally important. He highlighted the missed KPI relating to fixed penalty notices and explained that this could be affected by payment plans or late payment. He added that if residents chose not to pay FPNs, they could be taken to court to recoup costs. Councillor Coxshall also highlighted page 558 and some of the successes of the Council such as new play equipment in Parks, development in Grays beach, and new affordable homes in Tilbury.

#### **RESOLVED: That Cabinet:**

- 1. Noted and commented upon the performance of the key corporate performance indicators in particular those areas which did not reach their target and the impact of COVID-19.
- 2. Identified any areas which required additional consideration in 2022/23 as part of the refresh of the council's corporate performance framework.
- 3. Agreed to commencing a refresh of the borough forward vision, and underlying key priorities and key performance indicators, reflecting a modern Thurrock (inclusive of major infrastructure investment through the Towns Funds and Thames Freeport).

Councillor Hebb left the meeting at 7.51pm.

#### 23. Tilbury Town Fund Programme (Decision: 110614)

Councillor Coxshall introduced the report and stated that it outlined the proposed works in Tilbury due to the Tilbury Town Fund Programme, which had been amended since the previous Cabinet report due to cost inflation. He thanked the Tilbury Town Fund Board, Members, officers, and the private sector for their hard work on the report, and stated that the heart, hub, and heritage proposals were still listed in the report following cost amendments. He felt proud that the report would benefit local Tilbury residents, particularly young people through the Onside Youth Centre, which would provide youth facilities seven days a week. He felt that the funding would benefit the heart of Tilbury in the Civic Square, as well as heritage funding within the Forts and new jetty. He added that the hub within the station area would also be improved through the Towns Fund, and through further monies and proposals that were brought forward at a later date.

Councillor Huelin thanked Councillor Coxshall for the report and highlighted 3.3 of the report, which outlined the work that would be undertaken to ensure the Tilbury Integrated Medical Centre (IMC) would be delivered on time, and would promote collaborative working. Councillor Coxshall agreed that the IMC

was critical for Tilbury and collaborative working would ensure Tilbury would be regenerated and improved for future generations. The Leader agreed the Tilbury Town Fund would improve the lives of residents in Tilbury, including the youth centre, jetty and heritage development.

#### **RESOLVED: That Cabinet:**

- 1. Approved the Tilbury Town Fund Programme and budget allocations as set in Table 1 of this report.
- 2. Delegated authority to the Corporate Director of Resources and Place Delivery, in consultation with the Deputy Leader and Cabinet Member for Regeneration, Strategic Planning and External Relationships and the Assistant Director Legal Services, to approve the Business Case Summaries; and agree lease, development and contractual terms (including approval to go to tender and award) to support the delivery of the programme.
- 3. Confirmed agreement to underwrite the proposed financial settlement to enable the delivery of the Thurrock Youth Zone, as set out in Section 8.1 of this report, and that officers actively seek alternative revenue streams to support the long-term delivery of the Youth Zone.

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

#### 24. Thurrock Supported Bus Services (Decision: 110615)

Councillor Maney introduced the report and stated that Thurrock Council currently subsidised three bus services, the 11, 265 and 374, in the borough via contractual arrangement since 2019. He explained that these services were deemed to be not financially viable and covered many areas in Thurrock, such as rural villages which had limited other public transport options. He explained that the contract finished in March 2022, with the option to extend for three years, and a one-year extension had been granted to allow the Council to consider the service to ensure the services were utilised effectively and provided value for money for residents. He stated that the services cost approximately £425,00 per annum, and the operators had requested an additional £100,000, which had been paid for by a one-off central government grant. He commented that the Cabinet paper was an enabling report to start a consultation period, and Community Equalities Impact Assessment, before a report would be brought back to Cabinet later in the year.

Councillor Johnson sought assurance that the consultation would be undertaken in rural communities. Councillor Huelin echoed Councillor Johnson's comments and felt that the consultation should be thorough and ensure the service offered value for money. She added that Fobbing was rural and had an older population that utilised the bus service regularly for shopping and hospital trips. The Leader highlighted that bus trips had been

reduced during COVID and highlighted that 89,000 passenger journeys had been undertaken in 2019.

#### **RESOLVED: That Cabinet:**

- 1. Approved the commencement of consultation within the community for a period no less than 12 weeks on the need and impact of the three bus services supported by Thurrock Council.
- 2. Noted that during the consultation period any necessary profiling of user groups is to be undertaken together with a Community Equalities Impact Assessment.
- 3. Agreed to a further report scheduled for December 2022 be presented to Cabinet to consider the outcome of the consultation, the Community Equalities Impact Assessment and recommended options for future service provision into 2023 and beyond.

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

### 25. Abandoned Trolley Cost Recovery Programme (Decision: 110616)

The Leader explained that he would be presenting the report in Councillor Jefferies absence and described how the report would allow the Council to recover the cost of collecting abandoned trolleys across the borough. He stated that abandoned trolleys were unsightly; cost the Council money to clear; and could be a hazard. He stated that officers had to pick them up at taxpayers' expense which took them time, but the new policy would allow the Council to recover the full cost of clearing the trolleys, as well as storage and disposal, and the supermarkets would be contacted and could choose to collect or pay to dispose. He summarised and stated that the report had been fully endorsed by the Cleaner, Greener and Safer Overview and Scrutiny Committee

Councillor Abbas felt that the report would improve the borough and would reduce the instances of fly-tipping, as fly-tips often attracted other instances of fly-tips. The Leader agreed and felt that fly-tips would be reduced if trolleys were removed at the cost of the supermarket.

#### **RESOLVED: That Cabinet:**

1. Approved the initiation of the process for the adoption of the new abandoned trolley cost recovery policy, as recommended by the Cleaner, Greener and Safer Overview and Scrutiny Committee.

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

# 26. Housing Strategies 2022-2027 (Decision: 110617)

Councillor Spillman introduced the report and thanked officers for their hard work. He explained that the report had been agreed by Housing Overview and Scrutiny Committee, who had questioned different aspects of the Strategy and had therefore been amended following these questions. He felt that the Strategies went above and beyond the Council's statutory duty, particularly regarding areas such as homelessness.

Councillor Huelin welcomed the report and felt that it was collaborative with the Health and Wellbeing Strategy in cross-directorate working to solve issues holistically. She felt pleased to see that the Strategy would reduce the number of hoops that residents would have to jump through to receive help, and highlighted 3.7 of the report which would support residents to get help in their local area. Councillor Spillman echoed Councillor Huelin's comments and felt pleased that the Director of Adults, Housing and Health agreed with the collaborative approach of cross-directorate working, which improved outcomes for residents and made business sense. Councillor Abbas felt that the Housing Strategy could have a good impact on people's lives, and felt pleased to see that community consultation had been undertaken on the strategies. He questioned how the Strategy would ensure homes were affordable for residents. Councillor Spillman stated that as Thurrock began to build more houses. Thurrock Council could begin to build more affordable homes. Councillor Coxshall supported the report and felt that by working with the private sector, the Council could deliver high-quality, affordable housing within the borough to help tackle the housing crisis. Councillor Spillman summarised and stated that officers would work hard to deliver the Strategies, and would take into consideration the current inflationary environment.

The Leader highlighted pages 190, 194 and 195 and felt that the housing team were working hard to deliver discretionary services, such as resident liaison officers trained in giving advice regarding fuel poverty; and officers trained in spotting signs of domestic violence. He felt that consultations undertaken by the housing team were detailed; thorough; and benefitted residents.

#### **RESOLVED: That Cabinet:**

- 1. Agreed the adoption of the vision, aims, objectives and actions proposed in the draft Housing Strategy 2022-2027.
- 2. Agreed the adoption of the aims, objectives and actions proposed in the draft Housing Asset Management Strategy 2022-2027, and draft Housing Resident Engagement Strategy 2022-2027.

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

27. Integrated Community Equipment Service Reprocurement (Decision: 110618)

Councillor Huelin introduced the report and stated that ordinarily contracts would go out tender when coming to an end, to ensure due diligence and value for money for taxpayers. She explained that this report was an exception to this rule, as it asked Cabinet to re-procure the current contract, as there were only three companies in the UK that could offer the specialised services and equipment, such as specialised hoists and feeding aids. She explained that this service could not be done in-house as it required a warehouse for stock, specialised engineers to install equipment, and emergency replacement services. She commented that the contract was working well, and Thurrock contributed £662,000 for its share of the £12million contract over its lifecycle, which gave residents peace of mind that their equipment was functioning and specialised engineers were on-hand.

#### **RESOLVED: That Cabinet:**

- 1. Agreed that the procurement for this service should take place under the current arrangements, which are a collaborative approach to commission services with the Greater Essex Commissioning Partnership Group.
- 2. Agreed to delegate authority to the Corporate Director for Adults, Housing and Health and the Portfolio Holder to award the contract of Community Equipment following completion of the procurement process.

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

## 28. Adult Integrated Care Strategy (Decision: 110619)

Councillor Huelin introduced the report and stated that it sat beneath the new Health and Wellbeing Strategy. She stated the Strategy was fully integrated and reliant on partnership working in different service areas of the Council, such as public health, housing, and regeneration, alongside external partners such as the NHS. She mentioned that an external review had found the Strategy to be high quality, and outlined the effect that the pandemic had had on services, such as primary care and NHS discharges, which had put pressure on the Adult Social Care budget. She stated that the strategy had been well received by health partners, and highlighted place-based focusses and community led solutions, as well as embedding the integrated health and wellbeing model. She added that the strategy also looked at how IT could be utilised within primary care, for example video and telephone GP calls for more minor ailments. She stated that there was a chapter on governance and local democracy, which took on board advice from the Health and Wellbeing Board and Overview and Scrutiny. She stated that officers from health, housing, legal and regeneration had written the report, and felt that officers supported the report and subsequent outcomes.

Councillor Johnson supported the report and combined with the 3Rs report, felt that both reports would improve the community. Councillor Abbas felt that

the strategy and associated action plans were important. He highlighted page 498 of the report relating to the IMCs and asked if the fourth Tilbury IMC would be included. Councillor Huelin explained that this had been missed and would be rectified.

#### **RESOLVED: That Cabinet:**

1. Agreed Better Care Together Thurrock – The Case for Further Change.

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

29. Hackney Carriage Fares (Decision: 110620)

The Leader introduced the report and stated that Hackney Carriages had not increased their fares since 2012. He clarified that Hackney Carriages were those vehicles which were licensed to pick passengers up from the street and had a 'for hire' light. He stated that the team had worked with drivers, who had seen costs such as fuel and maintenance increase, it had therefore been decided to reduce the distance travelled before the fare increased. He highlighted page 551 of the agenda and felt that fares would only increase moderately for Hackney Carriage fare users.

#### **RESOLVED: That Cabinet:**

1. Agreed for the proposed table of fares, as set out in Appendix A, to go out for public consultation, in accordance with the statutory requirement.

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

The meeting finished at 8.44 pm

Approved as a true and correct record

**CHAIR** 

**DATE** 

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# Agenda Item 10

14 September 2022	ITEM: 10			
	Decision: 110621			
Cabinet	Cabinet			
Lower Thames Crossing Task Force Update Report				
Wards and communities affected: Key Decision:				
All	Key			
Report of: Chair of the LTC Task Force				
Accountable Assistant Director: Colin Black, Interim Assistant Director – Regeneration and Place Delivery				
Accountable Director: Sean Clark, Corporate Director of Resources and Place Delivery				
This report is Public				

#### **Executive Summary**

In line with the Terms of Reference, the LTC Task Force is required to report to Cabinet on its work.

- 1. Recommendation(s):
- 1.1 That Cabinet notes the work of the Task Force.
- 2. Introduction and Background
- 2.1 The Lower Thames Crossing Task Force has met on a monthly basis since September 2017. Cabinet received a previous update in March 2022.
- 2.2 The Council remains opposed in principle to any new crossing in Thurrock and the Task Force has consistently sought to hold National Highways to account.
- 2.3 National Highways conducted a statutory consultation on the scheme which ended on 20 December 2018. Two subsequent consultations occurred (Supplementary and Design Refinements) in 2020 and then a Community Impacts Consultation in July-September 2021. Details of the Task Force's discussions following the consultations to date are detailed below. Between May and June 2022, National Highways also ran a Local Refinement Consultation.
- 2.4 National Highways submitted its Development Consent Order (DCO) application in October and the Council submitted an adequacy of consultation (AoC) response at the request of the Planning Inspectorate and submitted a joint AoC with Gravesham Borough Council and the

London Borough of Havering, which were instrumental in the subsequent actions of the Planning Inspectorate and in National Highways decision. As a consequence of these issues raised with the application and consultation, National Highways took the decision to withdraw its application in November 2020.

2.5 Since that time, National Highways has been amending its proposals, adding further mitigation, preparing new documentation, liaising with stakeholders (including Thurrock), involving many technical meetings.

#### 3. Task Force meetings

- 3.1 All Task Force meetings are recorded and available on the Thurrock Council website.
- 3.2 Full minutes of the meetings are also available on the website. Below is a summary of the discussions at each meeting.

#### March 2022

3.3 There were three verbal updates relating to the Orsett Cock/A13 Junction, the forthcoming NH Local Refinement Consultation and the Health & Equalities Impact Assessment.

#### April - May 2022

3.4 No meetings were held due to the pre-election purdah period.

#### June 2022

3.5 The Chair and Vice-Chair for the 2022/23 municipal year were elected. The Assistant Director Regeneration & Place Delivery explained that the Council had written to the Treasury about the value for money of the LTC as currently proposed and this was discussed. Also, the Council's draft Local Refinement Consultation response was presented and discussed, and the broad approach was agreed.

#### **July 2022**

3.6 This meeting was postponed to ensure Member, officer and National Highways availability.

#### 4. Reasons for Recommendation

- 4.1 In line with the terms of reference the LTC Task Force will update Cabinet.
- 5. Consultation (including Overview and Scrutiny, if applicable)
- 5.1 Lower Thames Crossing Task Force
- 6. Impact on corporate policies, priorities, performance and community impact
- 6.1 None
- 7. Implications

#### 7.1 Financial

Implications verified by: Jonathan Wilson

**Assistant Director, Finance** 

There are no specific financial implications arising from the report and the work is funded from within existing budgets.

#### 7.2 Legal

Implications verified by: Mark Bowen

**Interim Head of Legal** 

This is an update report from the Lower Thames Crossing Task Force and there are no direct legal implications arising from this report.

## 7.3 **Diversity and Equality**

Implications verified by: Rebecca Lee

**Team Manager - Community Development and** 

**Equalities** 

There are no diversity implications arising from this report.

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

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

None

### **Report Author**

Dr. Colin Black

Interim Assistant Director – Regeneration and Place Delivery



14 September 2022	ITEM: 11 Decision: 110622		
Cabinet			
Lower Thames Crossing – Delegation of Authority to Respond			
Wards and communities affected:	Key Decision:		
All	Key		
Report of: Councillor Coxshall, Deputy Leader and Cabinet Member for Regeneration and External Affairs			
Accountable Assistant Director: Colin Black, Interim Assistant Director – Regeneration and Place Delivery			
Accountable Director: Karen Wheeler, Director - Strategy, Engagement and Growth			
This report is Public			

# **Executive Summary**

To ensure that Thurrock Council is able to act in line with its statutory function throughout the Development Consent Order (DCO) process and to respond quickly to the Planning Inspectorate (PINS) up to and during the DCO examination, it is important that the delegated responsibilities are clearly articulated.

## 1. Recommendation(s):

1.1 That Cabinet authorises the Director Strategy Engagement and Growth, after consultation with the Leader of the Council and the Portfolio Holder, to undertake all necessary work in connection with the Council's response to the Lower Thames Crossing DCO and for ensuring that the Council is properly represented at any Examination in Public, and for making decisions in the best interests of the Council during negotiations. This will involve Council responses to make representation following LTC DCO submission, prior to examination, and during examination. Responses will include, but are not limited to, Adequacy of Consultation Response, Statement of Common Ground (and its subsequent revisions), Local Impact Reports, PINS written questions, and other relevant representations related to LTC.

### 2. Introduction and Background

2.1 The Council remains opposed to key elements of the proposed road crossing of the Thames into Thurrock in the current alignment. The focus of ongoing work with National Highways (NH) is to collaborate to ensure that the LTC scheme

presented by NH is workable, its impact minimised, and the benefits to residents and businesses in the Borough optimised through constructive opposition. The Council will also continue to hold National Highways to account to ensure that all statutory obligations are clearly met.

- 2.2 NH has indicated that it intends to submit its DCO in November 2022 or by end March 2023 at the latest. Statutory consultation was undertaken in 2018 and the scheme has been amended through four subsequent rounds of non-statutory consultation since. NH submitted its DCO first in October 2020 which it subsequently withdrew following serious concerns expressed by the Planning Inspectorate about the adequacy of its consultation.
- 2.3 A substantial workload of technical discussions, and analysis of data has been undertaken by a consistent team over recent years ensuring continuity of approach and resource efficiency.
- 2.4 As the LTC DCO submission approaches there will be a significant increase in the number of responses that Thurrock Council will need to make as part of its statutory functions. A summary of these key DCO events is provided in the table below (based on a November 2022 DCO submission). There will not be sufficient time to take all papers for decision through committee, so it is important that delegated powers are agreed in advance.

## **Work Programme & DCO Timetable**

Legend

Urgent, but reasonable PINS or LTC timetable or lead-in

Very urgent and short PINS timetable with limited lead-in

Key DCO Event	What is Required	Deadlines
Comments on DCOV1 (Pre-DCOV2 Submission)	Detailed technical input depending on the topic	Done through many Technical Document responses during 2021 and then CIC and LRC consultation responses
Ongoing discussions on Issues Logs/Themes and hence the Statement of Common Ground (SoCG) DCO SUBMISSION	Review of DCOv1 + technical responses from LTC + attendance at SoCG meetings  N/A	To match the next wave of Issues meetings up to September/October 2022  November 2022
QC Con	Initial preparation of Examination Strategy	March 2022 and then probably September)
Adequacy of Consultation (AoC) rep	Potential input on key matters, but no external LTC meetings	14 days from DCO Submission
Potentially PINS could request(s) further information prior to	Potential for additional comment on additional information	As specified by PINS, but probably quite short

Acceptance (using possibly Reg 5, The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009)		
PINS decision on AoC	N/A	Up to 28 days after DCO Submission
Interaction with Members and the Public	Council governance processes and assistance with registration as an 'Interested Party' (using AN 8.1 and AN 8.2)	For a period 28 days, with the deadline being set after Acceptance
PINS request(s) for further information (Rule 17)	Unknown, but largely likely from LTC, but we would then need to review and include comments in the LIR and Written Rep	Unknown, but PINS usually request such information within a month of asking, so our deadline would follow that period.
Interaction with Members and the Public	Council governance processes and accounting for any contributions from the public in preparing the LIR, as a representative of the public	During the following 3 months, i.e. during the period Jan 2023 – March 2023
Preparation of Local Impact Report (LIR) and relevant representations, which are key documents (and similar in nature, but not content)	Substantial inputs on specific technical issues to assess how previous comments on the technical documents dealt with (previous technical comments to be used to assess the DCO submission)	During the following 3 months, i.e. during the period Jan 2023 – March 2023
PINS Rule 4 Letter (appointment of Panel)	No input	Prior to Preliminary meeting
PINS Rule 9 (Notice of Procedural Decision) – such as 'Principal Areas of Disagreement Summary Statement'	No input, but may create further work and documents	Deadline determined by PINS Chief Examiner, possibly tied to Relevant Reps (RR)
PINS Rule 6 Letter and Preliminary Meeting (Stage 1), which begins the formal timetable	Limited input	Unsure, but likely around April-May 2023
PINS Rule 8 Letter (Examination Timetable)	Limited input, it sets out the exact timetable and our likely involvement	Immediately after the final Preliminary Meeting (after Stage 2), i.e. summer 2023
Interaction with Members and the Public	Council governance processes, preparing public	Usually post-Rule 8 for several weeks

	for Examination input, attendance	
Submission of Relevant Representation (RR) and Written Representation (WR) (key documents) + comments on other reps	Some technical involvement and checking	Post-spring 2023
PINS Written Questions	Likely significant technical input, dependant on the questions	Very significant technical involvement in whatever questions are assigned to Thurrock, usually needing a final collective response to all questions within 21 days from receipt.
Finalise SoCG (after several iterations)	Checking/confirming status of issues	Likely by late summer/autumn 2023
Attendance at Hearings (Issue-Specific, Open Floor or CPO)	Some direct witness involvement, mostly back-office support during the Examination	Unknown yet, but during a 6- month Examination period probably from late spring/early summer 2023

#### 3. Reasons for Recommendation

- 3.1 To expedite decision making to ensure and responses can be made within the necessary timescales to uphold the best interests of the Council during the LTC DCO examination process.
- 4. Consultation (including Overview and Scrutiny, if applicable)
- 4.1 Not applicable.
- 5. Impact on corporate policies, priorities, performance and community impact
- 5.1 None
- 6. Implications
- 6.1 Financial

Implications verified by: Jonathan Wilson

**Assistant Director, Finance** 

There are no specific financial implications arising from the report and the work is funded from within existing budgets.

6.2 **Legal** 

Implications verified by: Gina Clarke

**Corporate Governance Lawyer & Deputy** 

## **Monitoring Officer**

This is a report to clarify decision making processes relevant to the Lower Thames Crossing and there are no direct legal implications arising from this report.

6.3 **Diversity and Equality** 

Implications verified by: Roxanne Scanlon

**Community Engagement and Project Monitoring** 

Officer

There are no diversity implications arising from this report.

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

None

- 7. 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
- 8. Appendices to the report
  - None

## **Report Author**

Dr. Colin Black

Interim Assistant Director – Regeneration and Place Delivery



14 September 2022		ITEM: 12 Decision: 110623	
Cabinet			
Grays Town Fund Programme			
Wards and communities affected:	nunities affected: Key Decision:		
Grays Riverside	Key		
Report of: Councillor Mark Coxshall – Deputy Leader and Cabinet Member for Regeneration and External Affairs			
Accountable Assistant Director: Kevin Munnelly, Assistant Director Regeneration and Place Delivery			
Accountable Director: Sean Clark, Corporate Director of Resources and Place Delivery			
This report is Public			

## **Executive Summary**

The development of the Grays Town Fund Programme is progressing in preparation for the submission of the Business Case summaries to the Department of Levelling Up, Homes and Communities (DLUHC) by 5 October 2022. This report sets out the development of the programme to date following the consideration of the initial programme in the Cabinet Report dated 7 July 2021. It also reports the recommendations made by the Grays Town Board with regards to a revised programme of projects and delivery strategy in response to stakeholder project feedback and unprecedented cost inflation issues.

The report highlights key contractual and financial implications for the Council associated with progressing with the recommended project programme, budget and delivery strategy. The report then seeks approval of the Grays Town Fund Programme and budget allocation and to a range of recommendations which will enable the Council to continue to develop and deliver the recommended programme within the programme timetable. It is proposed that, when required, further reports on individual projects will be brought back to the Cabinet for consideration and approval.

### 1. Recommendation(s)

**That Cabinet:** 

1.1 Approve the Grays Town Fund Programme and Budget allocations as set in Table 1 of this report.

- 1.2 Delegates authority to the Corporate Director of Resources and Place Delivery and the Director of Public Realm, in consultation with the Portfolio Holder for Regeneration and External Affairs, and Assistant Director of Legal Services to:
  - a. approve the Business Case Summaries,
  - b. submission of planning application for the projects within Grays Towns Fund Programme,
  - c. approve the operation of procurement processes through to the awarding of contracts to commission consultants and contractors to undertake services and works to deliver the Grays Town Fund programme, subject to tendered sums being within the anticipated budget.
  - d. negotiate and enter into necessary agreements to facilitate delivery of Grays Town Fund programme including access agreements and licences, leases and design and construction contracts.

### 2. Introduction and Background

- 2.1 On the 15 July 2021, DLUHC announced a conditional Town Deal offer of up to £19.9 million for Grays, following submission of Grays Town Investment Plan with a Town Deal ask of £24.9 million to the Ministry for Housing, Communities and Local Government (now DLUHC) in February 2021.
- 2.2 Heads of Terms for Grays Town Deal were accepted on the 5 August 2021 and a list of projects to be delivered under the Town Deal was submitted to DLUHC on the 5 October 2021.
- 2.3 To secure this Town Deal, the Full Business Cases will need to be developed for each of the shortlisted projects and the associated Towns Fund Business Case Summaries will need to be submitted to DLUHC by the 5 October 2022.
- 2.4 The Town Deal projects were shortlisted from Grays Town Investment Plan by Grays Town Board based on their ability to drive Grays' regeneration agenda and the available grant funding. The Grays Town Investment Plan projects and their respective aims are set below:

#### Project 1: Station Gateway - £2.64m

The project seeks to deliver two buildings on the south side of the rail line to complete the public realm around the underpass and support continuation of the High Street to other Town Fund Projects at the riverfront. This was to include a 350 sq.m cultural facility and 225sq.m of business start-up space, retail and food and drink and provide an arts, culture and event venue attracting 5000 visitors per year.

#### **Project 2: Active Riverfront Connectivity - £2.51m**

The project seeks to enhance the public realm and improve connectivity between the town centre and the riverfront through improved pedestrian routes, planting, lighting and signage and a table crossing over Argent Street.

## Project 3: Grays Riverfront - £5.59m

The project seeks to create a welcoming destination with high levels of public amenity and access to the riverside foreshore including a beach, multi-use structures for events, pedestrian paths set in enhanced public spaces attracting 30,000 arts, culture and events-based visitors each year.

# <u>Project 4</u>: Grays Beach Riverside Park and Kilverts Field Leisure Destination - £4.57m

This project seeks to further enhance the riverfront and connectivity with the river which includes the provision of physical events space and infrastructure, small multi-use structures, space for community-led public arts projects, and the reconfiguration of the Lightship Café to provide a multi-use food and beverage offer.

#### Project 5: Riverfront Activities Centre - £3.04m

This project seeks to provide a 1,200 sq,m activities centre to establish a strong sense of place with links to Grays' maritime identity, history and culture.

## Project 6: Grays Town Jetty - £6.6m

This project seeks to create a new jetty to serve river bus services along the river and across to Kent, providing an alternative sustainable means of transport for both commuters and visitors.

#### **Project Selection**

- 2.5 Grays Town Board together with the Council sought a £24.9 million Town Deal for Grays at the outset to fund all 6 projects identified within the Grays Town Investment Plan, however, was only offered a maximum of £19.9 million Town Deal. In light of this offer, the Town Board reviewed ('First Review') its priorities and decided to drop Project 1 and all but £100,000 of Project 2, and to focus its work on the remaining 4 projects at Grays Riverfront.
- 2.6 The Grays Town Investment Plan identifies projects which are key to achieving the vision and strategic objectives in the Town Investment Plan. The projects are also identified as a priority in the Council's Grays Town Centre Framework agreed by Cabinet in November 2017. These projects can be delivered in phases enabling them to be brought forward as funding becomes available. The Town Board and the Council will continue to promote and seek funding for the undelivered projects.

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

- 3.1 Approval of initial funds to proceed with design development was received from DLUHC on the 3<sup>rd</sup> December 2021 and since then a design team has been appointed to develop proposals for Town Deal projects up to RIBA Stage 2 (Concept Design) to inform the business case for each project. Central to this work has been the verification of viability and deliverability of individual projects at each stage of the design development.
- 3.2 The latest development costs estimation highlighted the need to further review the approach, compounded by unprecedented construction cost price escalation since the initial bid submission. This second review was undertaken at the June and July 2022 Town Board meetings. In as far as possible, the review has sought to retain and deliver the key priority projects as set by the Board and contained with the Town Investment Plan.
- 3.3 Key Programme Changes arising from the second review were:
  - Project 2 and 6 have been excluded entirely from the Towns Fund Programme but both projects remain a priority for the Town Board.
  - Budgets for other projects have been revised to reflect latest costs estimate with appropriate allowances for risk and contingency.
- 3.4 Table 1 details the revised programme and budget the Cabinet are asked to approve, and the section below provides further details supporting the proposed changes arising from the first review of the programme.

**Table 1 Revised Programme and Budget Allocation** 

Project	Town Deal Ask (Original Budget) £m	Town Deal Grant - Initial List of Projects & Budget (1st Review) £m	Town Deal Grant - Final List of Projects & Budget (2 <sup>nd</sup> Review) £m
Project 1: Station Gateway	2.64	0.00	0.00
Project 2: Active Riverfront Connectivity	2.51	0.10	0.00
Project 3: Grays Riverfront	5.59	5.59	9.00
<b>Project 4:</b> Grays Beach Riverside Park and Kilverts Field - Leisure Destination	4.57	4.57	5.60
Project 5: Riverfront Activities Centre	3.04	3.04	5.30
Project 6: Grays Town Jetty	6.60	6.60	0.00
TOTAL	24.95	19.90	19.90

**Project 2: Active Riverfront Connectivity** 

- 3.5 In the first review the Board had concluded that the highest priority should be given to the projects at the riverfront. These were judged to provide the greatest positive impact and benefit. As a consequence of that first review, this project was allocated a small sum, being the remaining residual after allocations to other projects. In the second review it was concluded that in isolation this sum would provide limited benefit. Therefore, this project was excluded from the towns fund and the budget diverted to the riverside park space.
- 3.6 The Board view this project as a priority for later phases of the implementation of the Town Investment Plan and would seek to identify other sources of funding to enable the project to proceed.

#### **Project 3: Grays Riverfront**

- 3.7 The estimated cost of Project 3 has increased from £5.59 million to £9 million which reflects;
  - a greater understanding of the works required following preliminary consultations with statutory consultees and key stakeholders; particularly in relation to works on and around the flood defence.
  - a provision to maintain flood storage capacity in the river. ecological issues associated with works in the river
  - the impact of significant construction cost price inflation
  - the necessary risk and contingency allowances for marine works (including works on the flood defence) at this early stage of development.

# **<u>Project 4</u>**: Grays Beach Riverside Park and Kilverts Field Leisure Destination

- 3.8 The estimated cost of Project 4 has increased from £4.57 million to £5.6 million which reflects;
  - a greater understanding of the works required following preliminary consultations with statutory consultees and key stakeholders; particularly in relation to works on and around the flood defence, the impact of significant construction cost price inflation, necessary risk and contingency allowances for works on the flood defence at this early stage of development.

#### **Project 5: Riverfront Activities Centre**

- 3.9 The estimated cost of Project 5 has increased from £3.04 million to £5.3 million which reflects:
  - latest build cost estimate.
  - the impact of significant construction cost price inflation.
  - necessary risk and contingency allowances.

## **Project 6: Grays Town Jetty**

- 3.10 The estimated cost of project 6 has increased from £6.6million to £16.1million which reflects;
  - a greater understanding of the works required following consultations with statutory consultees and key stakeholders which include the Port of London Authority, Marine Management Organisation, Environment Agency and river bus operator.
  - ecological issues associated with works in the river
  - the impact of significant construction cost price inflation.
  - necessary risk and contingency allowances for marine works at this early stage of development.

#### 4. Next Steps

4.1 The proposed changes to the programme and outputs will need to be subject to a project change request to DLUHC. This will be submitted following consultation with Government. The Department have been clear that there is no guarantee that approval will be granted therefore placing some element of the Town Deal grant at risk; risk that the value of any funding attached to projects that don't proceed could be lost from the programme.

#### **Progress and Programme**

4.2 Below is an overview of the programme.



4.3 The shortlisted Town Deal projects are being developed to RIBA Stage 2
Concept Design and a planning application will be submitted at the end of
2022 / early 2023 to mitigate delivery risks and ensure grant funding
timescales are met. Business cases are being prepared for each of the
projects and business case summaries will need to be signed off by the Chair

- of the Town Board and the Council's S151 Officer prior to submission to the Department by the 5 October 2022.
- 4.4 The next project development stage will also require consideration of the approach to sustainable management of the whole park space including review of exiting leases within the site (Lightship Café and Thurrock Yacht Club).
- 4.5 Projects affect the flood defences and potentially land owned on the riverside of the flood defences by the Port of London Authority. The Council will require licences with these organisations to undertake works.

#### 5. Reasons for Recommendation

- 5.1 The development and delivery of the proposed Grays Town Fund programme provides an exciting opportunity to secure much needed funding to address long standing issues and provide opportunities for Grays residents, supporting the successful regeneration of Grays. The delivery will also address a number of the Council's priorities, as outlined in Section 7 below.
- 5.2 The deadline for the submission of the business case summaries has been set by DLUCH for the 5 October 2022. The final decision on funding is expected from the Department by December 2022. Delegated authority to sign off the business case summaries and agree terms for progressing projects is requested to ensure that the Council is able to respond and deliver projects within the required timeframes.
- 6. Consultation (including Overview and Scrutiny, if applicable)
- 6.1 An update report was considered at the Planning, Transportation and Regeneration Overview (PTR) and Scrutiny Committee 1 February 2022.
- 7. Impact on corporate policies, priorities, performance and community impact
- 7.1 The Thurrock Local Plan identifies Grays as a Growth Hub where economic regeneration and housing growth are to be focussed. The Grays Town Centre Framework Refresh was approved by Cabinet in November 2017. It sets out a vision for Grays town centre along with objectives aimed at regenerating the town centre economy. It describes a range of proposed interventions including projects in the TIP. The TIP programme aligns with the priorities set out in this document and would support delivery of specific interventions identified in the strategy.
- 7.2 The emerging priorities and schemes in the programme are consistent with the Council's strategies and priorities, provide a means for close community engagement, and importantly provide a vehicle for securing funds to support delivery.

## 8. Implications

#### 8.1 Financial

Implications verified by: Jo Freeman

**Finance Manager** 

The financial implications are set out in the body of the report. The Council believes it is prudent to revise the programme as recommended. Project delivery relies on Council owned assets. The revised programme in Table 1, is consistent with the Council's Asset Strategy: Reuse, Retain or Release. However existing leases with the Lightship Café and the Grays Yacht Club will need to be reviewed and revised to reflect the requirements of the projects.

The Board took the decision to reallocate funds from certain projects in response to costs pressures referenced in the report. Given the cost price inflation being experienced across all the programme projects, these changes do provide the Council and Town Board with a degree of financial flexibility to reallocate funds, whilst ensuring that the key transformational aspects of the original bid are still delivered.

Work continues to refine the individual elements of the programme and budgets have been reviewed and adjusted, with appropriate contingencies applied to ensure delivery within the funding available. Individual project contingencies have been reviewed to reflect the nature of works required affecting the flood defences and within the river and based on the stage of design, detailed cost assessments, and projected procurement timelines. The cost plans have been adjusted to include 15-30% provision for risk and contingency plus an allowance of £3 million for works to the flood defences subject to further consultation with the Environment Agency. If some or all of this allowance is not required, it can be recycled back into the projects.

The Board in refining and reprioritising the programme have provided the flex to respond to further cost challenges, whilst delivering key projects. It is noted the financial risk associated with the delivery of the proposed projects attaches to the Council (as the Accountable Body) and, consequently, must and will be managed by the Council as part of the capital programme. The relatively high provision reflects the proximity of the projects to the flood defences and works required on the riverside of the flood defences and reflect 'industry norms' for such projects at this stage of design development.

The projects will, when implemented, bring revenue costs associated with operation and maintenance of the facilities. They will also generate potential income from hiring facilities and events. The implications will depend on the model for long term management which is yet to be determined and will be subject to further detailed reports which set out the ongoing financial commitment and impact on the general fund. It is the Council preferred approach to offer up the proposed Water Based Activity Centre either on a

long lease or through the transfer of the freehold to a Community Based entity, who would ultimately be responsible for any ongoing maintenance and revenue liabilities.

#### 8.2 Legal

Implications verified by: Mark Bowen

Interim Head of Legal

The Council by entering into the Heads of Terms with the Department has created formal obligations on the Council. The proposals whilst bringing forward the potential for significant benefits does carry risk for the Borough, and the Council. In considering this report Members must be mindful that there are several areas of developing detail within the proposals which may leave the Council exposed to material risks or continuing liabilities in the future.

All projects within the programme are being developed with a view to limiting any future contractual or financial liability falling to the Council. Terms of managing the facilities once completed are yet to be resolved as is responsibility for costs (maintenance and operation) and for receipts (e.g., events, hiring space etc). A range of possible management structures exist, and these will be resolved at a later stage.

There is therefore at this moment insufficient information to allow the Council to make a formal decision to dispose or appropriate its land assets for the purposes of delivering the proposed projects. Accordingly, the Council can only make a decision in principle to agree outline heads of terms and delegate authority to negotiate the lease terms and associated development agreements and tender packages. Some parts of the proposed land which may be included in the proposals are public open space; before a decision can be made to commit the use of this land if required for other purposes the Council must undertake statutory consultation under s123 of the Local Government Act 1972 and consider any representations received.

The Council is being asked to be the accountable body for significant public funds from government. Whilst risk can be mitigated through the use of appropriate contracts the ultimate risk will remain with the Council if deliverables are not met.

There is scope for the Council to have to repay funds or ensure delivery of projects with the resultant implications. This type of arrangement exists in a number of settings and can be managed effectively. The Council has in principle the necessary statutory powers to engage in these arrangements at this point and deliver the proposed projects. However, it must be recognised that in doing so it is not making determinations under specific statutory frameworks particularly around matters such as planning where future decision making will be necessary.

A number of the projects will require consents form third party bodies / regulators such as the Port of London, Marine Management Organisation and Environment Agency. Whilst the projects can be designed to mitigate difficulties this risk must be reflected in the consideration of the Councils overall risk as accountable body, and the terms of the grant agreement.

Where projects require works to be undertaken, or the entering into of long term service contracts formal procurement rules will have to be followed by the Council, following both the statutory requirements and the Councils procurement policies. During the course of the formal business case development and the shaping of the final proposals further formal decision making will be required by the Council to exercise its statutory functions, particularly in relation to the disposal or acquisition of land and use of its other statutory powers. One optional project if funding allows would include third party land that would require access agreements or acquisition. If required, this would need to be the subject of further reports to Cabinet.

Any contracts to be entered into will need to be in accordance with national procurement law and the Council's own internal procurement rules, and Legal Services will need to be consulted to ensure compliance as this project proceeds.

#### 8.3 Diversity and Equality

Implications verified by: Roxanne Scanlon

**Community Engagement and Project Monitoring Officer** 

The Town Board and its Advisory Group include a full range of representation of stakeholders. The Advisory Group is open to others to join. Stakeholder engagement has built on existing engagement exercises carried out in Grays over recent years.

As part of the process of developing the TIP, the Council and the Town Board have carried out extensive community engagement.

The Town Board has committed to ongoing engagement through the process for submission and project development. The TIP will include different projects, each of which will require a community equality impact assessment. The TIP engagement plan will seek to ensure that proposals understand and, where possible, improve equality and diversity.

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):

Grays Town Centre Framework Grays Town Investment Plan Grant Offer and Heads of Terms

## 10. Appendices to the report

N/A

## **Report Author**

**Brian Priestley** 

Programme Manager - Regeneration



14 September 2022	ITEM: 13 Decision: 110624			
Cabinet	 			
Financial Update – Quarter	1 2022/23			
Wards and communities affected:	Key Decision:			
All	Key			
Report of: Councillor Jack Duffin, Cab	net Member for Finance and Communication			
Accountable Assistant Director: Jona Corporate Finance	athan Wilson, Assistant Director Finance,			
Accountable Director: Sean Clark, Corporate Director of Resources & Place Delivery				
This report is public				

#### **Executive Summary**

This report provides Cabinet an updated general fund forecast outturn position for the 2022/23 financial year (based on the information available to 30 June 2022).

In respect of the financial reporting the quarter 1 position is presented in the context of the new arrangements in place and with the oversight of the Commissioners.

At the end of quarter 1 a service pressure of £7.467m has been identified with £6.646m of mitigation available leading to a £0.821m budget pressure for the financial year. A further pressure of £1.232m has been identified relating to the treasury position specifically.

Summary	£'000
Service pressure at month 2 (Table 1)	7,467
Treasury position (Table 1)	1,232
Identified pressures at Q1	8,699
Use of earmarked reserves (table 5)	(5,462)
Further use of transformation reserve (balance in Table 4)	(684)
Net reduction in corporate costs	(500)
Remaining pressure at Q1	2,053

Officers continue to work to reduce the remaining pressure and mitigate further potential risks with the intention of delivering a balanced budget at the end of the financial year.

Members should note the extensive use of one-off funding supporting the current position and be aware of the longer-term impact on the MTFS.

Further work is also being carried out to fully assess the overall Treasury position and appropriate resolution plans which may be required. The impacts reflected in this report are in respect of known changes to investment income and associated borrowing costs up to 30<sup>th</sup> June. There remains further consideration of wider capital impacts including a review of MRP. Updates will be provided in due course and there remains significant uncertainty in this area

A revised MTFS will be presented in Q2 to reflect the updated Treasury position and the wider impacts of inflationary pressures and recurring budget pressures.

The Housing Revenue Account is forecasting a small surplus in 2022/23 and the detail is contained in Appendix 2.

The Dedicated Schools Grant is forecast to breakeven in 2022/23 and the detail is contained in Appendix 3.

The Public Health expenditure is projected to be contained within the 2022/23 funding allocation and the summary position in shown at Appendix 4.

This report also provides an update to Cabinet on the financial position of the capital programme and is based on expenditure to the end of month 3 (the period 1 April 2022 to 30 June 2022) and projected expenditure for the remainder of the year. The key point to note is there is some slippage on both the GF and HRA capital programmes.

#### 1. Recommendations:

- 1.1 That Cabinet note the Department of Levelling Up, Housing and Communities have put an intervention package in place and nominated Essex County Council as the Commissioners as set out in section 2,
- 1.2 That Cabinet comment on the forecast revenue and capital outturn positions for 2022/23,
- 1.3 That Cabinet note additional action will be required to identify further savings to manage the reported General Fund budget pressures.

#### 2022/23 General Fund Forecast Outturn Position

#### 2. Government Intervention

- 2.1 Members should note that on the 2 September 2022 The Department of Levelling Up, Housing and Communities announced directions to implement an intervention package at the Council.
- 2.2 The Secretary of State is exercising his powers under section 15(11) of the Local Government Act 1999 to give a Direction without complying with the requirement at section 15(9) to give Thurrock an opportunity to make representations about the Directions, as he considers the failures of the Council's compliance with its Best Value duty in respect of the functions

specified in the Directions sufficiently urgent. This is because of the following:

- the scale of the financial and commercial risks potentially facing the Authority, which are compounded by the Authority's approach to financial management and the seriousness of the allegations that have been made by third parties about the processes that have been applied to the operation of the Authority's commercial strategy, and;
- the failure of the Authority to provide assurance to Ministers and the Department on the adequacy of the actions that they are taking to address the issues, taking account of the scale and pace of the response required.
- 2.3 Taken together, the Secretary of State considers that there is a pressing case for urgent government action to protect the interests of the residents and taxpayers of Thurrock, as well as to provide assurance to the sector that action is being taken. The scale and nature of the issues is emerging rapidly, and the Secretary of State is concerned that further evidence of failure could come to light very quickly and require prompt action.
- 2.4 The Secretary of State has nominated Essex County Council to the role of Commissioner. Further detail is set out in the report below. The intervention package is formed of two complementary parts:
  - the first is that the Council's functions over managing its financial resources, exercise of the statutory requirement to arrange for the proper administration of the Council's financial affairs, and all functions associated with the strategic financial management of the Authority will be overseen by Essex County Council, in the role of Commissioner.
  - The second part is that the Secretary of State has appointed Essex County Council as a Best Value inspector, to inspect the governance, audit (internal and external), risk management, overview and scrutiny functions of the Council, and consider their impact on service delivery.
- 2.5 Both parts share a common goal, which is to protect the interests and services of the people of Thurrock.
- 2.6 The Council is treating this situation extremely seriously and has worked with the Government in recent weeks, as well as independent financial and legal experts to fully understand how the situation has arisen and establish a comprehensive resolution plan to safeguard the Council's financial position. The Council is grateful to the Government for the support they have given us and welcome the action to instigate intervention and provide additional support. The Council is co-operating fully with the appointed Commissioners to work to protect the delivery of core services and planned investment in the community.

#### 3. Introduction and Background

- 3.1 In February 2022, Council agreed the 2022/23 budget in line with a one-year balanced MTFS. Key measures are as follows:
  - Council Tax Increases permanent a 2.99% increase, the maximum allowed (£2.143m)
  - Use of Capital receipts for Transformation Activity one off subject to disposals (£3.300m)
  - Use of Reserves one off (£3.000m)
  - A series of permanent departmental savings, including identified staffing reductions (£14.200m)
  - A continuation of the controls on recruitment to create additional inyear savings (£3.000m)
- 3.2 This report sets out the latest forecast position with a focus on general fund service budget positions.

#### 4. General Fund Quarter 1 Monitoring

- 4.1 The Council's current net services general fund budget (excluding corporate budgets & central financing) is now £151.649m. This reflects the final 2022/23 pay award and inflation, service realignments and other agreed growth and savings allocations.
- 4.2 The forecast outturn position at quarter 1 is estimated to be £159.116m which results in an unfavourable service variance of £7.467m, prior to support from additional resources. This is equivalent to a 5% variance to budget (Table 1).
- 4.3 The estimated reduction in net investment income and changes in borrowing costs leads to a further pressure within the Treasury budget of £1.232m. This is equivalent to a 12% variance to budget (Table 1).

Table 1: 2022/23 Forecast Directorate position:

Directorate	Current Budget £'000	Quarter 1 Forecas t £'000	Quarter 1 Varianc e £'000	% Varianc e to Budget
Adults, Housing and Health	50,966	53,660	2,694	5%
Children's Services	40,698	42,390	1,692	4%
Housing General Fund	1,598	1,659	61	4%
HR, OD, and Transformation	9,058	8,815	(244)	-3%
Public Realm	35,122	35,207	85	0%
Resources & Place Delivery	13,957	14,164	208	1%
Strategy, Engagement & Growth	3,250	3,221	(29)	-1%
Vacant post saving (Note 1)	(3,000)	0	3,000	
General Fund Net Services position	151,649	159,116	7,467	5%

Investment Income	(41,472)	(37,506)	3,967	10%
TRL	(1,174)	(1,021)	154	13%
MRP	9,957	7,683	(2,274)	-23%
Borrowing	22,089	21,474	(615)	-3%
Treasury position	(10,601)	(9,369)	1,232	12%
Grand Total	141,048	149,747	8,699	6%

Note 1 - the Quarter 1 actual position on vacant posts is part of the directorate outturns and is shown in table 2 below.

4.4 Within the directorate budgets the following key variances have been identified at quarter 1 (Table 2).

Table 2 Key variances:

	Variance category	Variance analysis	Current Budget £'000	Month 2 Forecast £'000	Month 2 Variance £'000
1.	Demand Increase	ASC External Placements	32,658	35,542	2,885
2.	Vacant post saving	Employees Costs	90,533	92,556	2,023
3.	Demand	School Transport	3,310	4,245	935
4. Car	Children's Social e	CSC External placements	12,282	12,729	446
		CSC Legal Proceedings	272	773	501
5.	Income generation	Counter Fraud	(382)	(1,502)	(1,120)
		Ground Maintenance Saving	(150)	(20)	130
		Parking charges	(465)	(123)	342
6.	Inflation	Utilities	2,723	3,177	454
		Highways, Fleet & Logistics	451	601	150
		Other Expenditure	5,282	5,537	255
7. der	Delay to savings & nand pressure	Waste Collection	5,136	5,602	466
8.	Treasury	Investment Income, interest costs and MRP	(10,601)	(9,369)	1,232
	Total		141,048	149,747	8,699

4.5 An explanation for the identified variances within categories 1-7 above is shown in Appendix 1, along with several proposed action points. Further detail on category 8 is set out above.

- 4.6 As noted, further work is being carried out to assess the overall treasury position and figures included in tables 1 and 2 are based on known revenue impacts to date.
- 4.7 In addition to the above budget pressures already identified are several further risks to consider with the potential to create further budget variances as the year progresses. These are not currently included in the forecast outturn position but are listed at the end of this report in Table 5.

#### 5. Central Financing & Corporate Costs

5.1 Alongside the direct service budgets are the corporate costs and central financing allocations. A quarter 1 estimate is forecasting that the corporate costs budgets can contribute a £0.500m reduction to the overall costs of service delivery.

#### 6. Reserves & Capital Receipts

- 6.1 It should be noted that the 2022/23 budget has been set with the assumption that one-off £3.3m capital receipts funding will support appropriate in-year transformational spend. At the end of quarter 1 capital receipts have been generated from the asset disposal programme that meet this requirement.
- 6.2 There was also the assumption that £3m one-off use of reserves would be applied to the general fund budget and the impact on the financial resilience reserve is shown below (Table 3). This will continue to be reviewed as the year progresses alongside the wider risks in table 5 below.

Table 3

Reserve name	Opening 2022/23 Balance	In-year requirement	2022/23 Closing balance
	£'000	£'000	£'000
Financial Resilience Reserve	(5,000)	3,000	(2,000)

Other earmarked reserves are available to support specific services and functions in line with the conditions of the funding source and assumed use of these reserves is included as part of Appendix 1 and summarised below (Table 4).

Table 4

Support from earmarked reserves:	£'000
Adult Social Care reserve	(2,885)
Housing GF reserve	(61)
Children's Social Care reserve	(1,216)
Inflation reserve	(1,000)
Workforce reserve	(300)
Total	(5,462)

- 6.4 It should be noted that whilst the external audit review remains outstanding and consequently the 2021/22 position cannot be finalised, the availability of these reserves remains unconfirmed at this stage.
- 6.5 The Council's General Fund balance is held to mitigate against the financial risks inherent in delivering Council services. At the start of the year the general fund balance was £11m.
- 6.6 Should the current forecast outturn be realised but supported through the use of earmarked reserves, service efficiencies and/or increased revenue the year-end general fund balance would remain at £11m as at 31st March 2023. If mitigation is not identified and further potential risk areas shown in table 5 materialise then further use of reserves including the general fund would remain under consideration.

### 7. Additional Risk & Uncertainty

7.1 The budget is set on assumptions and economic forecast but there is inherent risk and uncertainty:

Table 5

Risk Area	Concern
Inflation	<ul> <li>Inflation has increased significantly in recent months and is impacting supply chain costs across many services</li> <li>Energy costs continue to increase impacting Corporate Landlord services</li> <li>National pay agreement with Trade unions will impact local pay agreements and remains under assessment</li> </ul>
Provider failure	There are significant additional financial pressures on external providers to deliver core services commissioned by the Council.
Ongoing demand volatility	As the pandemic recedes the level of demand for key services within the system and particularly within the Social Care services
Uncertainty of government funding	<ul> <li>Effectively a one-year settlement was announced in November 2021 and hence there remains uncertainty in planning for services in the medium term</li> </ul>
Delivery risk	Significant savings were applied to the 2022/23 budget allocation, and these remain subject to implementation in the agreed timescales
Interest rates	Changes to the Bank of England interest rate may further impact the cost of borrowing
Investment return	<ul> <li>The investment returns rely on the underlying performance of the associated entities.</li> </ul>

7.2 Services may move in or out of the above risk monitoring as the year progresses and operational issues are either identified or resolved.

#### 8. Capital Programme Update

- 8.1 Capital schemes and resources are identified in two specific categories:
  - Mainstream schemes capital expenditure funded through prudential (unsupported) borrowing, from capital receipts, from the capital contribution from revenue budget or from earmarked capital reserves; and
  - Specific schemes capital expenditure funded through external funding sources, for example, government grants and Section 106 monies which are ring fenced for specific projects.

#### 9. General Fund Schemes

9.1 The current position for General Fund schemes for 2022/23 is summarised below:

Capital Programme - Projected Outturn as at Quarter 1

	Latest Agreed Budget	Projected Outturn to 31/03/2023	Variance against budget
	£'000's	£'000's	£'000's
Expenditure:			
Children's Services <sup>1</sup>	4,490	4,490	0
Adult, Housing & Health	4,609	4,609	0
Public Realm	27,326	27,326	0
Resources & Place Delivery	34,479	33,287	(1,192)
HR, OD & Transformation	7,707	7,319	(388)
Strategy; Engagement & Growth	104	104	0
Commercial Services	16	16	0
Total Expenditure	78,731	77,151	(1,580)
Resources:			
Prudential Borrowing	(54,629)	(54,241)	388
Capital Receipts	(69)	(69)	0
Reserves	(0)	(0)	0
Government Grants	(15,507)	(15,507)	0
Other Grants	(6,628)	(5,436)	1,192
Developers Contributions (S106)	(1,898)	(1,898)	0
Dovelopers Continuations (C100)	(1,000)	(1,000)	0
Total Resources	(78,731)	(77,151)	1,580
Forecast Overspend in Resources	0	0	0

<sup>&</sup>lt;sup>1</sup> The capital budget for schools is designed around academic years and officers are confident that this will be defrayed in full within the current academic year

9.2 This illustrates a projected outturn at the end of the financial year of £77.151m, which is £1.580m less than the latest agreed budget for the year. This forecast variance is further analysed below.

#### **Analysis of forecast variance**

	Re-profiling of expenditure at Month 3	Capital schemes requiring additional funding	Completed Projects	Forecast variance against budget at Month 3
Expenditure:	£'000	£'000	£'000	£'000
Resources & Place Delivery	(1,192)	0	0	(1,192)
HR, OD & Transformation	(388)	0	0	(388)
Total	(1,580)	0	0	(1,580)

- 9.3 This shows that the forecast underspend is principally due to slippage/budget re-profiling on current schemes (£1.580m). Consequently, the funding remains allocated to specific current schemes.
- 9.4 Schemes that are at a feasibility or at an earlier stage of development have been excluded from the reported position until their progress into a full capital scheme is determined.
- 9.5 Further detail is set out in Appendix 5.

#### 10. Housing Revenue Account Capital Schemes

10.1 The current position for Housing Revenue Account schemes for 2022/23 is summarised below.

HRA Capital Programme – Projected Outturn

	Latest Agreed Budget	Projected Outturn to	Variance Against Budget
		31/03/2023	
	£'000's	£'000's	£'000's
Expenditure:			
Transforming Homes	53,284	50,363	(2,921)
Housing Development	1,644	1,644	0
Total Expenditure	54,928	52,007	(2,921)
Resources:			
Prudential Borrowing	(43,717)	(40,796)	2,921
Capital Receipts	(657)	(657)	0
Major Repairs Reserve	(10,554)	(10,554)	0
Total Resources	(54,928)	(52,007)	2,921

	Latest Agreed Budget	Projected Outturn to 31/03/2023	Variance Against Budget
Forecast Overspend in Resources	0	0	0

10.2 The budget for Transforming Homes in 2022/23 is £53.284m and the forecast spend is currently £50,363m. Much of the expected slippage relates to the Refurbishment of Non-Traditional properties project, where a revised programme has been developed. Spend incurred at 30 June 2022 was £4.724m.

#### **HRA New Build Schemes**

10.3 The revised budgets for 2022/23 for HRA New Build Schemes are set out below. The current forecast is £1.644m against a budget of £1.644m. These projects will utilise receipts held under Right to Buy sharing agreement between the Council and the DLUHC.

	Revised Budget	Spend YTD	Forecast	Variance from Revised Budget			
	£000	£000	£000	£000	%		
Calcutta Rd	0.178	0	0.178	0	0%		
Vigerons Way	1,466	0	1.466	0	0%		
Total	1.644	0	1,644	0	0%		

10.4 Further detail is set out in Appendix 5.

#### 11. Reasons for Recommendations

11.1 The Council has a statutory requirement to set a balanced budget annually. This report sets out the budget pressures in 2022/23 along with actions to mitigate these pressures and deliver a breakeven position.

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

12.1 This report is based on consultation with the services, Directors' Board, and portfolio holders.

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

13.1 The implementation of previous savings proposals has already reduced service delivery levels and the council's ability to meet statutory requirements, impacting on the community and staff. There is a risk that some agreed savings and mitigation may result in increased demand for more costly interventions if needs escalate particularly in social care. 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.

#### 14. Implications

#### 14.1 Financial

Implications verified by: Jonathan Wilson

**Assistant Director – Corporate 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 to maintain effective controls on expenditure during this period of enhanced risk. Measures in place are continually reinforced across the Council to reduce ancillary spend and to ensure that everyone is aware of the importance of maximising the benefit from every pound that is spent by the Council.

#### 14.2 **Legal**

Implications verified by: Mark Bowen

**Interim Head of Legal** 

There are no specific legal implications set out in the report. There are statutory requirements of the Council's Section 151 Officer in relation to setting a balanced budget. The Local Government Finance Act 1988 (Section 114) prescribes that the responsible financial officer "must make a report if he considers that a decision has been made or is about to be made involving expenditure which is unlawful or which, if pursued to its conclusion, would be unlawful and likely to cause a loss or deficiency to the authority". This includes an unbalanced budget.

Legal implications arising from the government intervention detailed in the body of the report will be considered in detail as necessary in future reports.

#### 14.3 **Diversity and Equality**

Implications verified by: Natalie Smith

**Community Development & Equalities Manager** 

The Equality Act 2010 places a public duty on authorities to consider the impact of proposals on people with protected characteristics so that positive or negative impacts can be understood and enhanced or mitigated as appropriate. Services will be required to consider the impact on any proposals to reduce service levels through a community equality impact assessment which should seek to involve those directly affected.

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

There are no other implications arising directly from this update report.

- **15. 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)
- 15.1 There are various working papers retained within the finance and service sections.

#### 16. Appendices to the report

Appendix 1: Key general fund variances project at quarter 1

Appendix 2: HRA 2022/23 Financial Forecast guarter 1

Appendix 3: Dedicated Schools Grant 2022/23 forecast quarter 1

Appendix 4: Public Health 2022/23 financial forecast quarter 1

Appendix 5: Capital programme financial forecast quarter 1

#### 1. Demographic Growth pressures – Adult Social Care

The forecast overspend within adult social care placements at Period 2 is £2.885m. The majority of this additional demand is within services for older people, with the main contributing factors being as follows:

- > Increase in demand volume for Homecare service, particularly in older people
- Level of need for people being discharge from hospital requiring continuing social care support to live independently outside of residential care, exacerbated by the change in the hospital discharge criterion from 'medically fit' to 'medically optimised' meaning patients are discharged earlier and with a greater level of care acuity.
- > Increased complexity and the associated requirement for additional care support to existing clients. This is particularly prevalent in the substantial increase in the number of homecare packages that the Local Authority is commissioning within the external care market
- Longer term ramifications following the covid pandemic including the pausing by the NHS of secondary prevention programmes to manage residents with long-term conditions that is now resulting in significantly increased presentation of very unwell patients presenting at A&E for emergency hospital and the subsequent demand on ASC through increased hospital backdoor pressures. Along with the "hidden" impacts of COVID amongst both working age adults and older people caused by the lockdown and removal of non-crisis intervention by health. This is particularly prevalent in Mental Health services.

Variance analysis	Sub-service	Current Budget £'000	Month 2 Forecast £'000	Month 2 Variance £'000
Adults External Placements	External Purchasing - Older People	6,177	8,691	2,513
	External Purchasing - Mental Health Team	5,109	5,380	271
	External Purchasing - Learning Disabilities	17,315	17,488	173
	External Purchasing - Physical Disabilities	4,056	3,983	(73)
		32,657	35,542	2,885

- 1. Continue to monitor demand for services, commissioning arrangements and high-cost placements Piloting of new Power BI dashboards within three ASC Fieldwork Teams, allowing Team Managers to deep dive and review care packages generating overspends with a view to roll out service wide from September 2022
- 2. Automatic rolling six weekly review by ASC Fieldwork Team Managers and social workers for all packages where costs and complexity have increased plus series of deep dive reviews including Corporate Director AHH and AD ASC & Community Development for 20 most increased cost packages in association with Principal Social Worker and relevant Team Manager
- 3. Increased reablement capacity on hospital discharge care pathway through use of private sector providers
- 4. Allocate £2.885m from the earmarked social care reserve to reduce the pressure on the general fund budget
- 5. Continue discussions with Health colleagues re securing extension to Hospital Discharge funding
- 6. Decommissioning of Bridging service contracts to mitigate the rising cost of care solutions in the absence of agreement from the ICS to continue funding in Q2 to support earlier hospital discharge
- 7. Explore use of one-off funding within the better care fund reserves to address in year financial pressures
- 8. A series of "easier to implement" transformation projects from our overall transformation programme such as commissioning a new model of mental health in borough supported living schemes and developing a complex care joint housing and ASC multi-disciplinary team to avoid growing failure demand.

#### 2. Vacant post saving & Employee costs

• The position on vacant posts continues to be monitored against a corporate target of £3m. Employee spend is estimated to be £0.977m less than budgeted before the allocation of the vacant post saving. This position needs to be considered within the context of the overall position. In some cases, reduced spend within the employee category will be offset by an under recovery of associated income or expenditure pressures elsewhere within the service area. The position will be monitored alongside the actions of the recruitment panel, the review of agency spends and wider restructures in the Council.

Variance analysis	Directorate	Current Budget £'000	Month 2 Forecast £'000	Month 2 Variance £'000
Employees Costs (note 1)	Adults, Housing and Health	20,436	20,264	(172)
	Children's Services	29,376	29,224	(152)
	Housing General Fund	2,061	2,057	(4)
	HR, OD, and Transformation	7,834	7,519	(316)
	Public Realm (note 2)	17,448	17,457	9
	Resources & Place Delivery	11,654	11,415	(238)
	Strategy, Engagement & Growth	4,724	4,620	(104)
Service total		93,533	92,556	(977)
	Vacant post saving	(3,000)	0	3,000
Overall employee position		90,533	92,556	2,023

Note 1 - Agency staff is included in the position and projected at circa £8.9m.

Note 2 - This position excludes the Counter Fraud team and the external NATIS contracts.

- Continue with limited approach to recruitment and weekly Recruitment Panel
- Continue review of agency staff through ongoing DMT reporting

#### 3. Demand - School Transport

- The service has commenced an externally commissioned consultant (funded through transformation budget) to undertake a review of SEND transport to ensure discretionary transport policy is being applied correctly and to identify potential changes to process and practice which may reduce the current overspend on SEND transport.
- Increase in demand for Education Health and Care Plans and the phased expansion of specialist provision within Thurrock by 96 places has placed a £0.570m pressure on the service
- The reduction proposal for St Clere's school has now been deemed to be an unsafe route. A feasibility study is being undertaken to access whether a safe walking route could be introduced. A report with recommendations and costs to be provided in August 2022. This delay to savings adds an additional £0.150m pressure.

#### **Actions:**

- School routes to be reviewed including specific reassessment of St Clere's
- Compliance to policy to be reviewed in discussion with external support
- Allocation of earmarked reserve to the value of 0.350m to reduce the general fund pressure

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#### Children's Social Care

• Significant cost pressures are generated by moves within care. Children with the most complex needs are experiencing a high level of placement instability driven by both providers giving notice on their placement and by intervention by the regulator. Thurrock is reliant on external providers for residential and complex care including SEN placements. The table below shows current forecast:

Placement Type	Budget Numbers 2022/23	Revised budget 2022/23	Jun-22 Numbers	Jun-22 Costs	Variance Period 3
Cost		£m		£m	£m
Placed with Parent / Adoption	10	£0.000	11	£0.000	£0.000
Supported Accommodation	26	£0.485	26	£0.492	£0.007
External Fostering	103	£4.542	113	£4.981	£0.439
External Residential	29	£7.555	26	£6.030	(£1.525)
Secure Placement	0	£0.000	0	£0.000	£0.000
Unregulated	0	£0.000	3	£1.699	£1.699
Education Contribution	0	(£0.300)	0	(£0.472)	(£0.172)
Remand	2	£0.030	1	£0.061	£0.031
Total LAC	170	12.312	180	12.790	£0.478
Internal Fostering	127	£2.608	104	£2.335	(£0.273)
	297	£14.920	284	£15.125	£0.205

- Internal fostering services are engaged in promotional activities to increase the number of long-term foster carers. The £0.273m underspend can support the additional costs within external fostering to £0.166m.
- Unregulated placements are where the Local Authority are unable to secure a suitable placement with a provider to meet the needs of the young person. In these instances, the LA has to develop a package of support around the child and seek judicial approval until a regulated place can be provided. By nature, these placements are highly complex and costly. Thurrock currently have 3 such placements at a cost implication of £1.699m. Ofsted registration is being progressed.
- There are currently 10 high-cost placements with a total forecast of £3.831m. The Directorate as part of placement panel meetings has an ongoing review of all high-cost placements with an annual cost of £0.128m.

- An external consultant (from central transformation funding) has been engaged to review all packages of care and secure additional financial contributions from Health.
- Legal proceedings are reporting an overspend of £0.501m. This is service is considered to have been impacted by the delays within the court system during the pandemic and the ongoing need to procure specialist assessments from external providers to support progression of specific cases.

- Continued review and promotion of the internal fostering offer to create longer term reductions in the use of external fostering providers.
- Further analysis of demand growth expectations for children's placements in 2022/23
- Full service engagement with the external placement review and further exploration of additional health funding
- Continued review of high-cost placements
- Restriction of non-essential spend elsewhere within the service
- Further detailed analysis of expected in-year legal proceedings costs to ensure budgetary impact is fully captured

#### 4. Income Generation

- **Counter Fraud**: There are proposed changes to the Counter Fraud and NATIS operating model with a report due to Directors Board. Current year projections show a surplus position which is offsetting pressures elsewhere in the directorate. This position will be revisited once the longer-term plan and associated financial position of the team is agreed.
- **Grounds Maintenance**: A saving target of £0.15m was applied to the team in 22/23 and at this stage only £0.02m of new commercial income has been secured therefore there is an under recovery of income (or unachieved saving) pressure at this time.
- **Parking charges**: The key issues being contained in this forecast include a forecast loss in parking income this year based on last year's parking volumes plus the fee increase. A number of parking sites in Grays specifically have not recovered since the pandemic due to a fundamental change in working patterns. There is also a pressure resulting from a delay in new car parks becoming fully operational/chargeable.

- Ground maintenance team to continue to work with Business Development & Innovation team to secure additional commercial contracts
- Ticketing machines for newly chargeable car parks to be implemented and funded through existing capital allocations or transformation funding to allow for charging fees to be recouped in-year

#### 5. Inflation

- Fuel prices in the UK have reached record highs in 2022, driven by increased wholesale prices
- The wholesale price of gas (system average price) in January 2022 was almost four times higher than in early 2021, with large rises since summer 2021.
- The Council is in long term arrangements via a procurement framework. These arrangements flatten the Council's risk and ensure procurement compliance etc in respect of the very large value of spend.
- Despite this arrangement, electricity charges look set to increase by an average of 23%. Gas charges (with effect from October 2022) are set to increase by 193% on last year's rates.
- Wider inflation impact on supplies & services is difficult to quantify/unknown at this stage but is affecting the cost of goods within the supply chain for a number of service areas and initial pressures are shown below. This continues to be monitored

Variance category	Variance analysis	Subjective Description	Current Budget £'000	Month 2 Forecast £'000	Month 2 Variance £'000
Inflation	Utilities	Electricity	1,691	1,851	159
		Fuel and Oil	908	1,114	206
		Gas	123	212	89
	Highways, Fleet and Logistics	Transport related spend	451	601	150
	Other income expenditure	General increases supplies & services	5,282	5,401	119
<b>Grand Total</b>			8,445	9,179	724

- Property Services Team to ensure allocation of bulk billing for utilities to individual service areas
- Corporate finance to continue monitoring national situation and amend assumptions as necessary to understand overall pressure
- MTFS impact to be assessed
- Allocation of earmarked inflation reserve to reduce pressure on the general fund position

#### 6. Delays to savings

Savings agreed as part of the 2022-23 budget at February Council included £322k within Public Realm to move to fortnightly collection for residual waste, due to commence in September 2022. There has been a delay to this plan awaiting clarification in terms of the Environment Bill and to ensure changes are commensurate with the Bill to avoid further future costs, therefore an in-year pressure is likely to materialise.

Alongside this additional costs have been incurred during and following industrial action, to ensure the collection of waste bins and a wider review of the service.

Variance analysis	Spend category	Current Budget £'000	Month 2 Forecast £'000	Month 2 Variance £'000
Waste Collection	Employees Costs	3,682	4,040	358
	Other running costs & Third party spend	684	792	108
	Capital Financing Expenditure	810	810	0
	Income	(40)	(40)	0
Total		5,136	5,602	466

- Continue to work with HR to resolves ongoing staffing issues
- Note that fortnightly collection decision has delayed implementation and not reversed the saving target; the saving will still be achieved but there is a timing issue which impacts the in-year budget and MTFS

# Appendix 2 – HRA 2022/23 Financial Forecast at Quarter 1

Service	2022/23 Budget	2022/23 Forecast	2022/23 Variance	Comments
	£'000	£'000	£'000	
Housing Development	251	251	0	Development projects and staffing costs are funded, in part, through earmarked reserves, capitalisation and recharges to TRL Ltd (through SLAs). Projected to balance.
Financing and Recharges	24,501	24,501	0	This reflects cost of borrowing, revaluation, pensions, SLAs and central recharges and projected to balance.
Rent and Income	(52,082)	(52,293)	(211)	The increase in income reflects additional rents and service charges due to new properties coming online.
Repairs and Maintenance	12,893	13,093	200	Additional requirement for non-capital works due to legislative changes
Operational Costs	14,437	14,239	(198)	The underspend represents vacancies across all HRA services.
Grand Total	0	(209)	(209)	

The HRA is forecasting a small budget surplus due to staffing vacancies and a favourable position on rent collection

Part of this additional funding will be used to mitigate additional repair and maintenance costs. Wider risk of further inflationary impacts which are currently being managed within the wider staffing savings.

# Appendix 3 – Dedicated Schools Grant – 2022/23 Financial Forecast at M3

The current projected outturn for 2022/23 is a breakeven position as shown below:

DSG 2022/23	Funding Settlement	Academy Recoupment	Funding Block Transfer	Early Years Adjust	Final DSG	Outturn	Variance
	£m	£m	£m	£m	£m	£m	£m
Schools	146.520	(140.961)	(0.700)	0.000	4.858	4.704	(0.154)
Central Services	1.688	0.000	0.000	0.000	1.688	1.626	(0.061)
High Needs	32.689	(6.500)	0.700	0.000	26.889	27.104	0.214
Early Years	10.734	0.000	0.000	0.000	10.734	10.735	0.000
Total	191.631	(147.461)	0.000	0.000	44.170	44.169	(0.000)

For 2022/23 the High Needs Block received a funding increase of £4.5m, which includes £1.2m of additional funding to reflect inflation and increase to National Insurance rates. The increase in funding is supporting the increase in demand for Education, Health and Care Plans, specialist placements and increase in payments to providers.

The key area of risk remains the additional funding in the High Needs Block does not meet any further changes to demand levels – this will be considered and reported back to DB monthly.

At this stage pupil movement, with the schools and high needs block, for the new academic year is not fully known. This will be included in the information to be reported in September.

# Appendix 4 – Public Health 2022/23 Financial Forecast at Quarter 1

#### **Public Health**

The Public Health Grant was increased by £0.325m in 2022/23 with the full allocation for the year now being £11.911m. The increase in grant has been allocated to the Agenda for Change uplift in relation to NHS staffing pay which has seen an increase of 3% for the current and previous financial years. The grant uplift has been directly passported on to our primary care providers.

There is a shortfall of income from the Public Health grant of £0.417m that is currently being funded through our ringfenced reserve. Discussions are ongoing to actively reduce this shortfall through future contract negotiations with our providers.

# Appendix 5 – Capital Programme Financial Forecast at Quarter 1

Summary of the 2022/23 General Fund Capital Programme	App	proved Bud	lget	Pro	jected Out	urn	CY Spend	% Spend against
	2022/23	2023/24	2024/25	2022/23	2023/24	2024/25	(Jun-22)	CY Forecast
	£'000	£'000	£'000			£'000		
Childrens Service	4,490	0	0	4,490	0	0	254	5.66
Adults; Housing and Health								
Community Development	1,245	500	0	1,245	500	0	3	0.24
Provider Services	15	0	0	15	0	0	0	0.00
Better Care	1,386	0	0	1,386	0	0	170	12.00
Housing General Fund	1,963	0	0	1,963		0	_	0.00
	4,609	500	0	4,609	500	0	171	3.71
Public Realm								
Highways Maintenance	20,728	3,668	170	20,728	3,668	170	1,557	7.51
Resident Services	1,449	825		•			1,557	8.00
Environment	5,072	62	62	5,072		62	6	0.00
Counter Fraud & Investigation	77	0	0	77	0	0	0	0.00
3	27,326	4,555	232	27,326	4,555	232	1,674	6.13
Resources & Place Delivery	0.700	0	0	0.700	0	0	000	0.45
Corporate Assets	3,738		_	3,738		_		
Highways Major Projects Regeneration Projects	14,939 15,802	5,000 18,534					•	33.69 3.08
Negerieration Frojects	34,479	23,534	17,128		27,783	14,071	5,349	16.07
	34,473	23,334	17,120	33,207	21,103	14,071	3,343	10.07
HR, OD and Transformation	7,707	160	160	7,319	480	93	878	12.00
Strategy; Engagement & Growth	104	0	0	104	0	0	0	0.00
Commercial Services	16	0	0	16	0	0	0	0.00
Total Expenditure - General	78,731	28,749	17,520	77,151	33,318	14,396	8,326	10.79

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# Appendix 5 – Capital Programme Financial Forecast at Quarter 1

Summary of the 2022/23 General Fund	Project Status	Арр	proved Bud	lget	Pro	jected Out	urn	CY Spend	% Spend against
Capital Programme, by scheme status		2022/23	2023/24	2024/25	2022/23	2023/24	2024/25	(Jun-22)	CY Forecast
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	
	Work commenced	2,265	0	0	2,265	0	0	238	
	Scheme completed	235	0	0	235	0	0	0	
	Completed retention o/s	54	0	0	54	0	0	0	
	Demand led	1,936	0	0	1,936	0	0	16	
Total: Childrens Service		4,490	0	0	4,490	0	0	254	5.66
	Work commenced	300	0	0	300	0	0	0	
	Scheme completed	137	0	0	137	0	0	137	
	Completed retention o/s	130	0	0	130	0	0	0	
	On hold	2,288	500	0	2,288	500	0	0	
	Demand led	1,754	0	0	1,754	0	0	34	
Total: Adults; Housing and Healt	h	4,609	500	0			0	171	3.71
		•							
	Not yet started	2,291	62	62	2,291	62	62	0	
	Design stage	6,028	790	0	6,028		0	93	
	Tender preparation	150	0	0	150		0	0	
	Work commenced	13,671	3,703	170			170	1,550	
	Scheme completed	66	0	0	66		0	0	
	Completed retention o/s	30	0	0	30	0	0	0	
	On hold	1,300	0	0	1,300	0	0	0	
	Demand led	3,790		0	3,790		0	31	
Total: Public Realm		27,326	4,555	232	27,326	4,555	232	1,674	6.13

# Appendix 5 – Capital Programme Financial Forecast at Quarter 1

Summary of the 2022/23 General Fund	Project Status	App	roved Bud	get	Pro	jected Out	urn	CY Spend	% Spend against
		2022/23	2023/24	2024/25	2022/23	2023/24	2024/25	(Jun-22)	CY Forecast
	Not yet started	4	0	0	4	0	0	0	
	Design stage	3,870	0	0	3,870	0	0	186	
	Work commenced	25,612	5,288	5,444	24,420	9,537	2,387	4,749	
	Scheme completed	1,029	0	0	1,029	0	0	3	
	Completed retention o/s	108	0	0	108	0	0	0	
	On hold	4	0	0	4	0	0	0	
	Demand led	2,245	0	0	2,245	0	0	246	
	Feasability Stage	1,584	18,246	11,684	1,584	18,246	11,684	165	
	Scheme Removed	23	0	0	23	0	0	0	
Total: Resources & Place Delivery		34,479	23,534	17,128	33,287	27,783	14,071	5,349	16.07
	Not yet started	1,135	93	93	1,135	93	93	0	
	Work commenced	5,791	0	0	5,790	0	0	837	
	Scheme completed	20	0	0	20	0	0	6	
	On hold	404	67	67	17	387	0	0	
	Demand led	357	0	0	357	0	0	35	
Total: HR, OD and Transformatio	n	7,707	160	160	7,319	480	93	878	12.00
	Work commenced	104	0	0	104	0	0	0	
Total: Strategy; Engagement & Growth		104	0	0	104	0	0	0	0.00
					_				
	Work commenced	16	0	0	16	0	0	0	
Total: Commercial Services		16	0	0	16	0	0	0	0.00
Total Expenditure - General Fu	ınd	78,731	28,749	17,520	77,151	33,318	14,396	8,326	10.79

# Appendix 5 – Capital Programme Financial Forecast at Quarter 1

Summary of the 2022/23 Housing Rever	ue Account Capital	Арр	roved Bud	lget	Projected Outurn C		CY Spend	% Spend against	
Programme		2022/23	2023/24	2024/25	2022/23	2023/24	2024/25	(Jun-22)	CY Forecast
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	
Adults, Health and Housing									
Housing Development		1,644	4,230	121,241	1,644	4,230	121,241	-177	
Transforming Homes		53,284	0	0	50,363	0	0	4,724	
Total Expenditure - HRA		54,928	4,230	121,241	52,007	4,230	121,241	4,547	8.74
Summary of the 2022/23 Housing	Project Status	Δnr	proved Bud	laet	Pro	jected Out	urn	CY Spend	% Spend against
Revenue Account Capital Programme,		2022/23	2023/24	2024/25	2022/23	2023/24	2024/25	(Jun-22)	CY Forecast
by scheme status		2022/20	2020/24	202-1120	2022/20	2020/24	202-1/20	(Guii 22)	311010000
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	
	Not yet started	1,466	4,230	110,515	1,466	4,230	110,515	0	
	Work commenced	53,462	0	10,725	50,541	0	10,725	4,331	
	Completed retention o/s	0	0	0	0	0	0	-202	
	Demand led	0	0	0	0	0	0	418	
Total Adults, Health and Housi	*	54,928	4,230		52,007	4,230	121,240	4,547	