

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

## Council

To the Members of Thurrock Council

The next meeting of the Council will be held at **7.00 pm** on **25 January 2023**

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

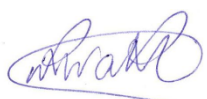
### Membership of the Council:

James Halden (Mayor)  
Susan Little (Deputy Mayor)

Qaisar Abbas  
John Allen  
Alex Anderson  
Deborah Arnold  
Paul Arnold  
Chris Baker  
Gary Byrne  
Adam Carter  
Daniel Chukwu  
Colin Churchman  
Gary Collins  
George Coxshall  
Mark Coxshall  
Jack Duffin  
Tony Fish  
Robert Gledhill

Shane Hebb  
Victoria Holloway  
Andrew Jefferies  
Barry Johnson  
Tom Kelly  
Cathy Kent  
John Kent  
Martin Kerin  
Steve Liddiard  
Ben Maney  
Fraser Massey  
Allen Mayes  
Sara Muldowney  
Augustine Ononaji  
Srikanth Panjala  
Maureen Pearce

Terry Piccolo  
Georgette Polley  
Jane Potheary  
Shane Ralph  
Kairen Raper  
Joycelyn Redsell  
Elizabeth Rigby  
Sue Sammons  
Sue Shinnick  
Jennifer Smith  
Graham Snell  
Luke Spillman  
James Thandi  
Lee Watson  
Lynn Worrall



**Ian Wake**  
**Acting Chief Executive**

Agenda published on: 17 January 2023



## **Agenda**

Open to Public and Press

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<b>1 Apologies for absence</b>	
<b>2 Minutes</b>	<b>11 - 44</b>
To approve as a correct record the Minutes of the meeting of the Council, held on 30 November 2022.	
To approve as a correct record the Minutes of the meeting of the Extraordinary Council, held on 9 January 2023.	
<b>3 Items of Urgent Business</b>	
To receive additional items that the Mayor is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
<b>4 Declaration of Interests</b>	
To receive any declaration of interests from Members.	
<b>5 Announcements on behalf of the Mayor or the Leader of the Council</b>	
<b>6 Questions from Members of the Public</b>	<b>45 - 46</b>
In accordance with Chapter 2, Part 2 (Rule 14) of the Council's Constitution.	
<b>7 Petitions from Members of the Public and Councillors</b>	
In accordance with Chapter 2, Part 2(Rule 14) of the Council's Constitution.	
<b>8 Petitions Update Report</b>	<b>47 - 50</b>
<b>9 Appointments to Committees and Outside Bodies, Statutory and Other Panels</b>	
The Council are asked to agree any changes to the appointments made to committees and outside bodies, statutory and other panels, as requested by Group Leaders.	

<b>10</b>	<b>Appointment of Electoral Registration Officer and Registration Officer</b>	<b>51 - 54</b>
<b>11</b>	<b>Corporate Parenting Committee Annual Report 2021/2022</b>	<b>55 - 66</b>
<b>12</b>	<b>Annual Pay Policy Statement 2022/23</b>	<b>67 - 90</b>
<b>13</b>	<b>Local Council Tax Scheme</b>	<b>91 - 98</b>
<b>14</b>	<b>Questions from Members</b>	<b>99 - 100</b>

In accordance with Chapter 2, Part 2 (Rule 14) of the Council's Constitution.

<b>15</b>	<b>Reports from Members representing the Council on Outside Bodies</b>
<b>16</b>	<b>Minutes of Committees</b>

Name of Committee	Date
Planning Transport Regeneration Overview and Scrutiny Committee	18 October 2022
Standard & Audit Committee	20 October 2022
Planning Committee	20 October 2022
Planning Committee	16 November 2022
Local Development Plan Task Force	26 September 2022
Corporate Overview and Scrutiny Committee	6 October 2022
Hidden and Extreme Harms Prevention Committee	4 October 2022
Corporate Parenting	6 September 2022
General Services Committee	28 November 2022
Housing Overview and Scrutiny Committee	21 November 2022
Health and Wellbeing Overview and Scrutiny Committee	3 November 2022

17	Update on motions resolved at Council during the previous year	101 - 102
18	Motion 1 submitted by Councillor Jefferies	103 - 104
19	Motion 2 submitted by Councillor Massey	105 - 106
20	Motion 3 submitted by Councillor J Kent	107 - 108

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

Please contact Jenny Shade, Senior Democratic Services Officer by sending an email to [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)

**Future Dates of Council:**

22 February 2023 (Budget)

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## **Information for members of the public and councillors**

### **Access to Information and Meetings**

#### **Advice Regarding Public Attendance at Meetings**

If you are feeling ill or have tested positive for Covid and are isolating you should remain at home, the meeting will be webcast and you can attend in that way.

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

#### **Recording of meetings**

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

If you have any queries regarding this, please contact Democratic Services at [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)

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

The council welcomes the filming, photography, recording and use of social media at council and committee meetings as a means of reporting on its proceedings because it helps to make the council more transparent and accountable to its local communities. If you wish to film or photograph the proceedings of a meeting and have any special requirements or are intending to bring in large equipment please contact the Communications Team at [CommunicationsTeam@thurrock.gov.uk](mailto:CommunicationsTeam@thurrock.gov.uk) before the meeting. The Chair of the meeting will then be consulted and their agreement sought to any specific request made.

Where members of the public use a laptop, tablet device, smart phone or similar devices to use social media, make recordings or take photographs these devices must be set to 'silent' mode to avoid interrupting proceedings of the council or committee. The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of these activities, in their opinion, are disrupting proceedings at the meeting.

## Thurrock Council Wi-Fi

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

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

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

## Evacuation Procedures

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

## How to view this agenda on a tablet device



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

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

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

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

## DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

Breaching those parts identified as a pecuniary interest is potentially a criminal offence

### Helpful Reminders for Members

- *Is your register of interests up to date?*
- *In particular have you declared to the Monitoring Officer all disclosable pecuniary interests?*
- *Have you checked the register to ensure that they have been recorded correctly?*

### When should you declare an interest *at a meeting*?

- **What matters are being discussed at the meeting?** (including Council, Cabinet, Committees, Subs, Joint Committees and Joint Subs); or
- If you are a Cabinet Member making decisions other than in Cabinet **what matter is before you for single member decision?**



**Does the business to be transacted at the meeting**

- relate to; or
- likely to affect

**any of your registered interests and in particular any of your Disclosable Pecuniary Interests?**

Disclosable Pecuniary Interests shall include your interests or those of:

- your spouse or civil partner's
- a person you are living with as husband/ wife
- a person you are living with as if you were civil partners

where you are aware that this other person has the interest.

A detailed description of a disclosable pecuniary interest is included in the Members Code of Conduct at Chapter 7 of the Constitution. **Please seek advice from the Monitoring Officer about disclosable pecuniary interests.**

**What is a Non-Pecuniary interest?** – this is an interest which is not pecuniary (as defined) but is nonetheless so significant that a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest.

### Pecuniary

If the interest is not already in the register you must (unless the interest has been agreed by the Monitoring Officer to be sensitive) disclose the existence and nature of the interest to the meeting

If the Interest is not entered in the register and is not the subject of a pending notification you must within 28 days notify the Monitoring Officer of the interest for inclusion in the register

**Unless you have received dispensation upon previous application from the Monitoring Officer, you must:**

- **Not participate or participate further in any discussion of the matter at a meeting;**
- **Not participate in any vote or further vote taken at the meeting; and**
- **leave the room while the item is being considered/voted upon**

**If you are a Cabinet Member you may make arrangements for the matter to be dealt with by a third person but take no further steps**

### Non- pecuniary

Declare the nature and extent of your interest including enough detail to allow a member of the public to understand its nature



**You may participate and vote in the usual way but you should seek advice on Predetermination and Bias from the Monitoring Officer.**

## PROCEDURE FOR MOTIONS

No speech may exceed 4 minutes without the consent of the Mayor [Rule 19.8], except for the proposer of any motion who shall have 5 minutes to move that motion (except on a motion to amend where the 4 minute time shall apply) [Rule 19.8(a)]

### All Motions will follow Section A and then either Section B or C

- |           |    |  |                            |
|-----------|----|--|----------------------------|
| <b>A.</b> | A1 | Motion is moved                            | [Rule 19.2]                |
|           | A2 | Mover speaks                               | [Rule 19.8(a) (5 minutes)] |
|           | A3 | Seconded                                   | [Rule 19.2]                |
|           | A4 | Secunder speaks or reserves right to speak | [Rule 19.3] (4 minutes)    |

Then the procedure will move to either B or C below:

<b>B.</b>		<b>C.</b>	
<b>IF there is an AMENDMENT (please see Rule 19.23)</b>		<b>If NOT amended i.e. original motion</b>	
B1	The mover of the amendment shall speak (4 mins).	C1	Debate.
B2	The seconder of the amendment shall speak unless he or she has reserved their speech (4 mins).	C2	If the seconder of the motion has reserved their speeches, they shall then speak.
B3	THEN debate on <b>the subject</b> .	C3	The mover of the substantive motion shall have the final right of reply.
B4	If the seconder of the substantive motion and the amendment reserved their speeches, they shall then speak.	C4	Vote on motion.
B5	The mover of the amendment shall have a right of reply.		
B6	The mover of the substantive motion shall have the final right of reply.		
B7	Vote on amendment.		
B8	A vote shall be taken on the substantive motion, as amended if appropriate, without further debate.		

## 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

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## **WW2 in Memoriam**

### **Remembering Thurrock's Fallen : Civilian Deaths due to enemy action and Roll of Honour**

Today we share names on the Roll of Honour. These are people whose home address was shown as Thurrock who lost their lives during the Second World War whilst serving with the armed forces or merchant navy.

In recognition of the adversity and bravery experienced by ordinary people in Thurrock civilian deaths are also noted here in relevant months. 101 non-combatants were killed in Thurrock between 1939 and 1945 who will also be remembered.

A special thanks to Museum volunteer Pam Purkiss for compiling the Roll of Honour information. Civilians added by Valina Bowman-Burns from Thurrock Museum.

The names have been listed in date order.

#### **December 1942**

HEMPSTEAD Joseph  
COFORD Denis  
FLANAGAN James  
PARKER John A  
CARTER Sydney E A  
GILES Leslie H  
DAVY Cecil A  
BOWLES Leslie G  
BOXALL Austin C  
WILKS George H

#### **January 1943**

THURSTON Roy E W  
NEWMAN Peter F E  
PETTIT John F  
MANNING Leslie P  
SHARPLEY Matthew I

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## *Mayoral Roll of Honour*

*The Roll of Honour has been introduced to recognise and celebrate charities, businesses, individuals, and community groups that have strived to make Thurrock a greater place to live, work, learn and play.*

*January 2023*

*Lin Swords - Services to volunteering within the community*  
*Alan Gosling - Services to local heritage and history*



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## Minutes of the Meeting of the Council held on 30 November 2022 at 7.00 pm

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**Present:** Councillors James Halden (Mayor), Susan Little (Deputy Mayor), Qaisar Abbas, John Allen, Alex Anderson, Deborah Arnold, Paul Arnold, Adam Carter, Daniel Chukwu, Gary Collins, George Coxshall, Mark Coxshall, Tony Fish, Robert Gledhill, Shane Hebb, Victoria Holloway, Andrew Jefferies, Barry Johnson, Tom Kelly, John Kent, Martin Kerin, Steve Liddiard, Ben Maney, Fraser Massey, Allen Mayes, Sara Muldowney, Augustine Ononaji, Srikanth Panjala, Maureen Pearce, Terry Piccolo, Shane Ralph, Kairen Raper, Joycelyn Redsell, Sue Shinnick, Graham Snell, Luke Spillman, Lee Watson and Lynn Worrall

**Apologies:** Councillors Chris Baker, Gary Byrne, Colin Churchman, Jack Duffin, Cathy Kent, Jane Potheary, Elizabeth Rigby, Sue Sammons and Jennifer Smith

**In attendance:** Ian Wake, Acting Chief Executive  
John Jones, Director Law & Governance, and Monitoring Officer  
Ewelina Sorbjan, Interim Director Housing  
Karen Wheeler, Director Strategy, Engagement and Growth  
Matthew Boulter, Democratic Services Manager and Deputy Monitoring Officer  
Jenny Shade, Senior Democratic Services Officer

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

### **78. Minutes**

Minutes of the Council meetings held on the 13 October 2022 and 26 October 2022 were approved as a correct record.

### **79. Items of Urgent Business**

There were no items of urgent business.

### **80. Declaration of Interests**

There were no declarations of interest.

### **81. Announcements on behalf of the Mayor and the Leader of the Council**

The Mayor made the following announcements:

The Mayor thanked all community groups who had done the borough incredibly proud during the period of remembrance. The Mayor had attended

seven remembrance services, with a Mayor's office representative at a further 14 services.

The Mayor praised the Mayoral Roll of Honour named on page 9 of the agenda.

Members were reminded that "Give a Gift" was still open which ensured looked after children, vulnerable and refugee children got a Christmas gift this year. The Mayor thanked the residents and businesses of Thurrock who had been incredibly generous.

The Mayor was delighted that the Mayor's Charity Fund had raised just over £18,000 for good causes and looked forward to attending the intensive care unit for babies at Thurrock Basildon Hospital to present them with a sizeable cheque.

Councillor M Coxshall, Leader of the Council, made the following announcement:

The financial report that had been published yesterday had presented the serious state of finances the council were in. The numbers were truly shocking, and it was the first step of the recovery plan to understand the full extent of the problem. He understood the gravity being faced and was determined to do the right thing and to take some tough decisions. Some financial support would be required from Government over a number of years to stabilise the financial position and to give time for a balanced budget to be set. He confirmed that it was impossible for local authorities to go bankrupt, but it had become clear that a lot of decisions needed to be made by all Members, especially himself. Those decisions were uncertain at present but there would be no immediate changes to services and work would continue with the commissioners to discuss the size of this challenge and bring Thurrock back into a stable, safe and sustainable financial position. By next week an improvement plan would be delivered to the Secretary of State. Some tough decisions would need to be made going forward and the Leader realised the consequences. He would take full responsibility to ensure this got done. He would need all 49 Members to ensure the survival of Thurrock with the determination and decisions being democratically made for those that stand and lead the Council in the coming years.

## **82. Questions from Members of the Public**

The Mayor informed the chamber that due to the resident being unwell, a written response would be provided.

## **83. Petitions from Members of the Public and Councillors**

The Mayor informed the chamber that three notices of petition had been received this evening.

Mr Hurrell presented his petition requesting Thurrock Council to urgently provide a school crossing patrol on Daiglen Drive at the junction with Broxburn Drive. In response to this Councillor Maney acknowledged the petition.

Councillor Fish presented his petition by calling on Thurrock Council to urgently tackle noise nuisance, inconsiderate parking and litter at the Lighthouse Centre in Quarry Hill. In response to this Councillor Jefferies acknowledged the petition.

Councillor Ralph presented his petition by calling on Thurrock Council to provide a zebra crossing outside Abbotts Hall School. In response to this Councillor Maney acknowledged the petition.

#### **84. Petitions Update Report**

Members received a report on the status of those petitions handed in at Council meetings and Council offices.

#### **85. Appointments to Committees and Outside Bodies, Statutory and Other Panels**

The Mayor enquired whether there were any changes to be made to the appointments previously made by committees and outside bodies, statutory and other panels.

The Leader of the council, Councillor M Coxshall, stated he had the following change to make:

To replace Councillor M Coxshall with Councillor G Coxshall on the Kent & Essex Inshore Fisheries and Conservation Authority outside body.

The Leader of the Labour group, Councillor J Kent stated he had no changes to make.

Councillor Massey nominated himself onto the Mucking Charitable Trust.

Councillor Allen stated he had no changes to make.

Members agreed with the nominations.

#### **86. The Localism Act 2011 - Appointment of Independent Persons**

The report presented followed the decision of the Council on 25 May 2022, which agreed pursuant to section 28 of the Localism Act 2011 to appoint new independent persons to replace the long-standing Independent Person who had been in place for some years. Following a recruitment process, the Monitoring Officer had identified two candidates to share the role until Annual Council in 2026. Councillor M Coxshall proceeded to the recommendation.

Councillor J Kent agreed to go straight to the vote.

With 38 votes in favour, 0 against, 0 abstained, the recommendation was agreed.

## **RESOLVED**

**For the purposes of section 28 of the Localism Act 2011, the Council agreed to appoint Ms Cheryl Campbell and Mr Simon Carey to the role of Independent Person until the Annual Council in 2026.**

### **87. Questions from Members**

The Mayor informed the chamber that three questions to the Leader had been received and ten questions to cabinet members.

At 7.55pm, Councillor M Coxshall raised a point of order to extend this item to hear the remaining questions.

A copy of the transcript of questions and answers can be found at Appendix A to these minutes.

### **88. Reports from Members representing the Council on Outside Bodies**

No reports were presented.

### **89. Minutes of Committees**

The minutes of committees as set out in the agenda were received.

### **90. Update on motions resolved at Council during the previous year**

Members received an information report updating the progress in respect of motions received at council.

**The meeting finished at 8.11 pm**

Approved as a true and correct record

**CHAIR**

**DATE**

Any queries regarding these Minutes, please contact  
Democratic Services at [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)

## **Appendix A to the Council Minutes – 30 November 2022**

### **Item 6 – Questions from Public**

The Mayor informed one question had been received from members of the public.

1. Due to Mr Perrin being unwell a written response will be provided.

### **QUESTIONS TO THE LEADER OF THE COUNCIL**

1. From Councillor J Kent to Councillor M Coxshall

Thurrock Council has now agreed to abide by the ruling of the Information Tribunal and answer the Freedom of Information requests it has been fighting to keep secret. How much Council Taxpayer money has been spent fighting legal action to try and keep this information secret?

Mayor

Leader of the council, please respond to the question.

Councillor M Coxshall

Thurrock Council instructed Anthony Collins to act on their behalf and the total costs of works is around £70,000.

Mayor

Councillor J Kent do you wish to pose a supplementary question.

Councillor J Kent

Does the leader of the council believe that was £70,000 well spent?

Mayor

Leader of the council.

Councillor M Coxshall

No.

Mayor

Councillor J Kent do you wish to pose a second supplementary question.

Councillor J Kent

Mister Mayor I welcome that response, that the leader of the council has sat in the conservative cabinet for the last six years these FOIs were submitted three years ago in 2019. Since then, he has been complicit in trying to keep this information secret and in fighting legal action to prevent the publication. What's changed his mind Mister Mayor.

Mayor

Leader of the council.

Councillor M Coxshall

I don't think I have ever changed my mind but I'm sorry.

2. From Councillor J Kent to Councillor M Coxshall

The scale of the financial catastrophe facing Thurrock Council is now becoming clear. What are the next steps the Leader will take in trying to save the Council?

Mayor

Leader of the council, please respond to the question.

Councillor M Coxshall

As we continue to work closely with Commissioners. The initial phase of work as you know is to fully understand the financial consequences arising from the issues identified in the investment strategy that was published yesterday. With Cabinet on the 7 December 2022 and I have now asked for cabinet to be moved and no decision on the 7<sup>th</sup> to the 14<sup>th</sup> to give time for corporate overview and scrutiny to give views to cabinet. So, cabinet on the 14<sup>th</sup> will trigger a request for exceptional financial support to central government for 2022/23 and 2023/24. The next phase of the work for a longer-term financial view which enables consideration of the financial sustainability of this Council and its future. Further discussions with government to consider the ability to pay back the financial support granted and to develop a sustainable council and will continue this chamber on progress and updates.

Mayor

Councillor J Kent do you wish to pose a supplementary question.

Councillor J Kent

Mister Mayor what we learnt yesterday was truly shocking that the in-year losses for the council £470 million, I believe the largest ever posted by a council in this country. Reserves down from £66 million to £12 million, a funding gap next year of £184 million, having to go cap in hand to the government for a bailout. Mister Mayor the leader of the council has sat in

cabinet for the last six years for every day of the last six years what does he believe he could or should have done differently to prevent us reaching this past.

Mayor

Leader of the council.

Councillor Coxshall

That's an interest question, I think about that daily what I could or what I should have done in hindsight and once I come to a settled position I think I should be doing that and I'm hoping the BVI would help that settled position and yes I think every day what I should have done.

Mayor

Councillor J Kent do you wish to pose a second supplementary question.

Councillor J Kent

Mister Mayor, I think it is disappointing that the leader of the council needs to wait for the outcome of the best value inspection to make up his mind as to what it is that he could or should have done differently. Mister Mayor we heard the leader speak earlier about doing the right thing, taking tough decisions, taking really tough decisions. Can you give us an example of what those tough decisions are, what does that actually mean taking tough decisions?

Mayor

Leader of the council.

Councillor M Coxshall

As we go through the next stage, we have to look at levers to pay this back, there's no free money and the levers are the tough decisions, and the levers are multiple levers which we will go through and bring forward here. We all know there are assets, council tax, loans, extended loans, agreements but we could there is loads of different levers and as soon as we have got all the levers and what the options are the tough decisions be made with consultation with everyone here. Then we go back to the first question about secrecy, that won't happen with me and as soon as those tough decisions are made in consultation with everyone and I won't move forward without having conversations and, but my decisions would be made as leader, just like if you were sitting here Councillor Kent, in the end the decision falls heavy on me.

3. From Councillor Worrall to Councillor M Coxshall

At the July Cabinet meeting it was agreed to release a significant number of council owned assets for sale. Can the Leader give an update on the sale of these assets and how much has been raised since July?

Mayor

Leader of the council, please respond to the question.

Councillor M Coxshall

Since July there has been eight properties that have been sold so far, totalling £2.6 million. A further 43 properties have been approved for disposal and 10 of these are currently in negotiations or undergoing marketing. The remainder would be sold and brought to the market in phases going forward.

Mayor

Councillor Worrall do you wish to pose a supplementary question.

Councillor Worrall

Yes, thank you Mister Mayor, in the financial briefing report that goes to cabinet next week, the commissioner's reports state an exercise has commenced to identify opportunities for further capital receipts to be generated through the disposal of assets. Can you assure councillors that in the spirit of your very public commitment to be open and transparency, councillors will have an input into the assets that are considered to be at risk or will we simply find out what assets will be sold in the next financial year briefing.

Mayor

Leader of the council.

Councillor Coxshall

No, I actually hope to bring that to more members, to the relevant overview and scrutiny committees. The decisions at this time, I say at this time depends on what the BVI reports comes back with, and the government decides to change the commissioner's position. At the moment those decisions lay locally, and I cannot see how one cabinet of ten, how ten people should be making those decisions, we all should, having views that's why cabinet was delayed so overview and scrutiny could be listened to and to take their views on board of that. I urge the cabinet members and overview and scrutiny members of your party and everyone else to make that in their overview and scrutiny recommendations to cabinet on the 14<sup>th</sup> and I'm certainly put that in words and change that and make sure that does come to us as wide as

possible and that list shouldn't just be kept to me or the cabinet or my group it should be everyone able to see that and comment on because no one's got the locus on what's good or bad to go.

Mayor

Councillor Worrall do you wish to pose a second supplementary question.

Councillor Worrall

I do, thank you Mister Mayor and thank you for that because up until now you've just mentioned a whole load of assets that are being sold. I haven't got a clue what they are, I don't know if they are on my ward, I don't know whether they are where I live, I don't know if there are services that I use or a building that I use, I haven't got a clue what your selling, so the sooner we all get to see that the better. But Thurrock residents obviously during covid you know the reverend said tonight that we used all of our spaces you know as social interaction you know and we've got a whole host of open spaces in Thurrock and many residents are involved with using those open spaces for the housing development we've fought to keep our open spaces and for the mental wellbeing of our residents many got involved in allotments and you know to get over what was going on, so can you assure us that were not going lose parks, were not going to lose our green spaces and our allotments, please they can't be at risk.

Mayor

Leader of the Council

Councillor M Coxshall

My moto is work, live and play in the planning and I've been here six years getting excited about delivering our local plan and that means you've got to work for a good person, so a good employer here and earn a good wage for whatever job you do and then you got to live somewhere in a nice home and then got to play and play is part of them open spaces and enjoyment if you remove all places of enjoyment plots and anything else you end up with a pressure that comes back to this council and if you can't have that, so I completely understand that is going to be what our open spaces are what good quality open spaces look like and that's part of the local plan but then there may be some surplus spaces but we've got to make sure that what is available is good quality and making sure it is available for the communities and for people to take their kids to, when George was younger used to take him to parks. I've realised that and I think the officers here and the commissioners also realised that their first comment was we don't, were not here to remove things arbitrary were still local government officers and were still local government councillors who have got to deliver what comes out of this has got to be a council sustainable that includes good spaces, good venues, making sure we deliver for the community who elect us here, that live

here, we have to live in a ward I don't want to destroy that, where I live, why should I and I'll be stopping it just as much as you know are fighting it.

### **QUESTIONS FROM MEMBERS TO CABINET MEMBERS, COMMITTEE CHAIRS AND MEMBERS APPOINTED TO REPRESENT THE COUNCIL ON A JOINT COMMITTEE**

In the absence of Councillor Byrne, written responses to questions 1 and 2 will be provided to Councillor Byrne.

3. From Councillor Muldowney to Councillor M Coxshall

Further to my questions at the 13 October 2022 Council meeting about the money owing to the Elsie Florence Grover/Flat Irons Field Trust, please can the Portfolio Holder confirm that this money will be hypothecated for use in Chadwell for the benefit of Chadwell's children?

Mayor

Councillor Coxshall

Councillor Coxshall

I am so glad to answer this question now, any monies derived from the letting of this land will be used for the benefit of the young people in line with the original wishes of Elsie Florence Grover and as set out in the Charitable Objects of that Playing Field Trust.

Mayor

Councillor Muldowney do you wish to pose a supplementary question.

Councillor Muldowney

Thank you, Mister Mayor and thank you I welcome that response and we have a lot of need for it in Chadwell, so I am really happy about that. Just as I was looking, obviously the last meeting I asked when the money that was supposed to be paid in was going to be paid in, actually this was the September meeting that was rearranged for the 13 October, and you did kindly say you would expedite that, but I did notice tonight that there is still no further money has been paid into the account. So, by my calculations were still missing £3,880 for the last four years, where there had been small amounts have been paid in and then there are thousands missing from quite a few years before that so can I ask personally to expedite that please.

Mayor

Councillor Coxshall

Councillor Coxshall

Sorry Mister Mayor. I certainly will because there is a legal obligation to the charities commission that we must be doing that and I take that up tomorrow to make sure that money is there and we are abiding by the charity commission rules.

Mayor

Councillor Muldowney do you wish to pose a second supplementary question.

Councillor Muldowney

No thank you.

4. From Councillor Worrall to Councillor Spillman

The council housing waiting list continues to increase and now sits at about 8000 applicants. What direct action are you taking to provide more homes for those on the housing waiting list?

Mayor

Councillor Spillman

Councillor Spillman

Thank you for that Councillor Worrall. I have reliably informed that it is 6669 on the waiting list of that there is 5121 applicants and then there 1548 applicants who are on the transfer list who are already tenants of Thurrock Council, or other social provider, who are looking to move to another property of the same size. So, a lot of them are transfers. Within in that 5121, there is also a lot that are inactive as well. Now that's just to clarify I am not going to say that for me 3000 4000 2000 8000 is all thousands too many. So, you know I accept that I am not trying to downplay the level of demand. In terms of what we've been doing we've got about 800 units that are in progression and there's also a section that have gone through the scheme that we worked on together that are in consultation with members but aren't actually publicly publicised at the moment, so that's where we are at the moment.

Mayor

Councillor Worrall do you wish to pose a supplementary question.

Councillor Worrall

Yes, certainly Mister Mayor. When you took over the housing portfolio in your first report to this chamber you clearly stated that you had an ambitious plan to build new homes for Thurrock families. I absolutely welcomed this and believed that you would get to work to deliver on your promises to build hundreds of new homes. Just last year you came to scrutiny and announced

that CO1 was coming down and new flats would be built and then nothing, you know of all the announcements of the hundreds of homes what's gone wrong and where are all the new homes that promised?

Mayor

Councillor Spillman

Councillor Spillman

I think it would be a struggle for anyone to start in May last year and have hundreds of homes built by this council. It's a long process, goes through planning and all sorts of bits and pieces but can actually give you an update on where we are on each individual scheme so Aveley Library Hall that 16 units is preparing for planning submission, Broxbourne Drive 33 units is being prepared for planning submission, Civic Offices CO1 77 units is at technical design, Culver Centre 173 units is at planning approval stage, Darnley/Crown Road Car Park is preparing for planning submission that's another 53 units, Loewen Road that's four units on site, Lyndhurst Road is eight units at technical design stage, Teviot Avenue is 59 units at technical design, Vigerons Way is planning submitted 8 units, Blackshots is at feasibility 240 units and there are various other schemes that are in feasibility at 49 units as well as a group of properties that are not in the public domain as well so I hope you can tell from that list I have not just been sitting on my backside.

Mayor

Councillor Worrall do you wish to pose a second supplementary question.

Councillor Worrall

Of course, Mister Mayor. So, I'm not surprised you have got the list because we have also seen the list, security have been sites and they are all on the housing development list. We had big announcements to build big numbers of new homes, we've had consultations, but they don't go anywhere. Sites that were identified for council homes are either standing vacant, they've got overgrown patches, hoarding around them or they are now up to sale to private developers, we've not had a spade in the ground for any significant development. What is your message to those families that are waiting to be housed, stuck in high rise flats, week after week there is nothing for them to be bidding on. Luke you should, you know, on top of this, you come here and said I'm going to build build build just like you've won the pools and you know you've not. We have got one big announcement after another, and nothing comes forward and people deserve to have good homes to be living in and its all come to a big standstill.

Mayor

Councillor Spillman

### Councillor Spillman

I'm not sure what the question was there but it sounds like a sort of answer you had written before I had actually read out the second answer because I've just announced what we are doing with 800 units so perhaps you should not pre-judge your answers before you get the information. [Councillor Worrall – I asked what you would say to those families suck in those flats, that was my question]. So, what I wouldn't do is have a scheme already in place for the high risers in Grays, like the Labour administration did, and then bottle it because they think they were going to lose an election to UKIP. That's what I wouldn't do and that's on the record and a lot of you voted against it on that basis, didn't you, you thought you would lose a seat, so you pulled a scheme. So that is the sort of thing that I will not be doing. But in terms of the build if we can get back to sensible talk, there are challenges, our schemes built in inflation, but they did not build into their programmes the risk of a global energy war and that is a big challenge, interest rates are our big challenge and these are set to go higher, these are international interest rates. Every time the federal reserve raises interest rates in America, we have to follow that as well and that is a massive extra expense that we have to negotiate so a lot of these schemes will need to be looked at again, but I can assure you that these schemes will go with full consultation of opposition members. Thank you.

### 5. From Councillor Watson to Councillor Maney

Can the Portfolio Holder for Enforcement please tell me what support the Council is providing to the police in the continuing battle against car cruisers around Lakeside in West Thurrock?

### Mayor

Councillor Maney

### Councillor Maney

Thank you, Mister Mayor and thank you Councillor Watson for your question. Indeed, sadly Mister Mayor it is the case that car cruising is an on-going problem at Lakeside. It has been for very many years now. The council is offering a range of support and advise to the police but before coming to that I do think I need to stress that this is essentially a law enforcement issue rather than a highways matter and is obviously only so much we can do in that regard [disturbance from the public gallery]. So, as I was saying it was essentially a law enforcement issue but there are things the council can do indeed the gentlemen's unhelpful contribution there, just highlighted the fact that the council was able to secure public spaces protection order not only if we managed to secure it our enforcement officers have actually been out on the ground with the police helping to enforce that two nights last month our enforcement officers were out there offering, boots on the ground and that resulted in 11 fixed penalty notices issues for contraventions to the PSPO, six section 59 warnings were issued by Essex police as a result of our

enforcement officers supporting them in that endeavour and we will continue. We will continue those enforcement operations, but I have to stress again it is a law enforcement issue, we are not the police. Our transport services team offers practical advice and support to the police and will continue to do that you know that there's an upcoming meeting with Essex police where we will, we will attend, I will attend, our highways officers will attend, and we will listen to the police and offer them any technical advice that we can. There's not much more I can really say on that I think we also have to bear in mind as well that when physical highways measures have been implemented in other parts of Lakeside it simply shifted the problem elsewhere. Previously the cruising took place near what was known as a dumbbell roundabout, the Highways Agency as it was then reconfigured the road and within no time at all it simply moved to another part of the network so we have to bear that in mind if the council was to fund highways measures it would of course be at the expense of the schemes and we've deemed as priorities. It is likely that the problem would just still shift somewhere else and it's not really feasible or reasonable to expect the council to chase the problem as it progresses around the network and put in highway schemes when it is, it's the law that is essentially being broken. Thank you, Mister Mayor.

Mayor

Councillor Watson do you wish to pose a supplementary question.

Councillor Watson

Yes please, Thank you, Councillor Maney, I think we need to have a little bit of a think about what's happening tight now down there in West Thurrock. I don't know what you have been told but I will tell you this much although we welcome the 73 police officers that we've been bragging about, which is a great thing they are not response police officers at all. West Thurrock is lawless. Night come the drones come down, they come out the road racers come out. They are actually so organised that they are on Instagram, they are bragging about it before they've even got into West Thurrock. They go from Maidstone, Dartford, Beckton into West Thurrock, Basildon, Pitsea, Southend – that is how they are playing with. About six weeks ago 150 cars showed up at West Thurrock for car racing they go and sit in TGI Friday's car park where they then take turns to race. We know last week there was a serious accident between a racer and an everyday normal person going about their business, they got hit at 100 miles an hour. We also know, I know my residents are scared to go out after nine o'clock at night and they are scared to even like come home after that, they are constantly checking Instagram because their mental health wellbeing is just not great. Actually, if they go out after that time they are raced against. The police turn up, one car, there is only about three cars that cover Harlow, Thurrock, Southend and Basildon and they chase them down and the police now have lasers in their eyes, they're being thrown things at, and it is absolutely law-less in West Thurrock nobody goes there after 9 o'clock at night, these races are not just weekends now, these races start from Wednesday to Sunday. Also, these people, those car cruisers then decide they want to go to the toilet, and they use the residents houses and

gardens just to do that in. So, we are at the point where it's gone past anything we can ever have imagined happening so something now needs to happen so I am asking you there must be a way the council can help and support the police, I know you've got a meeting on the 19 December because that is how bad it has got. It has had to take a question to come to council, my question, that we now have a meeting with the police on the 19 December, forget the fact that I've been having meetings with the police before you even knew about all of this so what can you do right now Councillor Maney to try and influence and stop some of this before the 19 December when were supposed to be coming up with solutions, because my residents mental health and wellbeing is seriously a great concern right now and that estate is being bigger, not smaller. Thank you.

Mayor

Councillor Maney

Councillor Maney

Thank you, Mister Mayor. There is a lot of respond to, so I'll try. In terms of what I can do right now, probably not a lot, because I'm here but there is not a great deal I can do personally anyway of my own accord. If I could it would involve an anti-air-craft gun but I'm afraid, you know as I said, there are constraints on what we can do. I know you have been very much involved in this, but I do have to challenge the idea that it's only receiving attention because you brought this question, this is a constant issue at the safer Thurrock community partnership and as I said we've been working with the police for some time, and this is not the first time this has been brought to the chambers. Its one of those perennial issues I'm afraid which successive members have brought to the chamber. I've had much dialogue with Councillor Abbas on it who's vociferous in his assertion that we need to do something. All of what you have said is true, but it doesn't make it the council's responsibility. I know those things are happening, they have been happening for a long time. Now there's been a lot of residential development in West Thurrock or that part of Lakeside, it puts a new dimension on it because if not an activity that has just taken place in the retail hub it's taking place in a residential area and I agree with everything you said but I noticed what you didn't do is suggest what you think the council can do and I think therein lies the issue. It's easy to when you get no relief from the police or another authority to just blame the council now, they are easy ones but every one of those things that you mention is a criminal offense it's not the highways issue there somebody's urinating in somebody's else's garden it isn't a highways issue that people are shining lasers in police officers eyes it is a criminal offense and we are not law enforcers. I've listed some of the action that we've taken we stand ready to work alongside the police but realistically what is it you're asking us to do? Dig up the road, what? I don't know. If you are asking for highway schemes to be put in place then it is going to be at the expense of all those other schemes that we've spent the year identifying as priority, many of them have been raised by members who what their roads resurfacing, who wants crossings outside schools they will fall by the wayside

if we expect it to then use what little revenue by the ITB to fund a scheme in the part of the borough where really there just needs to be law enforcements. I am happy to attend the meeting and listen to what they have to say but we all need to recognise there are limitations in what the council can do. If you have a suggestion, let's hear them. Thank you, Mister Mayor.

Mayor

Councillor Watson do you wish to pose a second supplementary question.

Councillor Watson

Thank you. I have got suggestions actually and I have been suggesting them for so long that I've given up suggesting. So first of all I think its down to the residents if they want like calming measures along West Thurrock Road because they've been told over and over again by the council they can't, because of the disyllables of a lorry going over is just too much for them but I think you give them that option when they doing night after night of racing from 9 o'clock to 3 o'clock in the morning that's one. Secondly, I can suggest that we have a conversation with TGI Friday to shut their car park, every single night to put a gate across in order to stop them parking in there because that's not happening. We do have an enforcement team that supports and helps the police and why can't we pay the extra overtime regardless of what our financial situation is right now to then could help and right with the police and doing all of that and the fourth thing is Councillor Abbas has done nothing on all of this, its down to us. Thank you.

Mayor

Councillor Maney

Councillor Maney

Thank you, Mister Mayor. There's almost a whiff of local elections in the air isn't there. Well, the idea that Councillor Abbas hasn't done anything about this I'm afraid is untrue. What he hasn't done, is grandstand, he has had a lot of conversations with me, he's fed back lots of information, he's not using it for political gain, he's working to get results and that is what we were focused on. I mean we should be talking to some of the retailers and asking them to close their car park, you're a ward councillor, why can't you do it. Why does it need to come from the council? You say our enforcement officers should be out with the police, I have told you they are but again it's at the expense of other operations isn't it. We have councillors complaining about HGV parking in their wards, that's directly affecting residents. Are you suggesting that we just pull them out from every other ward and focus on the car cruising in West Thurrock and abandon our other obligations in other wards? The fact we cannot channel every available resource into West Thurrock for an issue, doesn't matter how much noise we hear from the public gallery, it's not going to change the fact we have fine line resources we have councillors and members of the public complaining about other anti-social activities in other

parts of the borough we can't neglect to that and pour all our resources into West Thurrock. I can only repeat this is something that is discussed regularly at the community safety partnership. It will be aware and that is the right channel to look at these kind of things and you know where there are practical solutions we will implement them but it is a bit fanciful to think that we can just bung in a highway scheme and that's job done as I said to you this was a problem in another stretch of the road network around Lakeside, a highway scheme was put in and its simply shifted and is something we have to bear in mind if we were to put traffic calming scheme in we have to assess the implications for traffic movement and traffic flow and that kind of thing the idea that they would all pack up and go away is a bit fanciful. They will simply move to another part of the network and will be asked to do this all over again, so we have to make sure when we were allocated money that is value for money but as I say I look forward to the meeting we look forward to what the police have to say and will continue to work with them as best we can. Thank you, Mister Mayor.

6. From Councillor Pearce to Councillor Maney

What measures does the Council employ to ensure that traders in Thurrock who sell age restricted items or services comply with the law?

Mayor

Councillor Maney please respond to the question.

Councillor Maney

Thank you, Mister Mayor, and thank you Councillor Pearce for your question. Mister Mayor, Trading Standards are responsible for the enforcement of age restricted items and services on behalf of the local authority. The teams work with colleagues across the wider Council such as Public Health, the Community Safety Partnership and Licensing team as well as with other partners such as the police to ensure compliance with the law. The most common age restricted products include alcohol, tobacco, vapes and knives but the council also looks at the sale of fireworks, aerosols and other items on an intelligence led basis. The council uses various tools in their approach to tackling retailers selling age restricted goods, and that can include general advice for retailers including the provision of responsible retailer packs, challenge 25 checks and underage sales test purchases which should tell the use of underage volunteers who then attempt to buy age restricted goods. Mister Mayor, when contraventions are found be under no doubt the council will always take appropriate action, this could be anything from the issuing of a warning to prosecution or a licence review in the case of alcohol something which our licensing committee can be called upon to undertake. Conditions can also be attached to licensee in order to ensure safeguards against the sale of underage items. The activity taken by the council in respect of enforcing age restricted sales is naturally underpinned by the law and that this can be complex and means that we have basically, we need intelligence before we can carry out some of our operations, but I hope what I've said

gives Councillor Pearce a brief overview of some of the things we do. If you've got specific concerns, I'm happy to discuss them with you in more detail. That is only a few of the things that we can do to enforce the law but as I say I'm happy to discuss any particular concerns that you may have.

Mayor

Councillor Pearce do you wish to pose a supplementary question.

Councillor Pearce

Thank you, Mister Mayor, and thank you Councillor Maney for that answer. As parents and corporate parents, I am sure we were pleased to hear that the council takes enforcement of age restricted sales very seriously. Sadly, there is obviously those that break the law in making those underage sales and I understand that test purchase operations undertaken by the council reduced during covid 19 for obvious reasons. So can Councillor Maney give assurances that these are now recommenced and remain ongoing.

Mayor

Councillor Maney

Councillor Maney

Thank you, Mister Mayor, and thank you Councillor Pearce for your supplementary question. Yes, for obvious reasons during the pandemic test purchase operations did have to be scaled back or stopped altogether, they haven't stopped completely they have resumed with some success, and I have discussed with officers the need to escalate the use of test purchasing as somebody who is a long standing member of the licensing committee I've sat on many licensing reviews which have been triggered purely as a result of this council undertaking test purchase operations and I know what this is one of the most effective ways to ensure compliance with the law. As I said I've discussed with officers the need to step up test purchasing operations, they are of a same mind and providing we can get the volunteers we will very much be continuing with test purchase operations, thank you Mister Mayor.

Mayor

Councillor Pearce do you wish to pose a second supplementary question.

Councillor Pearce

Yes, please Mister Mayor. I have a particular interest in the underage sales of alcohol, given the direct health risks that this causes with anti-social behaviour etc. Whilst most traders in my ward are responsible how can my residents in Aveley report any concerns about local underage sales to the council, thank you.

Mayor

Councillor Maney

Councillor Maney

Thank you, Mister Mayor. As I said in my answer the council relies heavily on intelligence so the reports that we get from ward members or members of the public is actually vital. We use covert cameras when we carry out these operations and in order to get the permissions to do that there has to be a level of intelligence, so it is a pertinent question. In terms of how they can bring it to the council's attention, I know the most effective ways to do that is to do that through your ward councillor. Councillor Redsell and I have over the years have several residents come to use as they don't often what to make that approach and have asked us to pass on their concerns to the council, which we've done. In addition to that they can actually report underage sales online and I'm happy to provide you with the link after the meeting if that helps, in fact to all members if that is something they would like to have. They can anonymously report their concerns to the council, we always respond, we always respond to those concerns and if the evidence or the basic evidence is there to warrant further operations that will follow. Thank you, Mister Mayor.

7. From Councillor Fish to Councillor D Arnold

The first IMWC has now opened in Corringham, an area of the borough with the lowest health inequality. Can the Portfolio Holder tell me when the other IMWCs in areas such as Tilbury will be opening?

Mayor

Councillor Arnold would you like to respond.

Councillor Arnold

Thank you, Mister Mayor, and thank you councillor for your question, what the short answer is and what you already know Councillor Fish is I can't actually tell you when the other IMCs will be opening but you do already know that. I was listening to live to the HOSC meeting you attended when Tiffany Hemmings from the NHS gave her update and I to completely share your frustrations, which is why the completion of the IMCs has always been and will continue to be a high priority. This administration had supported officers and NHS in this endeavour and will continue to make representation to the NHS and the secretary of state on behalf of Thurrock residents as members of the Health and Wellbeing Overview and Scrutiny Committee, Councillor Fish, I would very much appreciate and welcome your continued help and challenge of health partners such as the NHS but let's be very honest here it means that you know like I know it's not in my gift, it's not in this administration's gift and nor is it in the councils gift to determine when and how the NHS and NHS England choose to focus and spend their budget, the gift of supplying you an opening date lies solely with the NHS.

Mayor

Councillor Fish do you wish to pose a supplementary question.

Councillor Fish

Thank you, Mister Mayor. So, we've both accept that the IMWCs are under some threat at the moment, what alternative plans do you have to make sure the people of Thurrock receive the best possible healthcare.

Mayor

Councillor Arnold

Councillor Arnold

Thank you, Mister Mayor. I did not hear her say or councillor say they were under threat, what I heard her saying was that they were going to maintain focus on making sure services from Orsett hospital be maintained and are kept in Thurrock, but she wasn't able to determine when the buildings or where those buildings would be. Now I know the chair of HOSC shares your frustrations, and I think if I am right, she's coming back to do another presentation in January. I've asked for a meeting; I've written NHS leads. The acting Chief Executive has written to NHS leads, the MP has spoken to NHS leads and to the secretary of state and ministers. We are all focused on trying to get a meeting together now, to have everybody in that room and actually sort out and help each other with what issues is we both have to get Tilbury IMC moving.

Mayor

Councillor Fish do you wish to pose a second supplementary question.

Councillor Fish

So, thank you Mister Mayor. So, from your answer it seems that your just focusing on the IMWCs when we know there is a significant funding shortage in those which may not be able to made up. So, are you at the same time working on alternative plans to make sure that if those IMWCs do not happen there will be other provisions?

Mayor

Councillor Arnold

Councillor Arnold

Thank you, Mister Mayor. Yes, absolutely, and that is what Tiffany emanated as well. So the NHS are looking at this as well it's their funding issues, their funding gaps, but until they get those, the outline business cases, so until they

get that back from NHS England on whether they can or can't have funding or how that funding is going to be we don't know how we can help them but what she did say and what we are all focused on is making sure that those healthcare services stay in Thurrock they might not be in those buildings immediately but they will be somewhere in order to improve health inequalities across the borough.

8. From Councillor Shinnick to Councillor Abbas

This year Orchard Community forum paid for the road closure in Grays to facilitate the Remembrance Service can the Portfolio Holder for Communities consider that council fund this next year?

Mayor

Councillor Abbas please respond to the question.

Councillor Abbas

Thank you, Mister Mayor, and thank you councillor for your question.

Orchard Community Forum are working in partnership with Grays Royal British Legion to plan and organise the Grays Remembrance Service. This year the forum applied and received a grant through the Community Fund to meet these costs. Remembrance Services are not organised by the Council, and those planning events are encouraged to give early consideration to the costs involved so that appropriate funds can be raised in advance.

Mayor

Councillor Shinnick do you wish to pose a supplementary question.

Councillor Shinnick

I couldn't really understand a word that you were saying but I will go on. Remembrance day is all about standing side by side and remembering all those lost in battle in a war. I was concerned to see that a photograph taken by Thurrock Council, you tweeted and had my face erased and members of my party. This day is not a political day it is to remember the fallen who sacrificed their lives for us. Can the portfolio holder of communities please tell us why you felt the need to do this?

Mayor

Councillor Abbas

Councillor Abbas

I have official council account and I have not published that picture which the councillor is mentioning, and I will only answer questions which are related to the original question, thank you.

Mayor

Councillor Shinnick do you wish to pose a second supplementary question.

Councillor Shinnick

I would just like to say that in future you need to think before you do these things. I was so upset about this it was so untrue what he done. When my father fought in the war and fellow members of my families died, he does stuff like that.

Mayor

I fully appreciate the motion councillor, but it does need to relate to the actual question tabled.

9. From Councillor J Kent to Councillor Snell

What level of Council Tax increase does the portfolio holder anticipate recommending for next year?

Mayor

Councillor Snell please respond to the question.

Councillor Snell

Thank you, Mister Mayor, and thank you Councillor Kent for your question. As you know the government have given us the flexibility to raise council tax up to 5% which is the 3% plus the 2% ASC precept without the need for a local referendum. We will be considering rises within that envelope when we have our budget setting conversations, we haven't had those conversations but that will be the envelope that we will be discussing it. Thank you.

Mayor

Councillor J Kent do you wish to pose a supplementary question.

Councillor J Kent

Mister Mayor, earlier this evening the leader of the council was talking of negotiations with the government and looking what the ask of government what would be in relation to the extraordinary financial support that this council needs. Does the portfolio holder intend that part of that negotiation will be asking for permission to raise council tax by more than 5% without the need for a referendum?

Mayor

Councillor Snell

Councillor Snell

Thank you, Mister Mayor, and thank you John. Yup there is that possibility but there have been no decisions on that yet but should there be that decision will come to this chamber for us all to make that decision. Thank you.

Mayor

Councillor J Kent do you wish to pose a second supplementary question.

Councillor J Kent

So, for clarity Mister Mayor the portfolio holder for finance is saying that there is every chance that the council will be asking government for permission to raise council tax by more than 5% without going to referendum first. Can I ask the portfolio holder to rule out any increase in council tax of more than 5% without referendum?

Mayor

Councillor Snell

Councillor Snell

Thank you, Mister Mayor, and thank you for your question, Councillor Kent. Unfortunately, I can't rule that out, no. That decision won't be ours; the commissioners will make that decision whether that will be raised or otherwise or whether the least the option to raise it will come to this chamber and if that decision is made, bearing in mind no decision has been made yet, we will discuss that here, but I have to stress there has been no decision on that yet at this stage. Thank you.

10. From Councillor J Kent to Councillor Abbas

Does the Portfolio Holder support the continuation of the theatre, library, museum, and other cultural and heritage services from the Thameside Complex?

Mayor

Councillor Abbas please respond to the question.

Councillor Abbas

Thank you, Mister Mayor, and thank you councillor for your question. I support the continuation of Thurrock libraries, museum and other cultural and heritage services in our borough, our libraries, museum and theatres are open, and residents are welcomed to visit these facilities.

Mayor

Councillor J Kent do you wish to pose a supplementary question.

Councillor J Kent

I take that answer as a no then Mister Mayor. I was very specific does the portfolio holder support the continuation of theatre library museum and other cultural heritage services from the Thameside Complex. The portfolio holder says he supports their continuation within the borough, so I ask the question again does he support the continuation of those services from the Thameside Complex.

Mayor

Councillor Abbas

Councillor Abbas

My priority is services and obviously I will support a running theatre, an open museum and libraries.

Mayor

Councillor J Kent do you wish to pose a second supplementary question.

Councillor J Kent

Mister Mayor, the portfolio holder has been the portfolio holder since May, the Thameside Complex has been opened for over 50 years does he really want his legacy to be that of the man who finally brought the curtain down on 50 years of the Thameside.

Mayor

Councillor Abbas

Councillor Abbas

Thank you, Mister Mayor, and thank you councillor for your question, I think the councillor is struggling to understand the difference between services and assets. Assets is not under my portfolio, then if the councillor has any questions, then obviously, I am more than happy to sign post this to the relevant portfolio holder and he will be more than happy to help and assist you.

## Minutes of the Meeting of the Extraordinary Council held on 9 January 2023 at 7.00 pm

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**Present:** Councillors James Halden (Mayor), Susan Little (Deputy Mayor), John Allen, Alex Anderson, Deborah Arnold, Paul Arnold, Gary Byrne, Adam Carter, Daniel Chukwu, Colin Churchman, Gary Collins, George Coxshall, Mark Coxshall, Jack Duffin, Robert Gledhill, Shane Hebb, Victoria Holloway, Andrew Jefferies, Barry Johnson, Tom Kelly, Cathy Kent, John Kent, Martin Kerin, Steve Liddiard, Ben Maney, Fraser Massey, Allen Mayes, Sara Muldowney, Augustine Ononaji, Srikanth Panjala, Maureen Pearce, Terry Piccolo, Jane Potheary, Shane Ralph, Kairen Raper, Joycelyn Redsell, Sue Sammons, Jennifer Smith, Graham Snell, Luke Spillman, James Thandi and Lee Watson

**Apologies:** Councillors Qaisar Abbas, Chris Baker, Tony Fish, Georgette Polley, Elizabeth Rigby, Sue Shinnick and Lynn Worrall

**In attendance:** Ian Wake, Acting Chief Executive  
John Jones, Director Law & Governance, and Monitoring Officer  
Mark Bradbury, Interim Director of Place  
Jackie Hinchliffe, Director of HR, OD & Transformation  
Gareth Moss, Chief Finance Officer  
Sheila Murphy, Corporate Director of Children's Service  
Ewelina Sorbjan, Interim Director Housing  
Karen Wheeler, Director Strategy, Engagement and Growth  
Jonathan Wilson, Interim Director Finance & S151 Officer  
Matthew Boulter, Democratic Services Manager and Deputy Monitoring Officer  
Jenny Shade, Senior Democratic Services Officer

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

The Mayor paid his respect to former Councillor Jan Baker who had sadly passed.

Councillor J Kent extended those condolences and announced that former Councillor Peter Maynard had sadly passed today.

A one-minute silence was held.

### **91. Declaration of Interests**

There were no interests declared.

## **92. Section 114 Report and Chief Executive's Response**

The Mayor invited the Acting Director of Finance and Section 151 Officer, Jonathan Wilson, to present the report which had set out the background to the Section 114 report issued on the 19 December 2022. This was a statutory report which confirmed the council would not have the resources to deliver its expenditure in the current financial year and would seek exceptional financial support from Central Government. This had been followed by an intervention package which had been implemented by the Department of Levelling Up, Housing and Communities on the 2 September 2022 in response to the considered failures of the Council in respect to the best value duties. This included the scale of the financial and commercial risks faced by the authority which had links to specific investments made by the Council under the investment strategy that was in place.

The quarter 2 report presented to cabinet on the 14 December 2022 confirmed the current assessed level of that financial risk and the projected loss for 2022/23 as £452 million and the details of that figure were contained within the report. Further assistance would be required for 2023/24, which would enable a budget to be set with a current projected funding gap at £184 million.

The Council would need to demonstrate to government that it was taking all action possible to improve the financial position. This was in addition to seeking financial support. Further reports would be presented to the relevant committees setting out those plans. The impacts of the Section 114 on the Council meant the Council would not enter into any new agreements for expenditure and that would last at least until the 31 March 2024. This would be supported by a controlled framework which was set out in the report. This would apply to all statutory services.

Jonathan Wilson stated the Section 114 report was a serious matter and would impact on the future operating model of the Council. The Council would continue to operate statutory services including those services for children and adults and continue to pay all existing creditors and contracts. The meeting had been required to take place for the Council to consider the contents of the report with elected members, taking responsibility to make choices and decisions to reduce costs immediately and to support the reduction of that deficit.

The Mayor then invited the Acting Chief Executive to speak. Ian Wake stated the report provided a response, on behalf of the Head of Paid Service and more broadly Directors' Board, to the Acting Section 151 Officer's report. Ian Wake stated this was a report that no officer ever wanted to have to write or present nor one that Members wanted to hear. The situation set out in the Section 151 Officer's report was an incredibly serious one that required urgent, concerted and ongoing action by the entire organisation to support a path back to financial and operational sustainability.

The in-year deficit of £452 million in this financial year and £184 million in next financial year was unprecedented. The recovery would demand collective ownership of the problem by officers and members and the focus of the entire organisation on a set of actions that would need to be taken. There should be no illusions about some of the extremely difficult decisions that Members and officers would need to make and deliver over the coming months and years. The 20-year MTFS model referenced in the report showed that the Council was going to need emergency financial support over both this financial year and next to set a balanced budget. Additional year-on-year financial support was yet to be negotiated with DLUHC. These negotiations were ongoing and were unlikely to be concluded before next year's budget was set. The support would be contingent on the Council demonstrating to DLUHC that they had done everything possible to support the financial recovery.

Members were referred to Section 4 of the report which set out the considerable amount of work undertaken over the past four months to understand and quantify the scope of the challenge being faced, and the steps that had already been taken to address that challenge.

Ian Wake put on public record his thanks to both officers and Members for their incredible hard work over the last four months in responding to the intervention. Ian Wake publicly acknowledged and thanked Jonathan Wilson who had stepped up into the Section 151 role at a time of crisis, and for the gargantuan effort and hundreds of excess hours that he had freely given, calmly and without a single word of complaint in delivering the financial diagnostic and financial recovery work to date and whose contribution had been outstanding.

The collective work of officers and Members in conjunction with commissioners to date had included: considerable work on financial diagnostics (whilst not entirely complete there was a very good understanding of the scale of the problem and challenge being faced); work to mitigate further loss on the three most problematic investments and ensure that returns were maximised; work to improve the capital, treasury and investment strategies in line with the directions themselves including debt reduction and updating the MRP policy to ensure compliance with the prudential code and prudent write down of existing investments; development of an asset review programme; Delivery Risk Assessment on existing savings programmes to ensure that they were realistic and delivery was on track; development of the first version of an Improvement and Recovery Plan to address the wider organisational issues that had underpinned financial failure.

This work would be iterated further once the BVI report was published, and the IRP would be brought back to this chamber as soon as possible. The IRP would act as the corporate improvement plan and would need to be owned by all. The Leader and Ian Wake had already taken significant steps to begin to improve organisational culture including a comprehensive programme of staff engagement at all levels of the organisation and work to improve officer-member and member-member relationships. The relationships between the Directors' Board and Cabinet already felt dramatically and positively improved

and he had been struck by the amount of positive feedback that had been received from staff about the changes that the Council had already made. Section 5 set out action that would need to continue in order to support financial and operational recovery and he discussed the five levers open to the Council: council tax increases; asset disposals; revenue savings through service reduction and transformation; capitalisation direction and exceptional financial support and growth. Every lever must be maximised within our own control to demonstrate to DLUHC the Council had taken every possible step to resolve their own financial problems.

Finally, a Section 114 Notice required the Council to put in place additional internal controls to prevent non-essential spend. These had been operating since the Section 114 had been declared on the 19 December 2022 and consisted of Directorate Spending Controls, an Expenditure Control Panel and a Strategic Spending Control Panel plus bespoke additional panels to control and approve spend on Adults and Children's Social Care placements and on recruitment.

Members were referred to the arrangements set out in Appendix 4 of the report, and he invited Members to approve the process. Ian Wake concluded by stating strong progress over the past four-months had been made but there was a long and difficult journey ahead. He stated it was his sincerest wish that the journey was one that the Council could take collectively and respectfully. Himself nor anyone in this chamber had all of the solutions or answers at this stage; some were yet to be negotiated with Government. When faced with a problem this intractable, the more voices that spoke up, the more input received, the more people who were engaged, the better the chance we had at developing the best solution for the borough. Ian Wake concluded on a positive note that he remained an optimist and that every crisis came with an opportunity. That opportunity was now to reset this organisation and build something new and start the journey ahead with the shared value of wanting to do the best for our Council, the best for our borough, and the best for our residents.

The Leader of the Council, Councillor Coxshall, stated that no doubt the last few weeks and months had been incredibly difficult and worrying times for residents of Thurrock. The financial position the Council was facing was severe and it was now important to restore confidence with the public and work together. The report was the final acknowledgement of the Council's financial problems and now in today's transition into recovery. The Leader had worked closely with the commissioners and Government to draft a recovery plan and had already started to improve the Council. The administration had been more honest and transparent and had started a journey of cultural change. All Members had been included at every turn and to look at how information was engaged with and presented. The senior officer team had been working to find areas of efficiency savings within the Council's budget and had benchmarked spending against other similar local authorities. The Leader stated the Council was in a better position to start making decisions on which financial levers needed to be pulled to change the current position of the Council into a success story that residents could rely on. The Leader took

this opportunity to thank all staff and Members and stated this was the opportunity to look forward and work together as 49 councillors, representing each part of this council, to turn the Council into a success story. Although it would be difficult to put differences aside, he asked Members to try.

Councillor John Kent stated the meeting this evening had shamed Thurrock and the stain of failure would remain with the Council for ever more. This evening had shown the consequences of six and a half years of Conservative leadership of the Council: a bankrupt council, the greatest financial crash of any British council ever; debt standing at £1.5 billion, losses of investments at £275 million, a funding gap of £452 million in this year's budget with a shortfall in next year's budget of £184 million; no prospect of a balanced budget until the next five years; accounts for the past two years yet to be signed off; and agreed to accept the Section 114 Notice.

Councillor Kent stated that as the figures were so large it was difficult to explain and comprehend them. From 25 May 2016, under the Conservative administration, £490,000 had been added to the debt every day they had formed the administration. With Councillor Coxshall and his deputy having sat on Cabinet every day of that time and throughout that time all had been a wall of secrecy, refusing the right to ask questions, falsely reassuring and spending £70,000 fighting through the courts to try and refuse to answer freedom of information requests. The Labour group had tried to warn them of the impending disaster and put on record their concerns at an extraordinary council in July 2020.

Councillor Kent referred to the five levers in turn. The first being council tax and made clear that the Labour group would not be supporting that recommendation as Thurrock residents were not responsible for this disaster. In Thurrock, 31% of any new business rates that were levied were retained and a strong case needed to be made to Government that more business rates that were generated in Thurrock should be kept by the Council to help with the recovery.

The second lever, the sale of assets, in July included 19 village and community halls and 10 scout halls, Councillor Kent looked for assurance that these had been transferred to the organisations that currently used and ran them. He also looked for assurances on the future provisions of the children's centres in Aveley, Purfleet and Stanford. There were seven pubs and various parcels of land on the list and again he sought assurances that the Council would work with the leaseholders of those pubs to ensure they can continue to run their businesses. Councillor Kent had concerns on what might be on the list for the next £65 million, in particular the future of the Thameside and Grangewaters. There would need to be transparency over asset sales and avoid assets being sold for less than their full value.

On revenue savings Councillor Kent stated there would be two new bodies to oversee spending, the Expenditure Control Panel and the Strategic Approval Panel who would meet five times a week to look at any new spend over £500 and will need to be signed off by the relevant director. There would need to be

revenue savings of £16 million for next year's budget and a minimum of 5% savings every year therefore for the foreseeable future. Spend on Adult and Children's social care placements would increase from 28.6% to 52.4%, in other words it would mean a portion of funding for every service that was not social care placements would be cut by a third. There was currently a review of all capital projects which would affect projects large and small, including the Grays Underpass and the Stanford le Hope Station. With the Council's elements of the Purfleet Regeneration under real threat as well as limited scope for delivering smaller projects such as play equipment for parks.

Councillor Kent referred to the growth lever and looked forward to seeing more work done on this in the coming months. It was important the link between growth and asset disposal to ensure that strategically important parcels of land were not given up too cheaply. Regarding unexceptional support from Government, initial help from the Government would be in the form of a capitalisation direction and that all Members needed to understand that capitalisation direction was additional borrowing to close the deficit each year and any new borrowing would come from the Government's Public Work Loans Board. The Council needed to push Government not to agree a 1% premium but rather a discount on those loans. It would need to be made clear that the Council could not borrow itself out of this crisis, borrowing to close the gap and set budgets would be a sticking plaster until 2028/29. After that time the Council would be in a downward debt spiral with nothing left to sell and nowhere left to go. Councillor Kent concluded by asking whether Government would allow Thurrock to exist as we know it today. Once the BVI report was available next month, a detailed view of how this catastrophe had been allowed to happen would be available and may identify some of those responsible. There had been a complete failure of leadership, political and managerial that had led to the total collapse of the Council's finances and threatened the very existence of this authority.

Councillor Byrne questioned why residents should trust any councillor with residents' money ever again with the track record being so appalling, having the control of thousands of pounds without any due diligence, councillors having no finance knowledge or any expertise. Those that take control in May would be saddled with an outrageous debt. With the latest disasters, Stanford Le Hope car park, Stanford Le Hope Station, the Brewery Site and the A13 proved how poor the financial decision making had been and questioned whether the financial stability of the borough should continue with some 30 members. Councillor Byrne questioned the qualification of the portfolio holder. History had proved that Members could no longer rely on advice from officers with due diligence being non-existent, false promises being made to the opposition and a lack of financial awareness. Statistics proved that the Administration was way out of their depth and should not be trusted in future. Councillor Byrne questioned why cabinet members were still making false promises and were still building a wall of silence, even seeing photographic evidence of administration Members with Liam Kavanagh. Again, Councillor Byrne questioned whether any Conservative member could be trusted with the borough's finances. Never again should a handful of unqualified Members

lead the Council. It was now time to stop showcasing, admit failings, be honest and admit they were not qualified to make decisions.

Councillor Massey reserved his right to speak.

Councillor Allen questioned whether Thurrock residents would be liable for the Council's debt and whether the residents could challenge the unjust rises in council tax if the recovery of such would be aimed at residents. Councillor Allen also questioned whether the Council would use enforcement action to recoup this council tax and it was unfair and shameful to expect tax paying Thurrock residents to bear the heavy burden of those mistakes made by some within the Council. Councillor Allen stated if this was the case, he would oppose any further council tax rise and feared the forced sale of assets would be the loss of land which should be used for future development sites for social housing.

Councillor Kerin stated what had been presented this evening was catastrophic for Thurrock residents now and for decades to come. With the Administration's incompetence the Council was now billions in debt and bankrupt, with a £469 million funding black hole, increased by £490,000 for every day the Administration had been in charge of the borough. Councillor Kerin stated the real tragedy was the Administration had been warned many times but had refused to heed those warnings. With the Leader being at the top table since 2016 he had done nothing to stop the unsustainable debt. Following a finance report made by the former cabinet member for finance at a cabinet meeting in July 2021 there had been no detailed questioning, any heeds of warning or challenges made by Councillor Coxshall or any other cabinet member. At an extraordinary council in July 2020, it was quoted why other local authorities were not undertaking the good investments that the Thurrock's Section 151 Officer was undertaking and that the Section 151 Officer may be poached by another local authority, to which Councillor Kerin stated those comments had not aged well.

There were also efforts to frustrate the truth by removing Labour members from their scrutiny chair roles, £70,000 had been spent to avoid freedom of information requests, with the Leader of the Opposition having to put his name to legal action forcing the Council to come clean. Where today, every financial decision must be referred to the commissioner, Thurrock Council was now a vassal of Essex County Council, reduced to merely looking at what minimum statutory services look like, and await to see what Education and Children's Services would look like. An urgent report needed to be presented on the impacts this bankruptcy would have on the children of Thurrock. Councillor Kerin concluded that these were sad times for the borough with the price tag being paid by many generations to come.

Councillor Watson stated in her mind there were two scenarios for local authorities going into Section 114, some councils go into Section 114 because they cannot genuinely afford it and other councils go into Section 114 because they are reckless with investment strategies and borrowing, this was where Thurrock was today looking at a Section 114. Councillor Watson could

not guarantee her ward residents the services they needed and that Thurrock residents should not be asked to bear the impact of the poor operations and poor decision making of senior officers and the Conservative Cabinet through extreme council tax increases or reduced services. She felt important preventative services, essential to the long-term wellbeing of residents and for the financial health of the council, were not sacrificed without a full review of the efficiency of the statutory services. The value that could be delivered through assets should be considered and not be led by the short term need to reduce the debt by giving them away for free. Councillor Watson stated that having wanted to be a councillor for three years she was angry and livid that she had to stand here today for a council that she loved which had now gone bankrupt.

Councillor C Kent stated that as a member of the Standard and Audit Committee she had asked questions regarding the investments which had now become clear she had been given false reassurances. Councillor Kent asked the Leader that in the time that he had sat on Cabinet when the investment strategy and financial updates had been presented why he had never raised a single question. The Leader was also questioned on what responsibility he would take on the financial crisis the Council had now found itself in.

Councillor Holloway stated the Labour group always knew that there was something not quite right with the council finances and was sad that the damage of this had been inflicted on residents. Councillor Holloway stated she was angry and outraged. The financial situation of the Council had taken up so much time, energy and thoughts of the Labour group over the years, with calls for transparency falling on deaf ears. The Council would not be in this position if Conservative members had given that attention, thought and detail to the finances of the Council. Councillor Holloway stated the Labour group were purposefully and continuously blocked, scrutiny chair roles were removed, and freedom of information requests blocked. As no information on those finances were shared, the Labour group called an extraordinary council in July 2020. Councillor Holloway read out a couple of quotes from that meeting, one made by Councillor Coxshall and asked for a public apology not just for the comments made at that meeting but for all the years the Labour groups concerns had been dismissed. Councillor Holloway stated the line "we didn't know" was now being used but stated this shamed the Conservative members, who had betrayed the electorate, those who had voted for them, who had given them the confidence and trust to administrate their council on their behalf.

Councillor Coxshall summed up by stating some of the comments were very helpful and was able to provide some assurances that business rates were an important lever, and that council tax was not the only lever. It was also important to look at the business retention. On the 2 September 2022 when Councillor Coxshall took over as leader of the council, one of the guiding principles of the Secretary of State was that this should not unduly burden taxpayers. He confirmed that the community asset that were leaving should be carried out as this was a revenue saving to the Council. Tenants were

priority in the three R's policy, and this had not changed. There was a need to maximise income from assets by not selling any assets under market value. Growth was ongoing and was an important lever which was a medium to long term activity which needed all Members to work together to deliver. Councillor Coxshall stated there had to be 49 Members or as many as possible to buy into policies coming forward and not just the vote of one party. With the cultural change being to ensure all Members make good decisions and understand those decisions. Councillor Coxshall guaranteed that heavy handed enforcement would never be used. Councillor Coxshall reiterated that he was truly sorry, he looked every day at what he could have done, what he could have said, what he should have said in the public and what conversations could have taken place at that time. Councillor Coxshall stated that once the BVI had been published more information would be available.

Jonathan Wilson stated the Section 114 Notice would create the ability to seek further support from Government, with some of the concerns raised this evening being recognised. There was a positive ongoing dialogue with the commissioners and the departments amongst the commissioners and that relationships had to be maintained and consideration of those levers had to be undertaken in detail with them. Jonathan Wilson stated that only through an open communication with commissioners and with the departments would the best possible outcome be achieved for residents and the Council would need to play a part in that.

Councillor Kent stated Labour Members would not endorse recommendation 1.2 but would vote in favour to note this recommendation.

Members were asked to vote on the amended recommendation 1.2 of the report. The result of that vote was:

For: (42), Against: (0), Abstain: (0)

The new recommendation 1.2 would read to note rather than to endorse.

*1.2 Note the Chief Executive's response to the Section 114 report, including the specific recommendations to Council set out in section 1 of the report. This includes the approval of Expenditure Control Processes put in place (and as set out in Appendix 4).*

Members were then asked to vote on the recommendations 1.1 to 1.4 as a block to which to all 42 members present voted in favour.

**RESOLVED. That Council:**

- 1. Endorse the findings set out in the Section 114 report.**
- 2. Note the Chief Executive's response to the Section 114 report, including the specific recommendations to Council set out in section 1 of the report. This includes the approval of Expenditure**

**Control Processes put in place (and as set out in Appendix 4).**

- 3. Note the Council's ongoing discussions with DLUHC in relation to the agreement of the exceptional financial support.**
- 4. Note the Chief Executive's response and that if it is not delivered, and/or sufficient savings are not identified, the s.151 Officer may issue a further s.114 report.**

**The meeting finished at 7.57 pm**

Approved as a true and correct record

**CHAIR**

**DATE**

**Any queries regarding these Minutes, please contact  
Democratic Services at [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)**

## **QUESTIONS FROM MEMBERS OF THE PUBLIC**

One question has been received from members of the public.

### **1. From Mr Perrin to Councillor Spillman**

Are you confident that tenants in Council housing are safe from hazards to their health and wellbeing, particularly with regard to damp and mould which, I believe, is a category 1 hazard?

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## Petitions Update Report

Petition No.	Description	Presented (date)	Presented (at)	Submitted (by)	Status
565	We the undersigned call on Thurrock Planning department to urgently re-engage with Persimmon Homes and use its enforcement powers to ensure the construction workers and residents of Stanford Meadow immediately desist from crossing the ditch between Persimmons Estate and the residents private land as a cut through access. We ask that Thurrock Council and Persimmon Homes work together to re-plan and install more robust security measures between the two estates which will reduce the loss of amenity caused by current lack of security and reduce the visibility from the new development into the above properties. Tree planting would not be a deterrent, also the cycle track/walkway has over a six-foot drop which it has never had before, and it risks injury or worse. A duty of care must be taken into account for the public using the area.	21/9/2022	Office	Cllr Hebb	Since September the planning case officer has been in positive dialogue with Persimmon about the matters raised by Members. Whilst Persimmon acknowledge that this is essentially a civil matter, they nonetheless recognise the concern this is causing for residents. Whilst not being required to carry out any form of works, Persimmon committed in December to put in a more permanent form of boundary treatment (albeit for a limited period) in the form of a chain link fence which will be installed on the boundary, whilst the landscaping establishes. In the long term the landscaping will provide a defensible boundary between the site and the established properties to the rear.
566	Call on the council to urgently provide a school crossing patrol on Daiglen Drive at its junction with Broxburn Drive.	30/11/2022	Council	Resident	The Transportation Services team have undertaken an assessment and calculation of the site. Initial data collection indicates that the location meets certain criteria for a School Crossing Patrol Guard (SCPG) to be considered. However, a business case for a SCPG would need to be progressed and funding identified and agreed.

## Petitions Update Report

					It should be noted that recruitment to SCPG posts has been difficult and there are currently 3 vacant SCPG locations which would need to be recruited to in advance of any approved recruitment process for the above site.
567	Call on Thurrock Council to urgently tackle noise nuisance, inconsiderate parking and litter at the Lighthouse Centre in Quarry Hill.	30/11/2022	Council	Cllr Fish	The Environmental Enforcement team have responded to complaints of waste issues connected to the area of the Lighthouse Centre in Quarry Hill, which resulted in fixed penalty notices being issued to offenders. There has been one service request for Quarry Hill in the last 6 months, and that was for the fly-tipping of a car seat and black bag of children's toys. The area has been checked and it was litter free, however there was some detritus, leaves and weeds which will be removed as part of winter works. The Street Cleansing Team will continue to monitor the area and clear accordingly. As Quarry Hill is public highway and is restricted by Double Yellow Lines, waiting restrictions and pay and display, it is regularly enforced by our Civil Enforcement Parking Team as it sits within Grays Controlled Parking Zone. In the last six months officers have carried out 1047 patrols and taken enforcement action by issuing two FPNs and 153 PCN's. Our Civil Enforcement Parking Team provide high visibility enforcement patrols to tackle any parking contraventions around Lighthouse Centre in Quarry Hill.

## Petitions Update Report

					<p>It is known that high visibility presence increases compliance and drivers often move on once they see enforcement officers around. Parking Enforcement will continue to deploy CEOs to carry out patrols around the Lighthouse Centre in Quarry Hill and will continue to take enforcement action where required. Noise at the Lighthouse Centre in Quarry Hill can be reported for investigation as a potential statutory nuisance using the following link to submit a complaint to the Council's Environmental Protection Team <a href="#">Noise complaints</a>   <a href="#">Noise nuisance</a>   <a href="#">Thurrock Council</a></p>
568	Call on Thurrock Council to provide a zebra crossing outside Abbots Hall School.	30/11/2022	Council	Cllr Ralph	<p>This request is covered under the Council's TDP2 – Safer Routes to School programme. At present the school is not identified for treatment under this year's fiscal programme, having not met the criteria for intervention based on the requirements of the Policy, as agreed by the Council's Cabinet. A review of the priority list currently identifies this school being ranked 18th out of 54 schools on assessment under the policy. Ability to undertake an initial assessment will be explored through the Minor Works programme.</p>

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<b>25 January 2023</b>		<b>ITEM: 10</b>
<b>Council</b>		
<b>Appointment of Electoral Registration Officer and Registration Officer</b>		
<b>Wards and communities affected:</b> N/A		<b>Key Decision:</b> Non Key
<b>Report of:</b> John Jones, Director of Legal and Governance and Monitoring Officer		
<b>Accountable Assistant Director:</b> N/a		
<b>Accountable Director:</b> John Jones, Director of Legal and Governance and Monitoring Officer		
<b>This report is</b> Public		

## Executive Summary

Section 35 of the Representation of the People Act 1983 require the Council to appoint a Returning Officer and under Section 8 of the same Act the Council must also appoint an Electoral Registration Officer.

The purpose of this report is to make appointments to these roles.

### 1. Recommendation(s)

- 1.1. That Ian Wake the Acting Chief Executive be appointed Returning Officer and Electoral Registration Officer.**

### 2. Introduction and Background

- 2.1 The Council is required under section 8(2) of the Representation of the People Act 1983 to appoint an officer of the Council to be registration officer for any constituency or part of a constituency coterminous with or situated in the Borough known as the Electoral Registration Officer.
- 2.2 The Electoral Registration Officer is the person with statutory responsibility amongst other things for the creation and maintenance of the register of electors and the absent voters list. This person takes responsibility for publishing a revised electoral register and issuing monthly alterations notices.
- 2.3 The Council is required under section 35(1) of the Representation of the People Act 1983 to appoint an officer of the Council to be the Returning Officer for local elections i.e. county, borough and parish elections.

- 2.4 The Returning Officer for local elections may by writing under his hand appoint one or more persons to discharge all or any of his functions
- 2.5 Under section 28(1) of the Representation of the People Act 1983 the duties of the Returning Officer for a parliamentary election registration officer is discharged as Acting Returning Officer by the registration officer.
- 2.6 An Acting Returning Officer also has power to appoint deputies to discharge all or any of those duties (see Section 28(5) of the Representation of the People Act 1983).
- 2.7 The Council therefore needs to formally appoint to these posts of Electoral Registration Officer (ERO) and Returning Officer (RO)(for local elections), and it is recommended that the Acting Chief Executive be duly appointed.

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

- 3.1 The appointments are legally required in order that the Council can continue to meet its statutory responsibilities in respect of electoral administration
- 3.2 The ERO is an officer of the Council but the role of Electoral Registration is a personal responsibility, independent and separate from their duties as an employee of the Council. The roles of Returning Officer and Electoral Registration Officer are typically combined and performed by a single person. These Officers are appointed by Full Council. It is proposed to make the appointment as set out in the recommendations to have immediate effect in order to comply with legislative requirements.

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

- 4.1 As set out above.

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

- 5.1 Not applicable

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

- 6.1 Electors in the Borough have a statutory right to be able to vote at any election or referendum, but to be able to do this, they need to be on the Electoral Register, and they need to have confidence that their personal data is safeguarded in accordance with the appropriate legislation. It is essential that voters have complete trust in the electoral process, and it is the personal responsibility of the ERO and RO to that this is the case.

## **7. Implications**

### **7.1 Financial**

Implications verified by: **Rosie Hurst**  
**Interim Senior Management Accountant**

None arising from this report.

### **7.2 Legal**

Implications verified by: **John Jones**  
**Director of Legal and Governance and**  
**Monitoring Officer and Monitoring Officer**

The Representation of the People Act 1983 requires appointments to be made. Under the Council's Constitution, electoral matters are reserved to full Council

### **7.3 Diversity and Equality**

Implications verified by: **Roxanne Scanlon**  
**Community Engagement and Project**  
**Monitoring Officer**

There are no diversity implications within this report.

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

None

## **8. Background papers used in preparing the**

None

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

None

### **Report Author:**

John Jones  
Director of Legal and Governance and Monitoring Officer

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<b>25 January 2023</b>		<b>ITEM: 11</b>
<b>Council</b>		
<b>Corporate Parenting Committee Annual Report 2021/2022</b>		
<b>Wards and communities affected:</b> All		<b>Key Decision:</b> Non-Key
<b>Report of:</b> Corporate Parenting Committee		
<b>Accountable Assistant Director:</b> Janet Simon, Assistant Director of Children's Social Care and Early Help		
<b>Accountable Director:</b> Shelia Murphy, Corporate Director for Children's Services		
<b>This report is</b> public		

## Executive Summary

This report introduces the Corporate Parenting Annual Report which following being presented to the Corporate Parenting Committee, was recommended it should be presented to the Council.

### 1. Recommendation(s)

#### 1.1 That the contents of the Corporate Parenting Annual Report 2021/2022 be noted.

### 2. Introduction and Background

2.1 Each year Members are invited to a variety of training sessions, to assist them with their roles sitting on Committees. Following the Corporate Parenting Training held Wednesday 17 July 2019, it was requested that an Annual Report be produced detailing the work of Committee and their main achievements for that municipal year. The report is designed to inform residents of this work in an accessible and engaging format.

2.2 The last municipal year has seen the Corporate Parenting Committee tackle a wide range of topics, with Members leading on issues that have come to the fore both through their own research but also by understanding the issues that have arisen in the community.

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

- 3.1 It is hoped that the format of the Annual Report will highlight to residents and Members how the Corporate Parenting Committee have picked relevant community issues and how Members undertook work to form recommendations that positively affected these issues.
- 3.2 The report will be published on the Council's website and key community groups and participants from last year's work will be made aware of its publication directly.

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

- 4.1 The report outlines the positive work that has been undertaken during 2021/2022 and will be referred to Council for review in order for Members to comment on the overall work of the Corporate Parenting Committee.

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

- 5.1 The Chair of the Corporate Parenting Committee has been consulted on the contents of the report.

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

- 6.1 The positive impact of the work of the Corporate Parenting committee for 2021/2022, in driving forward issues in relation to looked after children and care leavers to ensure Members are fully involved and engaged in their Corporate Parenting responsibilities.

### **7. Implications**

#### **7.1 Financial**

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

There are no direct financial implications arising out of this report.

#### **7.2 Legal**

Implications verified by: **Judith Knight**  
**Interim Deputy Head of Legal (Social Care and Education)**

The Children and Social Work Act 2017 introduced the corporate parenting principles and this are subject to statutory guidance  
<https://assets.publishing.service.gov.uk/government/uploads/system/uploads/>

[attachment\\_data/file/683698/Applying\\_corporate\\_parenting\\_principles\\_to\\_looked-after\\_children\\_and\\_care\\_leavers.pdf](attachment_data/file/683698/Applying_corporate_parenting_principles_to_looked-after_children_and_care_leavers.pdf)

The report provides assurance that the Council is fulfilling its statutory duties.

### 7.3 **Diversity and Equality**

Implications verified by: **Roxanne Scanlon**  
**Community Engagement and Project**  
**Monitoring Officer**

The Corporate Parenting Committee recognises the role and importance of diversity and equality and adheres to the Equality Act 2010 and related requirements. All work in 2021/2022 sought to include looked after children and care leavers as appropriate.

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

- Agenda, Reports and Minutes of meetings of the Corporate Parenting Committee are available from:

<http://democracy.thurrock.gov.uk/thurrock/>

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

- Appendix 1: Corporate Parenting Annual Report 2021/2022

### **Report Author:**

Kenna-Victoria Healey

Senior Democratic Services Officer

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## Corporate Parenting

### Annual Report

2021-2022

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## What is Corporate Parenting?

Corporate Parenting describes the collective responsibility of the local authority to provide the best possible care and protection for children and young people who are Looked After. Effective corporate parenting requires a commitment from all Council employees and Elected Members. This responsibility was first set out in the Children Act 1989. Councillors have a lead role in ensuring that their Council acts as an effective Corporate Parent for every child in care by actively seeking high quality outcomes that every good parent would want for their child. Councillors need to aspire for looked after children in the same way that you would for your own children.

The role of the Corporate Parent is demanding. It requires energy, attention to detail and a willingness to engage with looked after children and care leavers in order to improve the services they use and their future outcomes. It is challenging to form a listening and learning relationship with vulnerable children but this is what we instinctively do for our own children and what we must consciously do for children entrusted to our care. As Officers of Thurrock Council we welcome scrutiny and challenge from Elected Members. By holding us to account we will continue to improve services and outcomes for looked after children and care leavers.

## Every Member should:

Every Elected Member and manager within the Council, in conjunction with members of governing bodies of partner agencies, needs to:

- Be aware of their 'Corporate Parenting' role
- Have some knowledge of the profile and needs of looked after children and young people and care leavers
- Understand the impact on looked after children and young people of all Council decisions
- Receive information about quality of care and services children and young people are experiencing and consider if this would be 'good enough' for their own child
- Ensure that action is being taken to address any shortcomings in services and support for looked after children and young people and strive to continually improve outcomes

## Key to improving the outcomes for looked after children

- It is with the Corporate Parent that responsibility and accountability for the wellbeing and future prospects of looked after children ultimately rest
- A good Corporate Parent must offer everything that a good parent would including stability
- It must address both the difficulties, which looked after children experience, and the challenges of parenting within a complex system of different services
- Equally, it is important that children have a chance to shape and influence the parenting they receive

## What makes Corporate Parenting effective?

An effective Corporate Parent makes sure that looked after children and young people and care leavers have good care, nurture, health and well-being and life chances as they would expect and want for their own child. The Corporate Parent must act as a responsible parent. We believe that good, responsible parenting involves, but is not limited to:

- Making sure that children and young people have a strong sense of belonging
- Ensuring that they are cared about as well as cared for
- Supporting children and young people through school, college or work, being ambitious for them and helping them develop a sense of aspiration and belief
- Making sure children and young people are healthy and health-aware
- Making sure children and young people are actively listened to, respected and valued
- Encouraging them to develop and participate as citizens
- Encouraging them to form and sustain a range of healthy relationships
- Supporting them to manage their feelings and behaviours

In Local Authorities where services were effective, Ofsted found articulation of the leadership, ambition and objectives for looked after children.

In these authorities, they found that the Corporate Parenting Board/Panel:

- Demonstrated a strong cross-party commitment to looked after children, championing their rights.
- Had high aspirations for their Children Looked After and monitored their progress

- Planned for and prioritised the needs of Children Looked After, resulting in a greater focus on improving outcomes
- Actively engaged with their young people

## Membership

The membership of Thurrock's Corporate Parenting Committee is made up of eight Councillors drawn from all the political parties of the Council. It also includes the Co-Opted members appointed by Council:

- A nominated representative from Open Door
- Chair and/or Vice-Chair of the Children in Care Council
- Chair of the Foster Carers Association
- Vice-Chair of the Foster Carers Association

# Corporate Parenting Committee

It has been a pleasure to Vice-Chair the Corporate Parenting Committee in what has been another busy and inspiring year. The Committee started the year with an update on Corporate Parenting Fostering Recruitment Strategy, which outlined the work carried out on the Fostering Recruitment Strategy. The Fostering Service had, in conjunction with the Communication Service, refreshed the Thurrock Fostering Brand; with a launch of the new brand and the marketing strategy being updated. Members learnt the changes and events which were planned to create increased opportunities for the recruitment of foster carers.

In September, the Committee acknowledged a report on the Adoption and Fostering Statements of Purpose. During discussions it was explained,

The key priorities of the strategy included:

- Children remaining cared for within their family where it was safe to do so
- Young people staying within the foster placement until they are ready to leave and feel that they are prepared to live independently
- To involve children and young people in decisions that affect their lives and maximise the opportunity for them to make their own choice

The new year brought a report from the Children in Care Council which was presented by the Chair of the Children in Care Council (CICC) and their representative from Thurrock Open Door. We learnt that over the last 12 months due to the pandemic, the Children in Care Council (CICC) had taken the support of its members online as they were unable to meet with the young people they supported.

It was interesting to hear that once restrictions had been lifted members of the CICC were looking forward being able to meet face to face, as this was not only an important part of socialising but also assisted with recruitment within the group, as most of this was by word of mouth. The Thurrock Open Door representative explained that with meetings now being able to be held in person and therefore face to face, it was easier, to have interactive meetings which were more child lead which is what the CICC was all about. The Committee agreed it was important that young people were given the opportunity to speak and give their views and the CICC gave them the opportunity to promote their voices.

Following on from last year the Committee was kept informed as to Initial Health Assessments (IHA) the average percentage of referrals made by social care to health colleagues within 5 days between April – December 2020 was 83.8% with 58% completed in time, to ensure good performance is achieved working relationships between Thurrock Social Care and Health Providers is key. This is something the Committee is keen to keep an eye on to ensure that improvement is made over the next year.

Members acknowledged and thanked Officers for the presentation from the Independent Reviewing Officer on Children Looked After Reviews, it was pleasing to hear that Officers were engaging with young people to make the reviews more child

friendly and easier for them to understand. Following the Annual Report of the Independent Reviewing Officer which was presented in order to meet the statutory requirement. We discussed the timeliness of reviews and how they were being completed on time recording over 90% completed within timescales.

Throughout the year, Members requested a number of reports on a range of topics, such as:

- National Care Leaver Advisors Visit
- The Annual Report of the Virtual School Headteacher for Children Looked After - Academic Year 2020-2021
- Children's Social Care Performance
- Independent Visitor Service for Looked After Children
- Update on the Youth Offending Service, Youth Justice Plan and the role of the Service for Children Looked After

Finally, there had been a strong focus on the support given to our young people and the foster families who look after them. It is important that we remember the unique role they have to play not only throughout the pandemic but on a day to day basis. My thanks goes to all of Thurrock's Foster Carers for their continued support and for opening their homes to the borough's children who needed it most.

Thank you to Officers, Democratic Services and the outside organisations who sit on the committee for all their hard work and to fellow Councillors on the Committee.



***Councillor Jennifer Smith***

***Vice-Chair of the Corporate Parenting Committee 2021/2022***

## Looking Forward...2022/2023

Corporate Parenting Committee Members are dedicated to being Corporate Parents and are looking forward to working with Officers and the outside organisations who sit on the committee on new and updated reports in 2022/2023. Some of the topics to be explored are:

- Initial Health Assessments of Looked After Children
- Fostering & Adoption Reports
- Thurrock Fostering Service: Recruitment Strategy
- Children in Care Council Update
- Sufficiency Placement
- Annual Report of the Virtual Schools

<b>25 January 2023</b>		<b>ITEM: 12</b>
<b>Council</b>		
<b>Annual Pay Policy Statement 2022/23</b>		
<b>Wards and communities affected:</b> All		<b>Key Decision:</b> N/A
<b>Report of:</b> Graham Snell – Portfolio Holder for Finance		
<b>Accountable Assistant Director:</b> n/a		
<b>Accountable Director:</b> Jackie Hinchliffe – Director of HR, OD & Transformation		
<b>This report is</b> Public		

## Executive Summary

The Localism Act 2011 requires the Council to publish an annual Pay Policy Statement. Council approved the 2022/23 Pay Policy Statement in February 2022.

In accordance with the recommendation from the independent market assessment the 2022/23 Pay Policy included a pay increase of between 2.25% and 2.5%. Noted in the report was the unpredictability of the national pay negotiations.

The national negotiations for Local Government pay for 2022/23 have now concluded with an agreed increase of £1,925 on all pay points. This represents a higher increase than applied by the Council.

The recognised Trade Unions have all requested the Council apply the higher NJC award in the current year. This will cost £2.758m in 2022/23 and represents an unaccounted in year pressure with an already declared S114.

General Services Committee (GSC) have considered a report setting out the costs, legal framework, options, and risks in applying the NJC award and making a change to the Council's 2022/23 Pay Policy Statement and pay scales. GSC unanimously recommend Council support a change to the 2022/23 Pay Policy Statement to implement the NJC award in year.

General services Committee also supported the Commissioners recommendation to review pay arrangements and requested terms of reference to come back to the Committee.

## **1. Recommendations**

- 1.1 The Annual Pay Policy Statement 2022/23 is revised to replace the locally agreed pay award with the higher national award.**
- 1.2 As requested by the commissioner a full review of pay arrangements be carried out before any future agreements are made, which should include a review of policies for increments and all other pay allowances to ensure all opportunities for mitigating the pay growth are considered.**
- 1.3 An appropriate oversight arrangement for decision making be introduced.**

## **2. Introduction and Background**

- 2.1 The Localism Act 2011 requires the Council to publish an annual Pay Policy Statement for chief officers. This must be approved by Council by 31<sup>st</sup> March each year. Like many other local authorities, Thurrock's statement includes a pay policy for all categories of employees which reflects existing employment terms and conditions.
- 2.2 The Annual Pay Policy Statement for 2022/23 was approved by Council in February 2022. The Pay Policy Statement included a cost of living pay increase of 2.5% for the lowest bands and 2.25% for the remaining bands. This increase was based upon the market assessment conducted in December 2021 and recommended by the independent assessor.
- 2.3 The outlook for pay settlements in 2022 was unpredictable due to the challenging back drop of the post Covid economic recovery; the cost-of-living crisis; the lifting of the public sector pay freeze and the unresolved Local Government pay negotiations.
- 2.4 The annual cost of living review conducted in December 2021 to inform the 2022/23 Pay Policy Statement did not reference the National Joint Council recommendations as this information was not available at the time.
- 2.5 In July 2022 the National Employers made a one year (1 April 2022 to 31 March 2023) final offer to the Trade Unions representing the Local Government Workforce. The elements of the offer relevant to the Council are:
  - **With effect from 1 April 2022, an increase of £1,925 on all NJC pay points 1 and above**
  - **With effect from 1 April 2023, an increase of one day to all employees' annual leave entitlement**

The national offer achieves a bottom rate of pay of £10.50 with effect from 1 April 2022.

- 2.6 Following pay consultations, the NJC confirmed on 1 November 2022 that agreement had been reached encouraging employers to implement the new pay scales as swiftly as possible.
- 2.7 The three recognised Trade Unions, Unison, Unite and GMB, have all formally requested the Council apply the NJC agreed increase of £1,925 across all the Council's pay points with effect from 1 April 2022.
- 2.8 This report seeks approval to amend the Council's pay scales to incorporate the NJC agreed pay award – all other elements of the Pay Policy remain as agreed in February 2022.

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

- 3.1 Under Thurrock's 2019 Human Resources Framework Collective Bargaining Agreement, the Council agreed to remove the historical annual link to National Joint Council for Local Government (NJC) pay rates and for the pay rates to be determined locally. The Agreement states:

- ***Annual Cost of Living Review***

- *The Council reserves the right to review, revise, amend or replace the content of the Pay Policy Statement from time to time to reflect service delivery needs and to comply with new legislation, including the inclusion of the payline.*
- *The annual cost of living review will be a locally agreed decision with reference to the National Negotiating committee (NJC) recommendations, an independent pay review (commissioned annually by the Council), budget availability and the UK Living Wage.*
- *Should the Council decide that annual pay will increase, this will be applied equally across all pay points.*
- *The cost-of-living review will continue to be effective from 1st April annually.*
- *Whilst the annual increase will be locally agreed, the Council commits that the overall increase to the pay line over the lifetime of this agreement (as per section 2.5) shall not be less than the cumulative "headline" increase of the NJC scales, as measured over the same period. This excludes any weighting or "loading" of the NJC scales.*

- 3.2 The current five-year Agreement runs until the 2023/24 financial year. The Agreement does not require the annual cost of living increase to reflect the NJC Award. Instead, the Council is contractually obliged to:

- Conduct and agree an annual cost of living review.

- Ensure the overall increase in the pay line over the lifetime of the agreement (1 April 2019 to 31 March 2023) is not less than the cumulative increase of the NJC scales over the same period.
- In addition, the Council aims to ensure its lowest pay point is not below the lowest pay point on the NJC scale and keeps pace with the expected National Living Wage.

3.3 The annual cost living increases that have been applied up until the current year are:

<b>Year</b>	<b>National Award</b>	<b>Thurrock Award</b>
2019/20	2.00%	4.25%
2020/21	2.75%	2.00%
2021/22	1.75%	0.00%
<b>Total</b>	<b>6.50%</b>	<b>6.25%</b>

3.4 Following approval of the Pay Policy at Council in February 2022, the Council implemented a pay increase of 2.5% for Bands A & B and 2.25% for Bands C to I. This essentially levelled up against the NJC increase over the previous three years and applied a 2% pay increase for 2022/23, this was in line with expected increases in the public sector at the time and agreed with the Trade Unions.

3.5 The 2% pay increase awarded by the Council is significantly below the offer that has now been agreed nationally. The national pay award represents a pay increase of over 13% to the Council's lowest pay point and 2.75% to the highest pay point. The 2022/23 NJC pay scales now have a minimum pay point of £10.50, the Council's minimum pay point is £9.50.

3.6 Following the NJC agreement the local Trade Unions all requested the Council implement the national award, effectively asking to reopen local pay negotiations for the current year. Slough and Croydon Councils, both subject to S114 and intervention, have implemented the NJC award, as have the majority of the regional and London Councils who represent the Councils main competitors for resources.

3.7 From a legal position the Council have complied with the Collective Agreement in the current year. An annual cost of living review has been undertaken, albeit without reference to the NJC award, agreed with the Trade Unions and by Council as part of the Pay Policy Statement. The increase was implemented on 1 April 2022.

3.8 There is a possible risk of legal challenge from two perspectives; firstly, the cost-of-living review did not reference the NJC negotiations and secondly in relation to the implied contractual term of mutual trust and confidence – the Trade Unions could argue that the decision not to pay or to defer payment of the higher national award is irrational and capricious in the context of the

current cost of living challenges and in breach of the mutual trust and confidence term.

- 3.9 The Collective Agreement also references budget availability. The Council has issued a Section 114 Notice as it is unable to balance the budget in the current financial year. The Council's financial position is unprecedented and Government support will be required for many years. The additional £2.758m cost of implementing the NJC award was not built into the budget for the current financial year, it is therefore an unfunded additional pressure in 2022/23. Finding an additional £2.758m in the current context results in further service and staff reduction considerations. The additional cost of the NJC award has been factored into the MTFS from next year however is essentially unfunded as it simply increases the significant structural deficit.
- 3.10 The Collective Agreement runs until 2023/24 and ends on the 31<sup>st</sup> of March 2024. Consequently, the next financial year is the final opportunity for the Council to meet the legal and contractual 'no-detriment' clause and match the NJC increases over the period of the Agreement.
- 3.11 As reported above the three recognised Trade Unions have all formally requested the Council implement the NJC Award in the current year. The local Unite Union have advised they will be seeking a ballot for industrial action due to the delay and uncertainty of the Council implementing the award. Unison have advised of specific groups of key staff expressing concern and disappointment that the award has not been implemented.
- 3.12 General Services Committee considered three options:
- **Implement the NJC Award in year.** This option reverses the local increases applied to the pay scales from 1 April 2022 and instead implements the NJC award of £1925.00 to each pay point. This meets the request of the Trade Unions, complies with the spirit of the Collective Agreement, ensures the Council's pay rates remain competitive and in line with national arrangements and avoids disputes with Trade Unions and the workforce. It also ensures the lowest paid groups of staff earn a salary equivalent to the national rate and receive an above inflation increase in pay during a severe cost of living crisis.

The financial implications of this option are significant. The additional costs to the general fund in 2022/23 are £2.758m net, representing an unbudgeted increase in expenditure which increases the in-year deficit.

- **Defer the implementation of the NJC Award to 2023/24.** The Council is legally obliged to match the NJC pay increases over the five-year period of the Collective Agreement, however this does not require the Council to match the NJC awards annually. The Council agreed

and implemented a pay award for 2022/23 with effect from April 2022. This option avoids increasing the in-year deficit by £2.758m.

There are considerable risks associated with this option including formal disputes and industrial action, business continuity and productivity, failure to attract and retain resources. In addition, it would require a substantial pay award in 2023/24 to remain compliant with the Collective Agreement and potentially a failure to negotiate a new Collective Agreement from 2024 onwards. The costs of deferring the NJC award could exceed the costs of implementing it.

- **Partial implementation of the NJC Award.** There are 1,969 FTE employees currently covered by the Thurrock pay scale (excluding vacancies) which covers bands A - I. This pay scale does not cover senior managers. The Collective Agreement requires that any pay increase should be applied equally across all pay points. However, given the exceptional circumstances an approach which targets specific groups and provides a partial implementation could be considered and proposed to the Trade Unions.

General Services Committee considered options for partial implementation and the reduction in costs they represented. A partial implementation provided both the benefits and the consequences associated with the other options, dependent upon the breadth of the implementation. It was the most complex to implement as there would need to be consultation with the Trade Unions to remove the requirement to apply awards across all pay points, this could also cause a delay and a timing issue for next years' pay policy statement. There are also additional risks and consequences associated with the partial approach:

- It could be divisive for teams and services and be seen and felt as unfair.
- The pay scales would be impacted and the differentials between pay points and grades eroded with the possible risk of equal pay claims.

#### **4. Pay Award for Senior Management 2022/23**

- 4.1 The Senior Manager pay scales are separate to the Thurrock pay scales and are not covered by the collective agreement. The independent market assessment recommended a 2.25% increase across the Senior Manager Pay Scales. This was implemented on 1 April 2022. The Council is not proposing to apply the national award to senior pay.

## **5. Consultation**

- 5.1 The report has been shared with the Commissioners.

## **6. Implications**

### **6.1 Financial**

Implications verified by: **Jo Freeman**  
**Finance Manager**

There is a general fund staff pay budget of £90.302M (excluding pensions) which is forecast as fully spent in year. There was an agreement of a pay award between 2.25% and 2.5% which cost a total of £2.251m to the Council and was budgeted for as part of a total cost increase of £4.603m (including a further £0.570m relating to the increase in Employer NI). This is now superseded by a proposed pay deal of £1,925 for all staff which, for the General Fund employee base, represents a cost of £5.009m. This is an increased cost of £2.758m over the original £2.251m. The total increase to the staff pay budget in 2022/23 as a result of all increases is therefore now £7.361m which represents 8% of the budget. The balance of £2.352m is due to increments (£1.782m) and the increase to employer National Insurance increase contributions of (£0.570m) which are now committed in year. A review of pay assumptions for 2023/24 will be carried out as part of the budget setting process.

The additional £2.758m is unbudgeted for in 2022/23. The projected cost is currently reflected within the Councils Medium Term Financial Strategy in 2023/24. If the proposed pay award was not supported in 2022/23 the Medium-Term Financial Strategy would be amended, and the current projected deficit would reduce by the equivalent amount.

A decision to implement additional pay costs in the current financial year will further increase the funding gap the Council has identified in 2022/23. The Council continues to experience significant revenue budget pressures and exceptional wider financial risks, and as result, a Section 114 notice was issued on 19th December 2022.

The expenditure controls put in place for all aspects of employee spend will support a reduction in spend and work is underway to review existing vacancies and mitigate the impact of any agreed additional award. Where recruitment is essential a delay to recruitment will be enforced, subject to risk assessments and demand pressures. However, it is noted there is likely to remain a significant residual pressure if the NJC award is adopted.

The wider considerations associated with not implementing the NJC award are set out in the report and the potential financial consequences of these are

referenced but remain uncertain. These should also be considered in the context of the delivery of the revised strategic priorities of the Council in the context of the section 114 notice.

The impact on the HRA of the revised pay award is an additional cost of £0.395m and this will be managed within the existing budget. This increases the total pay cost from £0.737m to £1.132m.

## 6.2 Legal

Implications verified by: **John Jones**  
**Interim Director of Legal and Governance**

Sections 38 to 43 of the Localism Act 2011 require Councils to prepare a Pay Policy Statement for each financial year and the Secretary of State, pursuant to section 40, has issued both the original Pay Accountability Guidance in February 2012 and a supplementary guidance in February 2013. The content of this report and the recommendations comply with the Council's responsibilities in this regard. Section 39(4) permits the Council to amend its policy by resolution.

The risks in not implementing the change are set out in paragraph 3.8 of this report.

The key risk relates to the collective bargaining agreement.

Clause 9.5 of the Thurrock agreement states:

*Whilst the annual increase will be locally agreed, the Council commits that the overall increase to the payline over the lifetime of this agreement (as per section 2.5) shall not be less than the cumulative "headline" increase of the NJC scales, as measured over the same period. This excludes any weighting or "loading" of the NJC scales.*

It is more likely than not that a Tribunal or Court would consider provisions of this Collective bargaining Agreement dealing with pay as forming part of individual contracts of employment of Thurrock Council employees.

Failing to honour contractual commitments are likely to either 1) prompt a strike 2) employees working under protest and submitting mass ET claims for unlawful deduction from wages 3) a combination of 1+2.

In the event of 2) If claims are brought asserting that the Council has not complied with the collective agreement the Council would probably be unsuccessful in resisting those claims and would incur additional legal costs.

The Council's Chief Finance Officer has issued a section 114 notice which places restrictions on what the Council can spend to ensure that the Council will be able to balance its budget in the future. However, the Council is permitted to continue spending on existing staff payroll and pension costs, and on existing legal agreements and contracts.

As it is likely that the provisions of Thurrock Collective bargaining agreement would be found to be part of the contracts of employment of council employees, expenditure in relation to pay would fall into the category of an exceptional reason for spending to be agreed. Members will need to consider the advice of the Chief Financial Officer as how the additional pay costs would be met.

### **6.3 Diversity and Equality**

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

This pay statement implements the recommendations and standard protocols set by law and policy and therefore there are no diversity and equality implications arising.

### **6.4 Other implications**

The implications of the various options have been detailed in the report.

## **7. Appendices**

Appendix 1 – Pay Policy Statement 2022/23

### **Report Author:**

Jackie Hinchliffe

Director of HR, OD & Transformation

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# **THURROCK COUNCIL** **PAY POLICY STATEMENT 2022/23**

**(Revised January 2023)**

## VERSION CONTROL SHEET

<i>Title:</i>	<b>Pay Policy Statement 2022/23</b>
<i>Purpose:</i>	<b>To advise on the Council's pay policy including requirements under Section 38 of the Localism Act 2011.</b>
<i>Owner:</i>	<b>Human Resources &amp; Organisational Development</b>
<i>Approved by</i>	<b>Council</b>
<i>Date:</i>	<b>Revised 25<sup>th</sup> January 2023</b>
<i>Version:</i>	<b>0.2</b>
<i>Review frequency:</i>	<b>Annually – in accordance with Section 38 of the Localism Act 2011</b>
<i>Next review date:</i>	<b>February 2023</b>

# **Thurrock Council**

## **Pay Policy Statement 2022/23**

- 1. Introduction**
- 2. Scope**
- 3. Determination of pay grades and salary levels**
- 4. Pay progression**
- 5. Cost of living pay increases**
- 6. Lowest paid employees / UK living wage**
- 7. Apprentices**
- 8. Pay multiple**
- 9. Acting up payments**
- 10. Other payments**
- 11. Contractors or consultants**
- 12. Appointment of senior officers**
- 13. Payment on termination, and re-engagement of officers**
- 14. Mandatory Gender Pay Reporting**
- 15. Transparency Code**
- 16. Publication of information**

**Appendix 1 Senior Manager Pay Scales 2022/23**

**Appendix 2 National Minimum and Living Wage Rates 2022/23**

**Appendix 3 Collective Bargaining Pay Scales 2022/2023**

## **1. Introduction**

- 1.1 This Statement complies with Section 38 of the Localism Act 2011, which requires local authorities to produce a pay policy statement for each financial year in order to improve transparency and accountability within Local Government.
- 1.2 It may be adapted and/or updated by agreement at a full Council meeting.
- 1.3 Thurrock Council reserves the right to review, revise, amend or replace the content of this Statement from time to time to reflect service delivery needs and to comply with new legislation.

## **2. Scope**

- 2.1 This Statement is applicable to both Council and school-based employees covered by the Council's Collective Agreement, and to senior officers. Youth workers, those on Soulbury contracts of employment and employees covered by TUPE are also included but their pay is determined by separate processes. This Statement does not apply to teachers, who are employed under separate terms and conditions.
- 2.2 For the purposes of this Statement, Thurrock's senior officers are the chief executive, corporate directors, directors and assistant directors.

## **3. Determination of pay grades and salary levels**

### **Senior officers**

- 3.1 The chief executive's and other senior officers' remuneration was determined in 2009. It was based on the median pay point of a market salary and reflected remuneration levels for comparable jobs in unitary authorities and London boroughs.
- 3.2 The 11 senior pay bands are shown in Appendix 1. Assistant directors are paid on the AD bands, ranging from points 1 to 15; directors and corporate directors are placed on a DIR pay band points 16 to 30 while the chief executive is on the CEX pay band: points 31 to 33.
- 3.3 Since 2010 annual, independent pay reviews have been conducted to reassess the salary levels that these pay bands should attract. These assessments take account of:

- (a) **The type and size of Thurrock Council:** Thurrock is a medium sized, unitary council with a significant degree of complexity due to its location, its changing demographics, its regeneration agenda and its complex external relations.
- (b) **The geographical location of Thurrock Council:** Located on the eastern boundaries of London and within easy commuting distance of London, the Council is competing in the same labour market as many London boroughs as well as Essex County Council and other unitary local authorities.
- (c) **The market for senior posts in Local Government:** In recent years many posts have become more demanding as a result of changes in legislation and public demand. This has led to a position whereby significant differences now exist regarding the remuneration attached to certain posts.
- (d) **Affordability:** Producing an affordable pay structure for senior managers is a principal aim of this policy.
- (e) **Transparency and clarity:** Thurrock Council is committed to establishing a pay structure which is clear, rational and able to withstand challenge.

#### **Employees who are not senior officers**

- 3.4 Employees other than senior officers are subject to the pay levels set out in the Council's Human Resources Framework Collective Bargaining Agreement which contains a single 'Thurrock Living Wage' grade for the lowest paid employees (excluding apprentices), plus 9 pay grades. Posts have been allocated to a pay band through a process of job evaluation, using the GLPC job evaluation scheme.
- 3.5 All new or revised posts must be evaluated. This is done by trained evaluators in-house, as is common in other local authorities, using the GLPC job evaluation scheme. The results of any such evaluation are subject to moderation by the Council's Trade Union Board, which comprises of officers and trade union representatives.
- 3.6 Changes to this structure are being phased in over the next two years, as agreed with General Services Committee in October 2018, which will lead to bands of 6 points, meaning staff can progress through in 5 years, in line with the Equalities and Human Rights Commission guidance on having no more than 5 increments (6 points within each Band). The pay structure in Appendix 3 reflects the fourth year of this transition.

#### **4. Pay Progression**

##### **Senior officers**

##### **4.1 Senior officer pay bands contain three pay levels:**

- i. A lower point – for a post-holder with sufficient competence or experience but with some development needs. This is expected to apply to some appointments at the time of recruitment.
- ii. A median point – for a fully competent and appropriately experienced/qualified post-holder. This is expected to apply to most appointments.
- iii. An upper point – for an exceptional post-holder. The difference between the median point and upper point will only be paid as an additional non-consolidated payment for ‘exceptional’ performance. Few post-holders will be rewarded at this level, which is based on the 75<sup>th</sup> percentile of the market data.

##### **4.2 The award of an annual increase to points (ii) or (iii) above is subject to satisfactory job performance.**

##### **Employees who are not senior officers**

##### **4.3 New starters are paid in accordance with Section 15.5 of the council’s recruitment policy which states; ‘normally the pay point will be the minimum point of the band. Exceptions to this rule may be considered where the minimum point is below the candidate’s current salary.’**

##### **4.4 Employees will receive an increase of one incremental point each year, effective from 1<sup>st</sup> April, providing they (i) have performed their role entirely satisfactorily; (ii) have 6 months’ service before 1<sup>st</sup> April; (iii) are not already at the top point of their pay band. Performance objectives will be linked to service delivery plans and priorities.**

##### **4.5 Employees who are protected under TUPE arrangements will be paid according to their contract of employment.**

#### **5. Cost of living pay increases**

##### **Senior officers**

##### **5.1 The annual, independent market assessment conducted in December 2021 recommended there should be 2.25% for senior officers in 2022/23.**

## **Employees who are not senior officers**

- 5.2 Under the Human Resources Framework Collective Bargaining Agreement 2019, the Council agreed to remove the historical link to National Joint Council for Local Government (NJC) pay increases and for the pay increases to be determined via “a locally agreed decision with reference to the National Negotiating committee (NJC) recommendations, an independent pay review (commissioned annually by the Council), budget availability and the UK Living Wage”. This applies to all employees other than senior officers.
- 5.3 The annual independent assessment conducted in December 2021 recommended a pay increase of 2.5% for grades A & B and an increase of 2.25% for grades C to I for 2022/23.
- 5.4 Thurrock Council is not part of the national negotiation process however as part of the local Collective Agreement between Thurrock Council and the Trade Unions we have a ‘no detriment’ clause which guarantees pay equity over the five-year term of the agreement. Additionally, our lowest pay point should not be below the lowest pay point on the NJC.
- 5.5 In November 2022 the unions agreed to accept the NJC employers revised pay offer which increased each pay point by £1925.00.
- 5.6 In order to ensure Thurrock Council staff do not suffer a detriment the Pay Policy and pay scales were revised to incorporate the NJC award and increase Thurrock Living Wage (TLW) to match the lowest pay point on the NJC scale at £10.50 per hour.

## **6. Lowest paid employees**

- 6.1 For the purposes of this Statement, employees on the lowest grade of the Council's pay structure are classed as the lowest paid employees. The only employees paid at a lower rate than TLW/Scale Point 1 are apprentices (see paragraph 7).
- 6.2 The Thurrock Living Wage pay point and grade were the Council's minimum pay point with hourly pay set to £10.50 from the 1<sup>st</sup> April 2022.

## **7. Apprentices**

- 7.1 The starting pay for Council apprentices is the national minimum wage or national living wage according to their age at the point of recruitment. The lowest pay rate for apprentices aged 16 - 17 years old will be £4.81 from 1 April 2022. The full range of NLW rates for 2022/23 are set out at Appendix 2.

## **8. Pay Multiple**

- 8.1 Calculations were made using 2022/23 pay scales which show the pay ratios between the chief executive's salary and the average salary of the workforce on grades A-I are as follows:

Chief Executive: mean salary of the workforce = 1:5.4

Chief Executive: median salary of the workforce = 1:5.8

- 8.2 These ratios were calculated from the median chief executive salary level of £186,000; the mean salary of all staff other than the chief executive of £34,670 and the median salary of all staff other than the chief executive of £31,818.

## **9. Acting up payments**

- 9.1 For acting up or additional duties arrangements, an individual will be paid at the lowest point of the band being acted into, or one pay point higher than their substantive pay point if pay bands overlap.
- 9.2 Management do however have the discretion to award an acting up or additional duties allowance up to a maximum of 3 additional points from the employee's substantive pay point. The rationale for payment is subject to approval by the Councils Trade Union Board and evidence should be clearly documented on the employee's personal file.
- 9.3 Secondments are subject to the same pay allowances as stated above, however managers can make secondment arrangements according to the needs of their service are these are not subject to approval. Further details can be found in the Secondment policy.

## **10. Other payments**

- 10.1 The Council has an employee relocation package, available to all new employees, subject to eligibility criteria.
- 10.2 The Council does not operate a bonus scheme for any employees, nor does it offer any other informal benefits to its senior officers
- 10.3 On occasions, for posts below senior officer level, temporary market supplements may be paid where difficult market conditions lead to recruitment and retention problems. Such supplements must be agreed by the Council's Trade Union Board.

## **11. Contractors and consultants**

- 11.1 Should the Council engage the services of an individual at senior officer level under a contract for services (i.e. not on the Council's payroll), the level of remuneration paid to the contractor, consultant or agency

employing them will not exceed the equivalent salary points outlined in Appendix 1.

- 11.2 In exceptional circumstances, and with the express approval of the Chief Executive, a contractor or consultant at senior officer level may be engaged at a pay rate outside of the equivalent salary point in Appendix 1.

## **12. Appointment of senior officers**

- 12.1 The appointment of senior officers will be conducted in accordance with the Employment Procedure Rules as defined by the Council's Constitution.
- 12.2 The appointment of individuals, including those receiving salaries in excess of £100k, is in accordance with the pay structure and the principles outlined in this policy.

## **13. Payment on termination, and re-engagement of officers**

- 13.1 In the event of redundancy or the early retirement of any employee, the Council will pay its standard severance payments within the discretions of the Local Government Pension Regulations.
- 13.2 In exceptional circumstances and where it represents best value for the Council, additional payments may be made to comply with the terms of a settlement agreement. These will be subject to the delegated powers and processes outlined in the Council's Constitution.
- 13.3 The Council will not normally re-engage, either in a contract of employment or a contract for services, any officer who has previously been paid a discretionary payment (via a settlement agreement or retirement package) on leaving the Council's employment. Only in exceptional circumstances, and with the agreement of the Chief Executive and the General Services Committee, will such an arrangement be sanctioned.

## **14. Mandatory Gender Pay Reporting**

- 14.1 As of April 2017, all organisations with more than 250 employees must produce data on the gender pay gaps of their employees. The deadline for the Council to report this date is 30 March each year.

## **15. Transparency code**

- 15.1 In accordance with Government guidelines<sup>1</sup>, the council publishes details of senior managers' pay on its website.<sup>2</sup>

## **16. Publication of information**

- 16.1 This Statement will be published on the Council's website. Any in-year changes to this Statement will be published in the same way following full Council approval.

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<sup>1</sup> 'Local Government Transparency Code 2014' published by DCLG: [Transparency Code](#)

<sup>2</sup> <https://www.thurrock.gov.uk/what-we-publish/local-government-transparency-code>

## Appendix 1: Senior Manager Pay Scales 2022/23

		50/50% Lower Base Pay		50/50% Median Base Pay		50/50% Higher Base Pay
	SCP	Annual Pay £	SCP	Annual Pay £	SCP	Annual Pay £
<b>CEO</b>	<b>31</b>	169,500	<b>32</b>	186,000	<b>33</b>	199,000
<b>DIR5</b>	<b>28</b>	132,000	<b>29</b>	144,500	<b>30</b>	154,000
<b>DIR4</b>	<b>25</b>	123,000	<b>26</b>	137,000	<b>27</b>	143,000
<b>DIR3</b>	<b>22</b>	114,500	<b>23</b>	128,000	<b>24</b>	131,000
<b>DIR2</b>	<b>19</b>	102,500	<b>20</b>	112,500	<b>21</b>	118,000
<b>DIR1</b>	<b>16</b>	96,000	<b>17</b>	107,000	<b>18</b>	109,500
<b>AD5</b>	<b>13</b>	92,500	<b>14</b>	102,500	<b>15</b>	106,500
<b>AD4</b>	<b>10</b>	90,500	<b>11</b>	99,000	<b>12</b>	102,500
<b>AD3</b>	<b>7</b>	85,000	<b>8</b>	95,000	<b>9</b>	98,000
<b>AD2</b>	<b>4</b>	80,000	<b>5</b>	88,000	<b>6</b>	92,500
<b>AD 1</b>	<b>1</b>	75,500	<b>2</b>	80,000	<b>3</b>	87,500

## Appendix 2: National Living Wage Rates 2022/23

	Age 23 and over	Age 21 to 22	Age 18 to 20	Age under 18	Apprentice Rate
Rates from April 2022	£9.50	£9.18	£6.83	£4.81	£4.81

### Appendix 3: Collective Agreement Pay Chart 2022/2023

Grade	Pay Point	2022/23 rate per hour		2022/23 salary	
I	54		£41.00		£79,110
	53		£39.84		£76,860
	52		£38.70		£74,673
	51		£37.60		£72,540
	50		£36.52		£70,467
	49		£35.48		£68,454
H	48	£34.47		£66,504	
	47	£33.49		£64,608	
	46	£32.54		£62,775	
	45	£31.62		£60,996	
	44	£30.73		£59,283	
	43	£29.87		£57,621	
G	42		£29.04		£56,025
	41		£28.21		£54,429
	40		£27.41		£52,890
	39		£26.65		£51,408
	38		£25.91		£49,989
	37		£25.17		£48,567
F	36	£24.47		£47,208	
	35	£23.79		£45,906	
	34	£23.12		£44,604	
	33	£22.47		£43,359	
	32	£21.86		£42,177	
	31	£21.25		£40,992	
E/F	30	£20.66	£20.66	£39,867	£39,867
E	29		£20.08		£38,742
	28		£19.53		£37,677
	27		£18.98		£36,612
	26		£18.45		£35,604
	25		£17.93		£34,599
D/E	24	£17.44	£17.44	£33,654	£33,654
D	23	£16.95		£32,706	
	22	£16.49		£31,818	
	21	£16.03		£30,927	
	20	£15.60		£30,102	
	19	£15.17		£29,274	
C/D	18	£14.77	£14.77	£28,503	£28,503
C	17		£14.38		£27,735
	16		£13.98		£26,964
	15		£13.61		£26,253
	14		£13.24		£25,545
	13		£13.02		£25,128
B	12	£12.78		£24,654	
	11	£12.53		£24,177	
	10	£12.32		£23,760	
	9	£12.10		£23,349	
	8	£11.89		£22,932	
	7	£11.67		£22,515	
A	6		£11.46		£22,104
	5		£11.24		£21,687
	4		£11.02		£21,270
	3		£10.84		£20,916
	2		£10.66		£20,559
	TLW/1		£10.50		£20,258

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<b>25 January 2023</b>		<b>ITEM: 13</b>
<b>Council</b>		
<b>Local Council Tax Scheme</b>		
<b>Wards and communities affected:</b> All		<b>Key Decision:</b> Key
<b>Report of:</b> Councillor Graham Snell, Cabinet Member for Finance		
<b>Accountable Assistant Director:</b> N/A		
<b>Accountable Director:</b> Jonathan Wilson, Interim Director of Finance		
<b>This report is</b> Public		

## Executive Summary

Local Council Tax Support (LCTS) helps support council taxpayers who have a low income by providing a reduction in the actual amount in Council Tax payable.

On 1 April 2013, LCTS replaced the national Council Tax Benefit Scheme (CTB). Unlike CTB, which was wholly funded by Central Government and administered by local authorities, for LCTS each Council was required to design and implement its own scheme against a backdrop of 10% reduction in central funding.

The Council is required to consider its scheme annually and consult on any changes before they are introduced. The current LCTS scheme was implemented on the 1 April 2017 following consultation and has been agreed for each subsequent year up to the current financial year with no changes.

For the forthcoming year, it is recognised that the Council needs to identify savings to close the budget gap. However, when considering the level of Local Council Tax Support for the forthcoming year, this needs to be balanced against the comparative cost of the current scheme; the economic climate; and the ability of claimants to accommodate reduced support.

This report provides details of Thurrock's current scheme and further analysis to support the recommendation that the current scheme remains unchanged for 2023/24.

## 1. Recommendations

### 1.1 To note the analysis of the current scheme.

### 1.2 To support the recommendation that the current scheme remains unchanged for 2023/24.

- 1.3 To support the recommendation that in light of the Council's financial situation a fuller review of the scheme will be carried out in 2023/24, in advance of setting the 2024/25 budget.**

## **2. Introduction and Background**

- 2.1** The design of each LCTS scheme must be finalised by the 11 March 2023 ahead of the relevant year to which it relates. Failure to provide a scheme by this date will trigger the implementation of a default government scheme. The default scheme would require the Council to revert back to the level of support that would have been provided under the national Council Tax Benefit arrangements. With regards to the current caseload, reverting to the national scheme would result in an additional cost to Thurrock of circa £1m per annum.
- 2.2** Some components of the LCTS scheme have been directed by Government such as:
- all low income pensioners will be protected under the national framework as defined by DCLG;
  - consideration for protection for vulnerable working age groups will be allowed for; and
  - each authority's scheme will maintain work incentives wherever possible. The Government continues to stress the importance of this principle given the current economic climate and the welfare reform agenda.
- 2.3** From 2014/15, any specific funding for the LCTS scheme was rolled up into the Revenue Support Grant (RSG) as provided to local authorities by the Government. It is entirely for local authorities to decide how much they are prepared to spend on their LCTS scheme.
- 2.4** Local authorities take on the risk that liabilities under LCTS exceed the amount projected for at the start of the relevant financial year. This risk is shared between billing and major precepting authorities with circa 15% of the council tax collected by the Council being paid over to the Essex County Fire and Rescue Service and Essex Police.

## **3. Analysis/review of current scheme**

### **3.1 Overview of existing Scheme**

The existing Scheme contains the following elements:

- to ensure work pays, the first £25 per week of earned income is disregarded when calculating levels of council tax support;
- the maximum capital limit is to be set at £6,000. This means anyone who has savings over £6,000 may not receive support with their council tax;
- for working age claimants, the maximum support allowed is set at 75% of their full council tax bill;

- to assist those with families, the Child Benefit and Child Maintenance received is not included as income in the calculation of council tax support;
- the maximum period a claim can be backdated under the scheme is one calendar month. In order to qualify for this, the claimant will need to provide good reason for not claiming earlier;
- there is a full disregard of military compensation payments, including War Disablement Pensions, War Widow's Pension and Armed Forces Compensation Scheme payments;
- the number of dependants assessed in the calculation of claimants' needs is a maximum of two; and
- the maximum period of an award when temporarily absent outside the United Kingdom is four weeks.

### **3.2 Roll out of Universal Credit**

In order to keep the process as simple and efficient as possible, Thurrock Council and the majority of other authorities made the decision to keep the Local Scheme aligned as closely as possible to Housing Benefit Legislation; this was to be reconsidered once Universal Credit had been fully rolled out.

Initially, Universal Credit was to be fully implemented for all new and existing Working Age claimants by 2017. However, this has now been extended nationally and the Government's latest forecast suggests the project will not be complete before 2024. In view of this, new Housing Benefit legislation is now forming part of the Welfare Reform agenda with this benefit continuing until at least 2024.

The numbers of UC claimants claiming LCTS are being monitored. As at the October 2022, there was a total LCTS case load of 9,209 with 3,868 of these claims were related to claimants in receipt of Universal Credit.

At this stage, the introduction of Universal Credit in the Authority has not made any significant change to the amount of LCTS awarded to claimants compared to the legacy benefits.

### **3.3 Accessibility**

The application process for LCTS is linked to other national benefits such as Universal Credit and Housing Benefit. This means that people who claim these benefits are directed to make a claim for LCTS where applicable. Applications for LCTS can be made online (with assistance via customer services), community hubs and various other organisations for those who need help in completing a claim.

### **3.4 Level of Support and affordability**

The current Thurrock scheme operates a means tested approach, with maximum discounts for working aged people set at 75%. The current level of discount provides:

- a historic high average annual collection rate of approximately 96%. It should however be noted that within the previous financial year, the collection rate dipped to 92% as a result of the pandemic and decreased collection activities. Whilst collection rates for the current year have recovered and are forecast to achieve 96%, this will need to be closely monitored in line with wider rising cost of living pressures and considered within future schemes.
- The overall cost of Thurrock's LCTS scheme is below average when benchmarked by CIPFA against other unitary authorities.
- The maximum level of support provided to working age claimants is in line with other Essex authorities along the South Essex Corridor as outlined in the table below:

<b>Authority</b>	<b>Max. Support Level</b>
Basildon	75%
Castle Point	70%
Southend-on-Sea	75%
<b>Thurrock</b>	<b>75%</b>

When considering any changes to the scheme, whilst the maximum level of support afforded to eligible working age claimants is entirely at the Council's discretion, in order to maintain a fair and effective scheme, the Council needs to consider both the cost of providing support and the ability of claimants to contribute towards services funded by Council Tax.

Based on the current caseload, the cost/saving of reducing/increasing the maximum level of support by 5%, to 70% would generate additional Council tax revenue of approximately £230k per annum.

Careful consideration will be required when considering alternative levels of support in the future, as reducing the maximum level of discount a person could claim may make Council Tax unaffordable for residents on a lower income and therefore could lead to a reduced collection rate, which would have an adverse financial impact. Conversely, increasing the maximum level of discount on the scheme would reduce the overall Council Tax yield, and place a further burden on the Council's financial position.

Further to this, whilst the Council needs to make savings or identify way to increase overall levels of income, considering any reductions to the discount the scheme offers will need to take into account the wider burdens on peoples' finances in the current economic climate, and the Council requirement to increase the overall level of Council Tax within the Medium-Term Financial Strategy.

Therefore, on balance, the recommendation is to maintain the current scheme for the forthcoming year and to undertake a fuller review of the scheme within

2023/24, with any amendments being introduced as part of the 2024/25 financial year.

### 3.5 Cost and Caseload

The number of people claiming LCTS increased as a result of the COVID-19 pandemic. However, numbers have now returned to pre pandemic levels although this will continue to be closely monitored.

Within Thurrock for the period October 2021 to October 2022, the number of claims in payment decreased by 795 with a reduced cost of £470k. However, when considering these numbers, we also need to take into account the risk that claimant numbers and associated costs will again increase within the forthcoming year as a result of the current economic climate.

Claimant Type	Number of Claimants		Total Awarded	
	As at Nov 22	Var. Oct 21	As at Nov 22	Var. Oct 21
Working Age – Employed	970	-362	£798,580.12	£40,145.62
Working Age – Not Employed	4794	-331	£3,784,374.80	-£402,221.90
Pension Age	3445	-102	£3,608,265.90	-£108,828.40
<b>Total</b>	<b>9209</b>	<b>-795</b>	<b>£8,191,220.82</b>	<b>-£470,904.68</b>

### 3.6 Complaints

There have been no specific complaints recorded regarding the Council's scheme in recent years.

### 3.7 Additional Support

Alongside the LCTS scheme, various other mandatory and discretionary discounts and exemptions are in place to provide assistance and support to specific groups. These include: Care Leavers exemption to the age of 21 (25 in exceptional circumstances); Severe Mental Health Exemption; and Single Persons' Discount. The Council also considers its wider discretionary power in exceptional cases to reduce the council tax owed where appropriate.

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

- 4.1 The Council is required to have an approved LCTS scheme that has been subject to public consultation where changes are proposed. The recommendations and timeframe outlined in this report will ensure we continue to meet this requirement noting the fact that no changes are proposed for the following municipal year.
- 4.2 The scheme was considered by the Corporate Overview and Scrutiny Committee on 8 December 2022. This included comment on the level of claimants using the scheme but no wider proposed changes to the scheme ahead of the reassessment in 2023/24.

## **5. Implications**

### **5.1 Financial**

Implications verified by: **Mike Jones**

#### **Strategic Lead Corporate Finance**

The impact of the LCTS scheme forms part of the determination of the Council tax base for the forthcoming financial year

Based on current estimates, and the use of methodology contained within the report, this equates to 5,215 band D equivalent properties

The options for changing the scheme are detailed within the report, and this explains the relationship between reducing the level of discount offered, and the negative impact of having a lower collection rate, which could subsequently lead to increased bad debts. Therefore, this concludes that there is no financial benefit in reducing the level of discount offered to residents at this time, and without a comprehensive review of the scheme.

Furthermore, consideration has been given to the residents who qualify for the scheme, and their ability to pay an increased level of Council Tax in the current economic climate, and therefore it is proposed that the scheme remains unchanged from the current financial year.

### **5.2 Legal**

Implications verified by: **John Jones**

#### **Director of Law and Governance, and Monitoring Officer**

Section 13A(2) of the Local Government Finance Act 1992, requires the Council as billing authority to make a localised Council Tax Reduction Scheme in accordance with Schedule 1A to the Act. Each financial year the Council must consider whether to revise its scheme, or to replace it with another scheme.

Any revision to its scheme, or any replacement scheme, must be made no later than 11 March in the financial year preceding that for which the revision or replacement scheme is to have effect.

This report proposes no revisions to the LCTS currently in place for 2022/23. Therefore, the Council would not be required to conduct the prescribed

consultation process where it is not proposing to make any changes to the LCTS.

Although there are no proposed changes to the Scheme, Full Council is required to agree the adoption of the Scheme to continue as from 01 April 2023 for the Council Tax year 2023/24.

Under Schedule 1A of the Act the Government has the power to make regulations about the prescribed requirements for schemes. Therefore, any scheme that the Council adopts must comply with these regulations.

The Council must ensure that it has due regard to its Public Sector Equality Duty (PSED) under the Equality Act 2010 when considering whether to revise the LCTS or to retain the existing scheme. Prior to making a decision to adopt the LCTS for 2023/24 Members must take into account and give particular consideration to an assessment, outlining the impact of the proposals for persons that share the characteristics protected under S4 of the Act and the proposals made to reduce or mitigate any negative impact associated with the proposal.

### 5.3 **Diversity and Equality**

Implications verified by: **Rebecca Lee**

**Team Manager - Community Development and Equalities**

The Council has a duty as set out in the Equality Act 2010 to consider the equality impact of its policies and decisions. The LCTS can be claimed by anyone in the Borough meeting the eligibility criteria.

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

N/A

### 6. **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):

Working Papers held by Corporate Finance and Revenues and Benefits.

### 7. **Appendices to the report**

None

### **Report Author**

Andy Brittain

Strategic Lead for Revenues and Benefits

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**Questions from Members to the Leader, Cabinet Members, Chairs of Committees or Members appointed to represent the Council on a Joint Committee in accordance with Chapter 2, Part 2 (Rule 14) of the Council's Constitution.**

There were 2 questions to the Leader and 5 questions to Cabinet Members, Committee Chairs and Member appointed to represent the Council on a Joint Committee.

**QUESTIONS TO THE LEADER**

**1. From Councillor J Kent to Councillor M Coxshall**

Does the Leader intend asking Government to postpone or cancel May's local elections here in Thurrock?

**2. From Councillor J Kent to Councillor M Coxshall**

Will the Leader set out his preferred option for local government devolution in Essex?

**QUESTIONS FROM MEMBERS TO CABINET MEMBERS, COMMITTEE CHAIRS AND MEMBERS APPOINTED TO REPRESENT THE COUNCIL ON A JOINT COMMITTEE**

**1. From Councillor Byrne to Councillor D Arnold**

Can you confirm the project managers, drivers, and decision makers for Thurrock's integrated medical centres are the NHS and not the Conservative administration?

**2. From Councillor Pearce to Councillor Jefferies**

Dog fouling in children's play areas in Aveley, namely at Martin Road, Kenningtons Park, Aveley Recreation Ground, and Purfleet Playground serving Uplands and Watts Wood, appears to be getting worse and is a concern for many of my constituents. Please would you inform me whether the council has considered any further potential measures aimed at tackling this?

**3. Councillor Byrne to Councillor Abbas**

Can the Portfolio Holder confirm the bidders for the Thameside Theatre please?

**4. Councillor J Kent to Councillor Abbas**

Will the Portfolio Holder apply for the Thurrock Museum to become an accredited Museum under the Arts Council Museum Accreditation scheme?

**5. From Councillor J Kent to Councillor M Coxshall**

Will the Portfolio Holder set out the measures the council is taking to fulfil its obligations to protect the State Cinema?

This report lists all motions from the previous twelve months which still have updates forthcoming. All Motions which have been resolved or the actions from officers have been completed are removed.

Date	From	Motion	Status	Director
21 September 2022	Cllr Carter	The Council calls for the building operationally known as C03 to be renamed as the Town Hall and to be referred to as such in all communications.	A design for new signs for the building is being discussed with planning officers as planning consent will be required. A programme for securing consent and erecting signs will be shared with members in due course.	Mark Bradbury

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## **Motions Submitted to Council**

**In accordance with Chapter 2, Part 2 (Rule 15) of the Council's Constitution**

### **Motion 1**

#### **Submitted by Councillor Jefferies**

This Council condemns plans by the London Labour Mayor to extend the Ultra-Low Emission Zone to all Greater London and notes with concern the impact this would have on many Thurrock residents if implemented. Members also note the campaign by our Member of Parliament Jackie Doyle-Price to oppose the said extension and calls on Thurrock residents to sign her on-line petition.

#### **Monitoring Officer Comments:**

Rule 15.2 of the Council Procedure and Rules states that a notice of motion must relate to a matter which affects the authority or the authority's area and must relate to a matter in respect of which the authority has a relevant function. The proposed expansion of the Ultra-Low Emission Zone to outer London and the potential impacts of the Proposed Scheme on the environment, equalities, health and the economy are matters which could affect communities in the authority's area and falls within the functions of the Council and the general power of competence.

#### **Section 151 Officer Comments:**

There are no specific financial implications arising from this report.

#### **Is the above motion within the remit of Council to approve?**

Yes

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## **Motions Submitted to Council**

**In accordance with Chapter 2, Part 2 (Rule 15) of the Council's Constitution**

### **Motion 2**

#### **Submitted by Councillor Massey**

Members may be aware that National Highways have recently submitted, and had approved, their Development Consent Order for the Lower Thames Crossing scheme, to move forward to the next stage in the Planning Inspectorate process. The LTC Task Force seeks assurances that the Council is committed to opposing the scheme as currently presented and promote this message through Council communications channels.

#### **Monitoring Officer Comments:**

The subject matter of the motion is the application for a Development Consent Order (DCO) and is a Nationally Significant Infrastructure Project (NSIP). NSIPs were introduced by the Planning Act 2008 to streamline the decision-making process for major infrastructure projects. The Secretary of State is the decision maker. The DCO process will be managed by a panel known as 'the Examining Authority'. This will be the Planning Inspectorate (PINS).

The motion relates to a matter affecting the authority and over which the Council has relevant functions. The DCO for Lower Thames Crossing if granted would have a significant impact on the Borough, and the Council will participate in the DCO process as a consultee. The DCO process is highly structured, with a strict timetable and the Council will submit its written representation to the Examining Authority at the appropriate time in the DCO process. The proposed written representation will first be presented to the Planning Committee. The Council will (in advance of the SoS decision) also negotiate protective provisions for affected functions such as in relation to the local road network as Highway Authority.

The subject matter within the remit of the Planning Committee Chapter 5, Part 3, paragraph 7 of the Terms of Reference.

#### **Section 151 Officer Comments:**

There are no specific financial implications arising from the motion. The Council position continues to inform actions taken and the associated budgets are subject to ongoing review.

#### **Is the above motion within the remit of Council to approve?**

Yes

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## **Motions Submitted to Council**

**In accordance with Chapter 2, Part 2 (Rule 15) of the Council's Constitution**

### **Motion 3**

**Submitted by Councillor J Kent**

Thurrock Council resolves to use the Local Plan process to support the retention of Speedway in Thurrock and identify a new home for Grays Athletic, in the Grays area.

### **Monitoring Officer Comments:**

The motion relates to a matter affecting the authority and over which the Council has relevant functions. The Local Plan will consider wider issues of land use, will set policies for sports facilities in general. The Local Plan will not identify or allocate a site for a particular sports group or sport activity.

If a site for Grays Athletic is found, a planning application can be submitted for consideration by the Planning Committee.

### **Section 151 Officer Comments:**

There are no direct financial implications arising from the motion.

### **Is the above motion within the remit of Council to approve?**

Yes

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