

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 **1 March 2023**

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

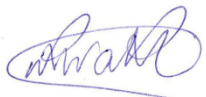
Membership of the Council:

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: 21 February 2023

Agenda

Open to Public and Press

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4 Declaration of Interests	
To receive any declaration of interests from Members.	
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In accordance with Chapter 2, Part 2 (Rule 14) of the Council's Constitution.	
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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.	

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

19	Reports from Members representing the Council on Outside Bodies	
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Name of Committee	Date
Children's Services Overview and Scrutiny Committee	17 November 2022
Standing Advisory Council for Religious Education	8 June 2022
Standing Advisory Council for Religious Education	2 November 2022
Cleaner Greener Safer Overview and Scrutiny Committee	8 November 2022
Planning Transport Regeneration Overview and Scrutiny Committee	23 November 2022
Planning Transport Regeneration	6 December 2022

Overview and Scrutiny Committee	
Licensing Committee	28 July 2022
Corporate Overview and Scrutiny Committee	29 November 2022
Corporate Overview and Scrutiny Committee	8 December 2022
General Services Committee	16 January 2023
Planning Committee	1 December 2022
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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

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Information for members of the public and councillors

Access to Information and Meetings

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- You should connect to TBC-GUEST
- Enter the password **Thurrock** to connect to/join the Wi-Fi network.
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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

- | | | | |
|-----------|----|--|----------------------------|
| A. | 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.		C.	
IF there is an AMENDMENT (please see Rule 19.23)		If NOT amended i.e. original motion	
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 the subject .	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.

February 1943

REHLING James

FROST Jack

March 1943

MALONE Stanley

DEAVES Horace Robert

WOODS John William

NOTT Harry

STAIRS Anthony David

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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.

February 2023

Thurrock West Division Girl Guides - Services to young people

Trevor Kilburn - Services to voluntary sector and supporting young people and their families

Janice Wilkins - Services to the local community

Pravin Petel - Services to the local community

Robert Knapp - Services to the local community

Ethan Ahlers - Services to the public sector and communities' health and wellbeing

Simon Harrison - Services to the public sector and supporting voluntary groups



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Minutes of the Meeting of the Council held on 25 January 2023 at 7.00 pm

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

Apologies: Councillors Chris Baker, Colin Churchman, Tony Fish, Shane Hebb, Augustine Ononaji, Elizabeth Rigby and Jennifer Smith

In attendance: Ian Wake, Acting Chief Executive
Les Billingham, Interim Director Adult Social Care
Mark Bradbury, Director Place
Jackie Hinchliffe, Director of HR, OD & Transformation
John Jones, Director Law & Governance, and Monitoring Officer
Gareth Moss, Chief Finance Office
Julie Nelder, Assistant Director of Highways, Fleet and Logistics
Ewelina Sorbjan, Interim Director Housing
Luke Tyson, Delivery and Strategy Manager
Karen Wheeler, Director Strategy, Engagement and Growth
Matthew Boulter, Democratic Services Manager and Deputy Monitoring Officer
Jenny Shade, Senior Democratic Services Officer

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

93. Minutes

Minutes of the Council meeting held on the 30 November 2022 and the minutes of the Extraordinary Council held on the 9 January 2023 were approved as a correct record.

94. Items of Urgent Business

There were no items of urgent business.

95. Declaration of Interests

There were no declarations of interest.

96. Announcements on behalf of the Mayor or the Leader of the Council

The Mayor stated that following draft directions between the Secretary of State and commissioners, the Acting Chief Executive, Ian Wake, would return to his former post as Director of Adults, Housing and Health when the new managing director had been appointed. The Mayor stated that the Council would not have made it this far through the recovery process if it had not been for Ian Wake, the advice received had always been exemplary, he welcomed challenge and had been an outstanding advocate both in private and public. With Ian Wake having an incredible future, and with that future in Thurrock, the residents of Thurrock would have a bright future.

The Mayor reminded Members that nominations were still welcomed for the Mayoral Roll of Honour.

The Mayor paid his respect to former Councillor Merlyn Jones who had sadly passed, to which a minute silence was held.

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

“This week it had become clearer than ever that all 49 of us need to really look at ourselves and ask whether we have done enough. The Minster presented a written statement and accompanying letters from the commissions which gave a taste of the Best Value Inspection to come. We now have 10 days to make representations. I can say today I requested a General Services Committee to meet and discuss our response if needed and as chair all Members will be welcome and to speak. Please remember though this is a look back exercise at what happened previously and does not mention the work that had taken place since 2 September 2022. For me, one of the important quotes in this statement was “it was important to make clear that the Council’s financial difficulties are the consequence of the dysfunction within the Council and not the cause of it”. What this points to, was a poor culture and systemic weakness within this Council not just the governing party at the time. As it also says, it was also about lack of consistent strategic direction over many years, inadequate governance arrangements and weaknesses in internal controls. Those were the issues that must be addressed by all 49 of us. The decision taken by this Council were ones which were done in the name of all 49 of us. The process and record keeping provided an audit trail for accountability which was absent here in Thurrock. This was why I put so much emphasis on transparency. Sunlight was the best disinfectant. I must say though it was also the strategic weakness that Thurrock was too small to be a unitary authority, it was also the weakness that comes from successive minority administrations over 13 years, it was also about our mechanisms for accountability and security issues. I am horrified to learn in this report that our accountability structures do not appear to be lawful and that we have lacked a statutory scrutiny officer. It was for our legal

officers to ensure that our procedures were compliant and that had been lacking here. There was a whole situation of weakness that had created this situation. These cultural issues go beyond the party colour of any administration, and it was up to all of us to work collectively to take these. The commissioners documented the failures in political and managerial leadership with challenge discussed and ignored and the normal checks and balances were not operating. Leading to a state of “unconscious incompetence”. In terms of how financial management took place decisions were made in the name of this Council without proper oversight by Members. At the time of the council meeting which Members opposite have referred to, there was a clear instruction from that meeting that borrowing should be scaled back. It was not until the Government were forced to intervene that it became clear that had not happened. We still need to establish how this was able to take place in the absence of an instruction from this Council. There were observations with which I totally concur with, Members have not been well served by the production of paperwork and agendas that enable scrutiny and the ability to take informed decisions. Members are not an inconvenience to be managed. We are here to protect the interests of the residents. When we are treated poorly, the people of Thurrock are treated poorly. There needed to be a sea change in the way in which Members and officers work together. The commissions illustrate just why the financial intervention took place came as such a shock. As it stated the Council agreed a set of principles which should have been acted on as the framework for the investment programme, but there was, no audit, no reporting, and no delegated authority. This allowed borrowing to increase when we all believed it was being scaled back. What needs to happen now was for us all to focus on the future and addressing the systemic weaknesses that have been identified here. It was now clear that the assurances I was given were wrong. Since this catastrophe had materialised, I had dedicated every waking hour to try to put it right. This was how I see my duties as a public servant. I think that was what our residents of Thurrock should expect of us. We can rehearse the same partisan lines every month or we can work collectively to fix this. The opposition would have their chance at the ballot box. In the meantime, we need to do our best for the residents of Thurrock. The way politics had played out in this chamber was a factor in where we are. We had three party politics and minority administration in the mid part of the foremost of the last 13 years. That led to the difficult decisions regarding tax and spend to be ducked and was the reason why borrowing to invest began in the first place, endorsed by all involved on all sides of the chamber. As for the failure to deliver projects, as everyone understands that it was for Members to make decisions. It was for officers to implement those decisions and deliver them. People know me well enough to know I would give challenge, that challenge was like hitting a brick wall. This report indicated there were insufficient capacity to deliver major projects and I would concur with that. As for major projects, the management structures are shown to be utterly dysfunctional in this report. By way of illustration, I was utterly embarrassed personally at how this New Town Hall was handled. The attempt to cover up what had been mismanaged was utterly insulting. We were basically asked to unsee what we had seen ourselves. It convinced no one and damaged the reputation of this Council. This was why under my leadership I am being open and transparent. I hope Members will see that I

have delivered on the promises I made on becoming leader, including fronting the hard knocks that come from sorting out what went before me, and I will continue to do so.”

In response to the Leaders statement, Councillor J Kent made the following statement:

“The scope of the new interventions and the further directions to Thurrock were shocking. All functions associated with the governance, scrutiny and transparency of strategic decision making by the authority to ensure compliance with the best value duty, including oversight of audit of the authority’s governance, all functions associated with the authorities operating model and redesign of Council services to achieve value for money and financial sustainability. The appointment, suspension, and dismissal of staff in the top three tiers of the organisation, including powers to determine the process for making those appointments and dismissals and to design a new officer structure. The development oversight and operation of an effective performance management framework for senior officers and of course additionally to appoint a commissioner to act as the managing director of the authority. You read that and then cross reference with the best value inspectors interim report and you can see why Government believed it had no option but to deeper that intervention in Thurrock and to do it immediately. Not to do it at the end of the process, not to do it once the best value inspection report had been published but felt the need to actually make that change now to try and get some capacity into the organisation and as the leader said we could stand here and read quotes all night but there were a few that were really telling, the leader had already said one, financial difficulties of the consequences of dysfunction within the Council and not the cause of it. This had been seen across so many services, we see it in the refuse service where we can’t get the bins emptied. As the leader had said we’ve seen it in major projects where Stanford railway station still not rebuilt, A13 widening over budget and three years late, we’ve seen it in this building, it runs right through the authority. The effective running of the Council and its ability to deliver on its ambitions have been undermined by a failure in political and managerial leadership, a lack of transparency with Members, which was shocking but not surprising. It had been something that we had been talking about for years, but nobody would listen to us. A culture of insularity and complacency within transparency of decision making, the operation of the normal and proper checks and balances have been eroded, internal challenge had been discouraged, external criticism had been routinely dismissed placing the Council in a state of unconscious incompetence. I think that line sums up where we are, with the authority, a state of unconscious incompetence. I have to say our view has not changed, we would do everything we can to work together to turn Thurrock round, we will do that because we live here, we care about the place, we invested in a place, and we want the best for the future of the borough for all our residents. But he had to say that this evening when we look forward and see that budgets can’t be balanced for the next six years and after that six years the situation starts to get worse. I don’t know what the future is for Thurrock. All I do know is that I am incredibly concerned about it.

We must come together and try to do what we can to salvage what was salvageable.”

Councillor M Coxshall thanked Councillor J Kent for the offer.

97. Questions from Members of the Public

One question was received from a member of public.

A copy of the transcript of questions and answers can be viewed under the relevant meeting date at <http://democracy.thurrock.co.uk/thurrock> and are attached at Appendix A at these minutes.

98. Petitions from Members of the Public and Councillors

The Mayor informed the chamber that one notice of petition had been received this evening.

Councillor Kelly presented his petition regarding flooding in Dock Road, Little Thurrock. In response to this Councillor Jefferies acknowledged the petition.

99. Petitions Update Report

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

100. 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 appoint Councillor Snell to the Essex Pension Fund Advisory Board Outside Body.

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

Councillors Byrne, Massey and Allen stated they had no changes to make.

Members agreed with the nomination.

101. Appointment of Electoral Registration Officer and Registration Officer

This item was withdrawn prior to the meeting.

102. Corporate Parenting Committee Annual Report 2021/2022

The report presented outlined the positive work that had been undertaken during 2021/2022 and highlighted to residents and Members how the Corporate Parenting Committee had picked relevant community issues and how Members undertook work to form recommendations that positively affected these issues. The report was presented to Council for information and noting.

No comments received from Members.

The Mayor thanked Councillor P Arnold for the report and proceeded to the vote to which 42 Members agreed to the recommendation.

RESOLVED

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

103. Annual Pay Policy Statement 2022/23

The report presented required the Council, through the Localism Act 2011 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 had now concluded with an agreed increase of £1,925 on all pay points. This represented a higher increase than applied by the Council. The recognised Trade Unions had 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 had 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. The committee unanimously recommended 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.

Councillor Collins added his congratulations and appreciation for a good report and a good result for all members of staff who were hard working and was thoroughly deserved.

Councillor Mayes stated his support for the report as this was a cost-of-living increase to keep people in line with the current situation and was mindful that the £2.758 million had not been budgeted but was something that needed to be done and supported.

Councillor M Coxshall as chair of the General Services Committee was pleased the report had been presented this evening and it had been adopted unanimously. Although not in the budget, he agreed that this should happen to reward staff but stated how important the budget setting would be over the coming months.

Councillor Snell summed up by stating he agreed with the comments made this evening and moved to the recommendations.

The Mayor thanked Councillor Snell for the report and proceeded to the vote to which all 42 Members agreed to the recommendations.

RESOLVED

- 1. The Annual Pay Policy Statement 2022/23 be revised to replace the locally agreed pay award with the higher national award.**
- 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.**
- 3. An appropriate oversight arrangement for decision making be introduced.**

104. Local Council Tax Scheme

The report presented provided details of Thurrock's current scheme and further analysis to support the recommendation that the current scheme remained unchanged for 2023/24.

No comments received from Members.

Councillor Snell summed up by stating this was good news for Thurrock residents.

The Mayor thanked Councillor Snell for the report and proceeded to the vote to which all 42 Members agreed to the recommendations.

RESOLVED

- 1. Noted the analysis of the current scheme.**
- 2. Supported the recommendation that the current scheme remained unchanged for 2023/24.**
- 3. Supported the recommendation that in light of the Council's financial situation a fuller review of the scheme would be carried out in 2023/24, in advance of setting the 2024/25 budget.**

105. Questions from Members

The Mayor informed the chamber that two questions to the Leader had been received and five questions to Cabinet Members.

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

106. Reports from Members representing the Council on Outside Bodies

No reports were presented.

107. Minutes of Committees

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

108. 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.

109. Motion 1 submitted by Councillor Jefferies

The Motion, as printed in the agenda was proposed by Councillor Jefferies and seconded by Councillor G Coxshall. The Motion read as follows:

This Council condemns plans by the London Labour Mayor to extend the Ultra-Low Emission Zone (ULEZ) 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.

Councillor Jefferies presented the motion by stating the motion spoke for people of Thurrock who would be affected by the Labour Mayor of London plan to expand ULEZ across Greater London in the summer of 2023. The change would affect 1000s of Londoners who used their car each day and more concerning the daily charge of £12.50 would affect 1000s of Thurrock residents who used their cars to travel into the zones. Regarding the amendment made by Councillor J Kent, although Councillor Jefferies was in favour of the measures to improve air quality which helped with public health and the climate, he could not agree to the consulting with the Mayor of London who had shown complete disregard to 5000 London residents who had replied to the consultation and were excluded from the headline figures of which 90% opposing to ULEZ. Councillor Jefferies stated if the Mayor of London had not listened to his own constituents, he would not listen to anyone in Thurrock. In conclusion, Councillor Jefferies called on the Mayor of London to cancel the ULEZ expansion which was regressive, unfair and a waste of

money and call on all Members to support this motion and urged all residents to go on-line and sign the member of parliament's petition.

An amendment to this motion had been received from Councillor J Kent and seconded by Councillor Worrall and read as follows:

Thurrock Council is in favour of measures that seek to improve air quality and public health, tackle the climate emergency, and that reduces traffic congestion. Council notes 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. Council calls on Cabinet to work with Transport for London and the Mayor's Office to mitigate the impact on Thurrock residents.

Councillor J Kent presented the amended motion and stated all Members understood the need to improve air quality and public health but the scheme being rolled out now would be another hit to working people especially in Thurrock and agreed that this decision should have been delayed at least until the other side of the cost-of-living crisis. With Thurrock having many low-income workers who relied on their cars and vans as there was not the transport infrastructure available here for them, this would have a negative impact on businesses and sole traders within Thurrock who may trade in the zone and may not be financially able to replace older vehicles. Councillor J Kent raised his concern that drivers of non-compliant vehicles in a bid to avoid travelling through that zone, would skirt around that area and come through Thurrock. The amended motion should urge the Council to do something positive and to hold conversations with the Mayor's Office on the extension of some of the elements of the car scrappage scheme to neighbouring boroughs. With a public transport deficit in Thurrock, a conversation should take place with Transport of London to see what improvements could be made to public transport in Thurrock. There were many things that cabinet could do if they had the will to work across boundaries and hoped that Members could see that and support the amendment.

Councillor Maney stated the reason not to support the amendment as the motion presented by Councillor Jefferies had summed up where the Council should be. He reassured Councillor J Kent that they had tried as hard as possible to speak with TFL and the Mayor's Office but with no responses and was obvious that the Mayor of London did not want to consult with Thurrock but would continue to pursue. Regarding improving air quality as stated in Councillor J Kent amendment, the Mayor of London was seeking to offload London's air pollution on Thurrock by people with non-compliant vehicles seeking to reroute through Thurrock. The plans of the Mayor's Office would not only have financial impacts to the people of Thurrock but increase congestion, poor air quality and was unfair, so on that basis he would be supporting Councillor Jefferies motion and urged all Members to do the same.

Councillor Gledhill agreed to the difficulties of working with the Mayor of London and noted that there were people who lived on the outskirts of London who worked, supported, or cared for residents in Thurrock and these people would be hit the most and would need to make a choice whether to continue to work in Thurrock and how they would cover the daily charge. Councillor Gledhill stated this cannot be ignored, it cannot be delayed as referred by Councillor J Kent, it needed to be stopped immediately and as such would be supporting Councillor Jefferies motion as outlined.

Councillor Pearce stated her support for Councillor Jefferies motion as many residents of Aveley travelled to Havering on a regular basis and many could not afford to upgrade their vehicles. Those residents were hard working and would cause further financial hardship or being isolated from Greater London. Her constituents feared that should this proposal go ahead the next extension proposal could be to the congestion zone. Councillor Pearce stated the decision was unfair and all Members should join in opposing Labour's new tax on motorists.

Councillor Abbas stated his support to Councillor Jefferies motion as ULEZ would affect many residents, particularly of Muslim faith, as this charge would make it very difficult for them to visit their loved ones who were buried in cemeteries in Redbridge.

Councillor Watson stated Councillor J Kent's motion had asked for cabinet to take ownership and try to speak with TFL and the Mayor of London's Office and urged them to keep trying.

Councillor Piccolo stated his support to Councillor Jefferies motion as this could be seen as an age and poverty tax which would be restrictive to them and who may not have the finances to purchase new vehicles that were in line with the congestion zone rules.

Councillor Sammons fully supported Councillor Jefferies motion as a small business owner and stated how difficult it was to purchase new vehicles and agreed the extension should be scrapped altogether.

Councillor Byrne commented that thought needed to be given to those Thurrock residents who were now being asked to pay to park outside their homes.

Councillor Johnson reiterated that TFL and the Mayor's Office had and will not listen to Thurrock Council and on that basis would be supporting Councillor Jefferies motion.

Councillor G Coxshall raised his concerns on the proposed plans as residents of South Ockendon who worked in London, who were self-employed or drove to work would be looking at an additional £60 a week extra if they did not comply. He questioned why the motion should just be to note and accepted, that a stance needed to be taken to focus all efforts into opposing and

condemn this and Members should be encouraging residents to sign the petition.

Councillor Worrall as seconder to the amended motion did not comment.

Councillor J Kent summed up by addressing some of the comments made regarding Cllr G Coxshall question about why the motion should just be to note, Councillor J Kent stated the word “note” was in the original motion. Agreed with Councillor Byrne that it was hypocritical for Members to complain about taxes on motorists when charges were being made for residents to park outside their own home, car park increases and new car park charges at places such as Coalhouse Fort. The amendment was asking for the Council to do something rather than not, to try and speak with the Mayor of London and TFL to get some mitigation of the scheme for the residents of Thurrock.

Councillor Jefferies summed up by stating this was the worst time to implement this due to the cost-of-living crisis with £60 extra a week for residents, with only nine months to prepare, new vehicles hard to purchase, energy bills were up, inflation was up so residents could not afford this new charge. With ULEZ never being intended to apply to outer London, this needed to stop, this was a hit on drivers and had nothing to do with air quality but with the mismanagement of the Mayor’s Office of TFL finances. Councillor Jefferies reiterated that over 5000 responses had been taken out of the headline figure with 90% of those opposing to the ULEZ expansion.

The Mayor called a vote on the amended Motion.

With 14 votes for and 28 votes against the amendment, the motion was lost.

The Mayor called a vote on the substantive motion to which Councillor Jefferies requested a requisition vote.

For: Councillors Abbas, Allen, Anderson, D Arnold, P Arnold, Carter, Collins, G Coxshall, M Coxshall, Duffin, Gledhill, Halden, Holloway, Jefferies, Johnson, Kelly, Little, Maney, Massey, Mayes, Pearce, Piccolo, Polley, Ralph, Redsell, Sammons, Snell, Spillman, Thandi (29)

Against: Councillors Byrne, Chukwu, C Kent, J Kent, Kerin, Liddiard, Muldowney, Panjala, Potheary, Raper, Shinnick, Watson and Worrall (13)

Abstain: (0)

The Mayor announced the substantive Motion carried.

110. Motion 2 submitted by Councillor Massey

The Motion, as printed in the agenda was proposed by Councillor Massey and seconded by Councillor Allen. The Motion read as follows:

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.

Councillor Massey presented the motion by stated there needed to be confidence in the Council's capacity to make a good case for the protection of Thurrock residents and businesses against the disruption and destruction of the Lower Thames Crossing. Those working on the Lower Thames Crossing at the Council had produced some really good work which had been presented to the task force and hoped that this important work would continue for the benefit of the borough. The proposed Lower Thames Crossing would consume much green belt, impact the local plan, will impact residents' health and would be a permanent physical barrier going right through the heart of the borough and communities. The cost of both carbon and money are both high and agreed with both Members of Parliament of Thurrock this was now an out-of-date project and no longer delivered the benefits intended. Councillor Massey urged all residents, businesses, and other groups to register as interested party with the planning inspectorate which would allow representation later in the process. He asked Members to reaffirm their opposition to the Lower Thames Crossing, as currently opposed, by supporting the motion to ensure the Council had the resources required to communication and promote the opposition during the planning process.

Councillor Allen stated his support to Councillor Massey's motion.

An amendment to this motion had been received from Councillor J Kent and seconded by Councillor Byrne and read as follows:

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. Council also calls on cabinet to identify sufficient resources to ensure effective opposition to the proposals.

Councillor J Kent presented the amended motion by stating it was clear that all Members agreed the Lower Thames Crossing, as currently configured, would be an ecological and environmental disaster for Thurrock and would not achieve the aims of the crossing but drive a motorway through the heart of the borough and would create a toxic triangle. Over the last 10 years there had been active opposition to the scheme which had been backed by Council funding to ensure public engagement events could take place, hire experts to advise to ensure the Council made the best case. This funding was no longer available and without those funds turned the Council's active opposition to

passive opposition. The amendment was to ask cabinet to identify sufficient resources so that the proposal could be properly opposed.

Councillor Byrne stated that documentation prepared for this project was immense and funding was required to help Thurrock fight this.

Councillor Mayes stated his support to Councillor Massey's motion and thanked him for the great job he had undertaken in his chairmanship of the Lower Thames Crossing Task Force with the battle to continue to fight against the Lower Thames Crossing coming through the borough.

Councillor Maney stated his support to Councillor Massey's motion in that it was evident all in the chamber this evening were opposed to the Lower Thames Crossing and the impact that it would bring to the borough. Councillor Maney stated the question was how we resourced the response, there were many avenues that could be explored but should go to the National Highway and insist they fund the response through the planning performance agreement. Councillor Maney thanked Councillor Massey for the work undertaken by the Lower Thames Crossing Task Force and the Council would be determined to resource the response as best as they could but needed to go to the people who were inflicting this on Thurrock.

Councillor Redsell stated her support to Councillor Massey's motion and that all 49 Members should work together to fight this, there had been too many consultations, with the LTC blighting too many lives in Thurrock. She recognised and thanked Councillor Massey for the work undertaken by the Lower Thames Crossing Task Force.

Councillor Muldowney stated her support to Councillor J Kent motion, as a member of the Lower Thames Crossing Task Force it was recognised that proper resources needed to be available to fight this or it would be a disaster for Thurrock. That Highways England when attending the task force provided or shared very little information.

Councillor M Coxshall stated his support for Councillor Massey's motion and reiterated the work he had undertaken as chair on the Lower Thames Crossing Task Force with the project undertaking a lot of work and had been resourced very highly over the last couple years. Councillor M Coxshall stated that money should not now be wasted and to ensure it got through the planning process this should be taken through the 114 processes, this was the process to prove its value, and not through cabinet. The motion had highlighted the impact this would have on the residents and businesses in Thurrock and should continue to oppose this whole-heartly.

Councillor Polley thanked Councillor Massey for his motion and the work that had been undertaken on the Lower Thames Crossing Task Force, this was the finest example of Members working together. The Lower Thames Crossing was not right for Thurrock and Thurrock did not want it; the Council should continue their commitment to fight this project in its current format. Councillor Polley also made thanks to the Lower Thames Crossing Action

Group and volunteers which had demonstrated a community working together with a common goal.

Councillor Worrall stated the project would be worth nothing if the resources were not provided and could not understand why all Members were not supporting the amendment as we owed this to Thurrock residents, residents who would not support Members if this project had not been properly resourced.

Councillor Byrne reiterated that funding was important to fund this project and that money was required now to ensure the proper comms work could be undertaken.

Councillor Allen commended Councillor Massey for his chairmanship on the Lower Thames Crossing Task Force, stated the Lower Thames Crossing would be an environmental and ecological disaster and put a stake through the heart of Thurrock.

Councillor J Kent summed up by stating his amendment had called on cabinet to identify sufficient resources to ensure effective opposition to the proposals and did not say that money should come from the Council's purse; with Councillor Maney stating there were many other avenues that could have been explored. Referred to Councillor M Coxshall comment that it would be up to the commissioners to make that decision, not cabinet. Councillor J Kent agreed there was agreement amongst all Members they all wanted to identify resources.

Councillor Massey summed up by thanking Members for their support and thanked colleagues on the Lower Thames Crossing Task Force. It was important to remember the challenges that will be created by the Lower Thames Crossing and would be vital to know where this was in the planning process. A clear message should be sent to National Highways and the Secretary of State for Transport that Thurrock remained opposed and urged those decision makers to hear the views of Thurrock.

The Mayor called a vote on the amended Motion.

With 14 votes for, 27 votes against and 1 vote abstain, the amended motion was lost.

A further vote was undertaken for the substantive motion to which all 42 Members voting for, the Mayor announced the Motion carried.

111. Motion 3 submitted by Councillor J Kent

The Motion, as printed in the agenda was proposed by Councillor J Kent and seconded by Councillor Kerin. The Motion read as follows:

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.

Councillor J Kent presented the motion by stating that Grays Athletic Football Club had lost their home ground in 2010 when the owner of the ground had sold it for development and since then had a variety of homes, sharing with East Thurrock United, with Rush Green and now sharing with Aveley Football Club. It was important to the town of Grays and for the club to be able to relocate to Grays. With changes being made to planning rules and the introduction of a policy that stated any sport club that had been displaced by a development would be found new land being identified in the borough. This had not happened for Lakeside Hammers who had been displaced by the potential development of Arena Essex. Councillor J Kent stated the motion requested that the planning process and the local plan process be used to identify suitable land for these two clubs that had brought only good to Thurrock.

Councillor M Coxshall welcomed this motion and as the local plan moved through the process it was important to include sports provision with leisure, entertainment, and sports provisions as they were a critical part of the local plan and for the residents of Thurrock.

Councillor Polley stated this was not the first time the Council had been asked to support Grays Athletic and would continue to support and questioned whether more negotiations by Grays Athletic with the landowner could have taken place. She noted the use of the local plan and that all football clubs and sports facilities now had to be profitable. She touched on the geographical area that a potential site could be offered and agreed that any activities and healthy living should be supported.

Councillor Mayes stated his support to the motion and the importance of the local plan. He also agreed for Grays Athletic to have a place to call their own home would be advantageous, not only for the football team but as a whole sports ecosystem, would be good for the whole community and youth set-up.

Councillor Gledhill stated his support to the motion and agreed there was a lot of interest in that Grays Athletic should return to Grays. In the past this had offered a lot of benefits to the area and had been an affordable day out for families. He agreed this should form part of the local plan and urged all residents to have their say. It should be a place where people want to come and spend their money because the sport, the facilities and entertainment were here in Thurrock for them to enjoy.

Councillor Ralph stated his support to the motion and agreed Grays Athletic needed a home of their own, it was great that local football teams helped and supported each other but this needed to happen quickly.

Councillor Jefferies stated his support to the motion as the local plan was not just about building new homes it was about providing a community with

sports, leisure and entertainment with football and speedway being at the heart of that local plan.

Councillor Redsell as chair of the Local Development Plan Task Force had invited Grays Athletic to committee to talk about their aspirations and what they were looking for and needed and they were currently in discussions with Planning and LDF. It was important as part of that discussion, that a safe place be found, that would not interfere with too many people's homes. Councillor Redsell stated it was also important that support should be provided to all sports and coaches, some of which were coaching Thurrock children voluntarily.

Councillor Chukwu stated his support for this motion and urged all Members to support it.

Councillor Duffin stated the motion presented should not be just achieving to get the piece of the land but to have the facilities there that would generate income for the club to sustain and to have facilities availability and revenue generators in place. It had previously been seen that it was those facilities that kept football clubs running, ensuring revenue for the whole year. Councillor Duffin supported the ethos of the motion but highlighted there was still a long way to go and eased caution but agreed to have something done would be great to see for all four teams around the borough having top quality venues that would benefit the community.

Councillor Byrne stated his support for this motion but reminded Members the importance to also support performing arts within the borough.

Councillor Kerin stated his support for Councillor J Kent's motion and comments made this evening had demonstrated how important this was and the local plan should be the opportunity not just for housing but to identify the place that Thurrock should be and what activities, sports and entertainment should be available. With Grays Athletic surviving 13 years of homelessness had been down to the supporters and the community work they undertake. As the local plan progressed it had to be identified how it could support local clubs, cultural assets, and organisations. If the local plan can help to put Grays Athletic onto a surer footing, then there was no reason why the team could not continue into the future.

Councillor J Kent thanked Members for their support this evening and noted the support of Lakeside Hammers was equally as important.

The Mayor called a vote on the Motion.

With 42 votes for, the Mayor announced the motion carried.

The meeting finished at 9.16 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**

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Appendix A to the Council Minutes – 25 January 2023

QUESTIONS FROM PUBLIC

1. From Mr Perrin to Councillor Spillman

Thank you, Mister Mayor. 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?

Mayor

Cabinet Member for Housing, would you like to respond.

Councillor Spillman

I'm always very concerned about damp and mould. It's something that I deal with regularly in my day job, and it's one of the main focusses that we've put over the past year and a half since I've been Cabinet Member. There're different reasons for new concerns about damp and mould, and that's the cost-of-living crisis which has created a problem whereby a lot of people are finding it very difficult to heat their homes, which is a real dangerous thing when it comes to damp and mould. So, we've put in extra funding to try and help support people in that situation. We're also doing more monitoring regarding damp and mould than this Council has ever done in its history. We've got a Task Force set up, not just with our internal stakeholders, but with a Task Force that's borough-wide of all the different housing providers and care providers in Thurrock, so that it's not just the case of tackling damp and mould in social housing, but it's also about protecting tenants in all housing in Thurrock. So, it's not just about council tenants we're focusing this process on. It's about making sure all tenants in Thurrock are being protected from the harm that damp and mould can cause. Now there's lots of different causes of damp and mould, but it's all about putting the proper structural, if there's structural issues fixing those structural issues. If there are – if the main cause is condensation mould ensure that we do our bit to make sure rooms are properly ventilated, to make sure there's vents, extractor fans and mechanical dehumidifiers where required. But it's also about education as well. A lot of people don't know how they can reduce condensation in their own homes, so it's about going in and helping people reduce condensation in their own homes. So, it's a complete package of financial, repairs, education, and reporting. So, we're looking for more of it and doing more to try and stop it in the first place, we're doing more to try and fix it when it happens, and we're doing more to educate tenants so they can try and avoid its recurrence. So, I think really we are, in terms of the report, we are actually ahead of the curve when it comes to local authorities in dealing with the new regulatory framework that's come out of the terrible, terrible death of that child in 2020.

Mayor

Thank-you Councillor Spillman. Mr Perrin would you like to pose a

supplementary question?

Mr Perrin

Thank you Mister Mayor. Thank you, Councillor Spillman. The death of Awaab Ishak in 2020, eight days after his second birthday, is the direct result of black mould in the flat he lived in, should dispel any lingering doubts that black mould is a category one hazard, dangerous and life-threatening especially to babies and young children. A coroner has said that the death of an engaging, likely, endearing two-year-old from prolonged exposure to mould in his family's flat should be a defining moment for the UK's housing sector. England's housing ombudsman said landlords must make plans to tackle the real risk of worsening damp and mould issues. In view of expected expenditure restrictions, imposed as a result of financial crisis, can you give assurance that the treatment of damp and mould, particularly black mould, will be exempt from financial cutbacks, be a number one priority and residents are not subjected to prolonged exposure to black mould, and that their children will be safe in their home. I take this opportunity to remind Councillors that ten or more years ago Mrs Deirdre Lodge, her late husband Simon, and myself pleaded with the Council to take the issue of black mould in council houses seriously and recognise it as a life-threatening hazard only to be dismissed as scaremongers. I believe in the very least Ms Lodge is owed an apology from the council. Thank you.

Mayor

Councillor Spillman.

Councillor Spillman

I know Deirdre fairly well and I was also campaigning on the subject of mould – damp and mould throughout that period. I was also told on many occasions that my concerns were unfounded, and I believe wholeheartedly that damp and mould have serious health implications and can kill people. Now, not only did – I think it's worth going back to what happened to Awaab I think it's important that people hear this. This is the what the coroner and doctors said - they said that his throat, windpipe, and other airways were so swollen and congested that breathing would have been made difficult. Fungus was found in his blood and lungs, with such severe inflammation suggesting an allergic reaction to it, and I'm really pleased that this judgement came. It's just a shame that it came as a result of this poor child dying. This is a long time coming and it's created a legislative change and forced councils, landlords across the board to face up to the effects of damp and mould, and I see that as nothing but a positive. Regarding funding I must remind that the HRA is ringfenced from the general fund and that we've had conversations with commissioners and there is – they've said that there is no problems with continuing to invest in our housing stock and – and so I'm really pleased of that. And that's not just regarding repairs, capital projects, also with new builds as well. So, it's very welcome news. You need to separate the HRA from the general fund, in simple terms it's like two different companies within the same

umbrella. So, no there will be no cuts as a result of the financial problems, but I also hope, and I say this regarding cuts to opposition members, that they will not be playing politics with rent increases and service charges this year because if anything is going to result in cuts, that could result in our tenants being harmed, it's going to be playing politics with rent and service increases and ending up with the £26m – that's not what was said at committee, that's not what was said at committee. So, I really hope they support the rent and service charge increases because we'll be able to protect tenants if – it's not about mask it's about playing politics with cuts yeah. And I want to protect this council.

Mayor

Councillor Spillman, Councillor Spillman, Councillor Spillman. Thank you.

QUESTIONS TO THE LEADER OF THE COUNCIL

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?

Mayor

Leader of the Council.

Councillor M Coxshall

No the democratic process should happen.

Mayor

Leader of the Opposition.

Councillor J Kent

I'm glad to hear that and I think we all agree. Would the Leader welcome a boundary review that would lead to all our elections next year or the year after?

Mayor

Leader of the Council.

Councillor M Coxshall

I think there's a boundary review due. We've been since 2002 and we need a boundary review. That would definitely be of use, and I think we need to have a conversation as all of us as to when the boundary review could happen. It's

not due until 2024 and that's a conversation we really do need whether a boundary review should happen. I think, personally, that the democratic process – that should be part of the review of any constitution. What we do here and for all 49, it should not just be me or the Cabinet, or 30 of us our side. I want to engage in 49 about what look – democracy looks like in Thurrock. And I think a boundary review, and there's other opportunities to look at democracy and how we elect people here in Thurrock.

Mayor

Leader of the Opposition.

Councillor J Kent

I think the opportunity for the whole community, for all voters in Thurrock, to have their say and give their opinion on what has happened here is really important, so can I encourage the Leader of the Council to do all he can to bring that boundary review forward so we can have that – all out elections – and we can give people the chance to either re-elect all of us or to replace all of us.

Mayor

Leader of the Council

Councillor M Coxshall

I agree – that was an opportunity, we can do that – that's the Boundary Commissioners decision, unless the government decides that we can actually expedite. The boundary's 2024, it's full up at the moment. I think it was looked at two years ago and we couldn't – when the Boundary Commissioners was – our neighbours will have that next year, all-outs, it would be sensible. How to get a boundary, make sure we're elected the right number here and if it can be done in under 12 months is a different matter.

2. From Councillor J Kent to Councillor M Coxshall

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

Mayor

Leader of the Council.

Councillor M Coxshall

I currently have no preferred option for devolution of the Essex area. I can say that Leaders have been actively engaging through the Essex Leaders and Chief Executives Group to explore the possibilities and dialogue with government for a devolution deal. Let's be clear what a devolution deal isn't,

and I think it's very difficult, it's not local authority boundary changes. The work of devolution is to devolve powers from government down to a different – and share services from the top tier authorities, which would be Essex, Southend – Essex County Council, Southend and Thurrock. We would share services with a new body, it's not removing us. The decision has not been taken or made of what – and an expression of interest will be considered at the next meeting of the Essex Leaders and Chief Executives on the 30th January and comments are invited to the proposals well into February. I remind all Members across Essex were invited to share a briefing meeting to this date and works ongoing. I would also invite all Chairs to come to speak to me, and the Chair of Corporate Overview and Scrutiny Committee to consider a special meeting for a briefing of the Greater Essex deal, which has been proposed. But I'd like to move other options - there are other options out there, which is moving ASELA, which has been around for sometime now, it really is a level one and could go to a level two or a level three. But I would give this undertaking that I agree that the decision process for this should be with all Leaders and should come to a democratic governance procedure, not just the 30.

Mayor

Leader of the Opposition.

Councillor J Kent

Mister Mayor, I understand that the Leader has an open mind on this, but the 30th of January is only Monday, so can I suggest that he comes to some sort of a conclusion over the weekend. Mister Mayor, I think it's really important that if Thurrock is to survive as we know it, in any shape or form, that we fully embrace the devolution agenda to help bring in the extra capacity to deliver some of those infrastructure problems that clearly, we have failed to deliver over the years. I really see embracing devolution, be that combined authorities, elected Mayors for part of the county, as a real opportunity to just help us get out of the mess we're in now. Does the Leader agree with that?

Mayor

Leader of the Council.

Councillor M Coxshall

I think we've got to devolve the two because obviously what I don't want is Thurrock's problems to become my neighbours' problems, and I think that muddies the waters of a devolution deal, which I think there is advantages of a devolution deal. I think like the madness of skills agenda being decided by Thurrock, Essex County Council, and Southend is crazy. I think the madness that the A13 and the 127 we have to individually bid for it and a small authority like this, when we can't – it gets now up to 5 Bells, and it still changes. We can get good deals and good deals for the devolution deals can actually get us a good strategic road network. I think the ideas around health and how we can

make sure – there's great ideas how we can share and get devolution and there's a lot of money on the table per capita. If you look at some of the deals now by this government, and I can see the Labour oppositions proposals to the Gordon Brown proposals are very exciting. I think Members must realise what, it's not this government, it's both governments, both heads of – Leaders of government, whoever it's going to be in two years' time are agreed devolution is the way to go, and we can't put our heads in the sand and say no to it, we've got to move forward, but it's got to be the right decision for Thurrock and the Thurrock people. And I think your leading to a boundary changes, and what can we do – I think we can have a conversation about that, but at this time this is all about a new tier of government, and that's what worries people because it'll be another tax on the council tax powers of Thurrock, a fee for something. And I don't want to do that without good conversations. As you say the 30th is the day we see the proposals for Greater Essex. I've just suggested that there's some other alternative proposals and that may need to be there. We've got until the end of March to put something to the Secretary of State, we may not have a settled opinion with 15 Leaders by that time, but we'll have something to open negotiations into the rest of the year, so we won't have to make a decision on the 30th, but again just because we're just been talking about 49 of us, I don't want to make a decision here and just with my Cabinet. It's got to be us and I welcome Councillor Kent's options there to put a few of them out there so we can all get involved in this. And if we haven't had the Leaders meeting at the moment Members, please come to me and I think we can send out all the slides that are freely available and feedback to me what you want for me to say in the next three months, because I will be led by 49 Members, not just the Cabinet or me, my own preferred choice.

Mayor

Leader of the Opposition.

Councillor J Kent

I agree with much of that. The devolution agenda has been about since at least 2006/2007. I remember David Miliband talking about double devolution as he called it. We would devolve powers down to local government, they would devolve powers down to the people. I'm disappointed in many ways that more hasn't been delivered. I take the Leader's point about we don't want to contaminate our neighbours with Thurrock's toxic debt. I think we all accept that. Can I just ask the Leader, when he sees the proposals for devolution in Greater Essex, what are the key tests and principles that he will use to judge which is best.

Councillor M Coxshall

I base it on one – the major principle of the levelling up white paper was a economic area, a functioning economic area actually, and I've got the economic test: is Greater Essex, which is Southend, Essex County Council and us, a functioning economic area. We do have a functioning economic area, ASELA, but I see the advantages of a Greater Essex deal because the government likes county deals, like one county moving forward. But there's options, not to discount that deal, an interesting option with the size of fund available. But I think we just need to make sure that we've thoroughly keep the ties on all options and how we keep them ties is what I want help with.

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?

Mayor

Councillor Arnold.

Councillor D Arnold

Thank you Mister Mayor. Thank you, Councillor Byrne, as always for your question. I'm going to split it out into three areas because your question relate too. So, drivers, it depends what you mean by drivers. Drivers for the programme are managed through the business case process as set out by NHS England for major capital projects. The dictionary says that a driver is 'a wheel or a part in a mechanism that transmits motion to other parts', so I would argue that I'm a driver, as are my fellow Councillors and those sitting on HOSC and challenging. And that as Councillors we're here because we're wanting to drive and make improvements to health outcomes and services to our residents of the authority and pushing the agenda as much as we can. Project management is controlled and managed by the Integrated Care systems, supported by staff members from across partner organisations and local authority. And the final decision to proceed sit with NHS England through approval of outline and final business cases.

Mayor

Thank you Councillor Arnold. Councillor Byrne, a supplementary?

Councillor Byrne

Yes because this is where I get confused because if anything negative

centres around the NHS, so at what point do the Conservatives jettison the NHS and claim it as a personal success.

Mayor

Councillor Arnold would you like to respond?

Councillor D Arnold

Yes strange question, difficult to answer. I don't think we've claimed that we're the success of - for Corringham IMC. This is a partnership, it's the integrated care system, an alliance, its local authority, it's the directors, its staff, officers, its frontline workers, it's the NHS, it's Councillors. We all have our part to play in this, nobody's taking personal credit for anything.

Mayor

Councillor Byrne, supplementary?

Councillor Byrne

Yes, well a recent leaflet delivered to 3,500 homes in the set wards says this is why Councillor Christian Name and Surname has done recently is open the new medical centre, taking full credit for the Kodak moment, printed on leaflets. So, does – and it's here on his leaflet, 3,500 people with the Kodak moment saying it's me. So, somebody's taking the credit and you're jettisoning the NHS. You told it to 3,500 people.

Mayor

Councillor Byrne can you turn off your microphone please. Councillor Arnold.

Councillor D Arnold

Nobody took personal credit; we were at the opening. There's a photograph. I put a letter – a newsletter out to Corringham and Fobbing showing them that the medial centre is there. There are some people that don't realise that that medical centre is open. It's a newsletter to tell people it's open, nobody's taking credit. And thank you Councillor Byrne for reading it. Councillor Byrne you don't – I'm really glad that I put that out for you to see it because you - I'm really glad you've seen it and read it, because you don't attend HOSC, you don't attend Health and Wellbeing, you don't attend Cabinet meetings, you don't attend ICB, you don't attend the MSEE partnership updates, so I can't call you a driver. The only thing I think you're driving is the car here.

Councillor Byrne

Why can't I have my say again – she had hers?

Mayor

Councillor Byrne that's how it works, the Cabinet Member answers the final question.

Councillor Byrne

So, the Cabinet Member likes lies.

2. From Councillor Pearce to Councillor Jefferies

Thank you, Mister Mayor. 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?

Mayor

Councillor Jefferies could you respond please.

Councillor Jefferies

Thank you Mister Mayor. Thank you, Councillor Pearce, for your question. By this administration's Clean It, Cut It, Fill It programme we've sought to enhance our public areas by tackling forms of anti-social behaviour, and I agree that dog-fouling is no less than a nuisance, and it's right that the council considers ways to tackle this. I can confirm that over the last five or so years, we've replaced all the old metal dog bins with all-purpose bins, which we now have nearly six hundred dual bins, including the forty large dual-purpose ones in our town centre bins. In the terms of enforcement, this is something which my colleague Councillor Maney will be able to discuss with you more in detail, however I know that the council has sought to tackle dog-fouling in local cemeteries, by the introduction of public space protection orders, and I look forward to seeing them in place soon. PSPOs will allow our officers to issue fixed penalty notices to people who allow their dogs to foul, or who disobey the requirements to keep them on a lead. I know that consideration is being given as to whether PSPOs could also be introduced in play areas and there are a number of considerations which must be made before this can happen, and there are requirements to demonstrate the evidence that a problem exists. I would therefore urge all councillors and residents to report dog-fouling to the council for this reason. Lastly, I understand that our environmental enforcement officers will start making increased patrols of our parks and open spaces, in the hope that their presence will deter some instances of dog fouling. This will also enable the Council to assess whether the need for further action is required.

Mayor

Thank you Councillor Jefferies. Councillor Pearce would you like a

supplementary?

Councillor Pearce

Well it was just to say that can – how do you advise residents to report these problems associated with dog fouling given it appears that the next steps are dependent on there being sufficient evidence?

Mayor

Councillor Jefferies.

Councillor Jefferies

Thank you Mister Mayor. Thank you, Councillor Pearce, for your supplementary question. I think in my last words slightly answered this, and that was I encourage all residents to report dog fouling to the council through the website, so that it can be investigated, and hopefully with more enforcement officers on patrols in our parks or open spaces and our cemeteries, we'll be able to deter this.

Mayor

Councillor Pearce, final supplementary?

Councillor Pearce

No thank you.

3. Councillor Byrne to Councillor Abbas

Yes, thank you. Can the Portfolio Holder confirm the bidders for the Thameside Theatre please?

Mayor

Councillor Abbas, would you please respond.

Councillor Abbas

Thank you Mister Mayor and thank you Councillor for your question. The bidding process for the lease of the Thameside Complex is overseen by a different board for you. The relevant director has provided with the bidder's names. The bidders who have submitted proposals for the lease of the Thameside Complex are a partnership between Thurrock Lifestyle Solutions and Thurrock International Celebration of Culture, and Waltham International College.

Mayor

Thank you Councillor Abbas. Councillor Byrne would you like a supplementary?

Councillor Byrne

Yes please. Would the Portfolio's interest in the college, coupled with a very serious investigation going into Waltham College, a damning report from Ofsted, issues raised with the Liverpool City region, the Education and Skills Agency, learners have never heard of Waltham College, the inspectors of the GLA and WIC. The most alarming report is learners and apprentices have – Leaders haven't put a secure understanding of the dangers of radicalisation and extremism. Surely, we don't want any more stains on Thurrock's credibility. Have we again failed on due diligence? If the evidence is correct, will we eliminate the WIC from coming anywhere near Thurrock?

Mayor

Thank you Councillor Byrne. Councillor Abbas could you respond please.

Councillor Abbas

Thank you Mister Mayor, and thank you for your supplementary question. My register of interest is very transparent and updated regularly. Because of my education experience in different fields, and my position, different national and international organisations approach me. So, I have been a member in the past of the Board of Governors of Waltham International College. Likewise, I have been a member of Board of Governors of Thurrock Adult Community College. In the past I have been three time appointed Vice-Chair and twice Chair of International Human Rights Committee of Lahore High Court Bar Association, which is one of Asia's largest lawyers associations. I was also appointed member of Overseas Advisory Council for UK by the government of Punjab. Two higher education colleges in London, they have also requested me to become part of their Board of Governors. I think you have – a member of the Board of Governors is something different, I have no role in their administrative or what the college does. I have resigned their post and I'm not – I don't have any Executive powers to make decisions either. Neither assets are in my Portfolio. Thank you.

Mayor

Thank you Councillor Abbas. Councillor Byrne a second supplementary?

Councillor Byrne

Well the question was that damning report, will they throw out somebody who's like radicalising college – that was the question. But anyway, you've got no interest, but it was the Christmas party who enjoyed. You must have loved everyone there because there's no faces blanked out.

Mayor

Can everyone let Councillor Byrne finish his question. Councillor Byrne carry on.

Councillor Byrne

Thing is as a – as our representative for the community, for its culture, will the Portfolio Holder be supporting the community by attending the Save the Thameside demo on February the eighth, because you are the man that represents culture, you are the man that represents community. So, you're very welcome and we'll put your right up the front if you like.

Mayor

Councillor Abbas, would you respond please.

Councillor Abbas

Thank you Mister Mayor and thank you for your supplementary question. Though I work not on rumours, the answer is no. Is theatre open – the answer is yes. Is museum open – the answer is yes. Is the library open – the answer is yes.

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?

Mayor

Councillor Abbas, will you please respond.

Councillor Abbas

Thank you, Mister Mayor, and thank you Councillor J Kent for your question, yes I can look into this.

Mayor

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

Councillor J Kent

Mister Mayor that is of real comfort, being an accredited museum means that there are certain requirements that have to be fulfilled such as making sure that artifacts are properly registered, that we have a list of artifacts, it makes it more difficult to sell those artifacts should, for instance, the museum were to close, so can I ask that the portfolio holder undertakes to start that process this week.

Mayor

Councillor Abbas

Councillor Abbas

As you have said there are certain requirements, but I can assure you like we have digitalised thousands of items which are in our stock and our plan is to digitise almost 85% stock by June 2023, this is not a simple process but as said, we can look into this.

Mayor

Councillor J Kent final supplementary.

Councillor J Kent

Mister Mayor I am not really interested in digitalisation of images, what I am interested in is preserving the museum, preserving the theatre, preserving the library, preserving the whole complex. Will the portfolio holder undertake when he comes to the Corporate Overview and Scrutiny Committee next week to give us a full update on the progress he has made with achieving accredited status.

Mayor

Councillor Abbas, please respond.

Councillor Abbas

If Councillor Kent thinks this is something I can make in one day or two days, I think he's living in an imaginary world. There are certain requirements to fulfil. We are waiting on the decisions on Thameside complex, there are different requirements. As I said as soon as those things are overcome we will certainly look into this.

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?

Mayor

Councillor M Coxshall, would you respond please.

Councillor M Coxshall

The Council has been in discussion with the owner about the current conditions of the building and have advised the owner to take steps that consider necessary to secure the land in the short term to protect the building.

Unfortunately, I am sorry to say at this time the owner has not taken any steps in relation to carry out any remedial works. The Council is presently looking at what options are able to take to protect the shorter-term future of the building.

Mayor

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

Councillor J Kent

Mister Mayor, we have all seen the pictures of the state, the pictures of the holes in the roof, that the building is clearly deteriorating and it's becoming a matter of real urgency to force the owners to fulfil their obligations as the owners of a grade II listed building. The council has obligations as well, the council has a statutory duty to ensure the safety of that building, so can I ask the portfolio holder to go back and to redouble the efforts and to report back to us soon as to progress and actually securing the building.

Mayor

Councillor M Coxshall, would you respond please.

Councillor M Coxshall

I actually thank Councillor Kent for bringing that here, so the council as a public body, that officers understand how imperative that is to the future of the town centre and its upsetting that the owners haven't started that action and I have been pursuing that through my portfolio. I will mention it tomorrow in my portfolio report, as senior officers that this has been asked at full council last night and I expect an answer to come back to you and I will request a written answer to you on what happens, I report regularly to ward councillors as to what actions have been taken and when they are going to be taken.

Mayor

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

Councillor J Kent

No thank you.

QUESTIONS FROM MEMBERS OF THE PUBLIC

One question has been received from members of the public.

1. **From Sam Byrne to Councillor M Coxshall**

Councillor Coxshall, in your new era of openness and transparency and your calls at many meetings for all 49 councillors to be included in the important decisions ahead, may I please request that you allow the very important decision on the future of the Thameside Complex to be voted on, not only by the nine members of your party who sit on the Cabinet but indeed by all 49 councillors at a full council meeting.

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Petitions Update Report

Petition No.	Description	Presented (date)	Presented (at)	Submitted (by)	Status
569	With flooding a regular occurrence on Dock Road, Little Thurrock and the nearby sluice gates getting overwhelmed we the undersigned, call on Thurrock Council to drive forward with the plans to convert and use the old Bull Meadow nursery site as a wetland to help naturally manage this flooding. We also ask that the rest of the site be cleared and improved to make an accessible public open space.	25/2/2023	Council	Cllr Kelly	The Flood Risk Management team have engaged with key parties, including the Environment Agency to explore whether the former Bull Meadow Nursery will provide the appropriate relief of the risk of flooding within the Dock Road / Marshfoot Road area of Little Thurrock. A submission has been made to the Environment Agency to seek funding to undertake a detailed study to show what impact the conversion of this site into appropriate attenuation and wetland facility will provide. If this initial assessment is deemed positive, it will help create the framework to seek the award of external funding to enable this scheme to be implemented. The submission to the Environment Agency has passed its first gateway, and officers expect details to emerge in the coming weeks if this initial funding is to be awarded. If the scheme is deemed viable after the completion of the study, and meets HM Treasury rules for funds, formal consideration can be made for the creation of a facility which can also be used as a recreational wetland.

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1 March 2023	ITEM: 10
Council	
Appointment of Electoral Registration Officer and Returning Officer	
Wards and communities affected: N/A	Key Decision: Non-Key
Report of: John Jones, Director of Legal and Governance and Monitoring Officer	
Accountable Assistant Director: N/a	
Accountable Director: John Jones, Director of Legal and Governance and Monitoring Officer	
This report is 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 (*name to be confirmed*) 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 (*name to be confirmed*) 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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1 March 2023	ITEM: 11
Council	
Approval of Absence – Councillor Chris Baker	
Wards and communities affected: Belhus	Key Decision: Non-Key
Report of: John Jones – Director of Law and Monitoring Officer	
Accountable Assistant Director: n/a	
Accountable Director: John Jones - Director of Law and Monitoring Officer	
This report is public	

Executive Summary

This report seeks to resolve the non-attendance of a member at meetings for six months as prescribed in the Local Government Act 1972, Section 85(1).

1. Recommendation(s)

- 1.1 That Council agree to extend Councillor Baker’s non-attendance at council meetings until the end of July 2023 on terms of compassionate leave.**

2. Introduction and Background

- 2.1 Section 85(1) of the Local Government Act 1972 provides that a Member will cease to be a Member of the authority if:
1. he fails to attend any Meetings of the authority or any other meeting as a representative of the Council;
 2. he has been absent for a period of six consecutive months from the date of their last attendance;
 3. his absence is not due to some reason approved by the authority before the expiry of that period.
- 2.2 Council will be aware that Councillor Baker has personal circumstances which have prevented him from attending any meetings of council.
- 2.3 The last date of a qualifying meeting for Councillor Baker is 25 April 2023. Due to the decline in public meetings moving into March and April 2023 and the continuing circumstances of Councillor Baker it is advised that his non-

attendance is extended for a reasonable period of 3 months. Any approval by the Authority must be before the expiry of the 6-month period from that date.

- 2.4 Members and officers of Thurrock Council would like to send their best wishes to Councillor Baker.

3. Issues, Options and Analysis of Options

- 3.1 If Members do not agree to the recommendation, then Councillor Baker would cease to be a councillor as outlined in 2.1 after the expiry of his 6-month non-attendance period.

4. Reasons for Recommendation

- 4.1 Councillor Baker has extenuating personal circumstances which have prevented him from attending public committee meetings in the 6-month period.

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

- 5.1 Not applicable.

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

- 6.1 This report follows legislation in relation to the non-attendance of Members at meetings for six months.

7. Implications

7.1 Financial

Implications verified by: **Dammy Adewole**
Senior Management Accountant – Central Services

There are no financial implications in this report.

7.2 Legal

Implications verified by: **Gina Clark**
Governance Lawyer and Deputy Monitoring Officer

Section 85(1) of the Local Government Act 1972 enables an authority to approve the reason for non-attendance of a member at any meeting of the authority throughout a period of six consecutive months, provided that approval is given by the authority before the expiry of the six months.

7.3 Diversity and Equality

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

The Council should note the decision that has been taken and ensure that it is applied consistently to all Members.

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):

- None

9. Appendices to the report

- None

Report Author:

Matthew Boulter
Democratic Services Manager
Legal & Democratic Services

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1 March 2023	ITEM: 12
Council	
Interim Appointment – Director of Legal and Governance (Monitoring Officer)	
Wards and communities affected: All	Key Decision: Key
Report of: Councillor Mark Coxshall, Leader of the Council	
Accountable Assistant Director: n/a	
Accountable Director: Ian Wake, Acting Chief Executive	
This report is Public	

Executive Summary

In accordance with the relevant legislation and Constitutional requirements this report seeks Council approval to appoint to the Interim Director of Legal and Governance (Monitoring Officer) role.

1. Recommendation

1.1 To approve in accordance with the Council’s Constitution the appointment of Asmat Hussain as Interim Director of Legal and Governance (Monitoring Officer).

2. Introduction and Background

- 2.1 The Interim Director of Legal and Monitoring Officer role has been filled since November 2022 by John Jones who is set to leave the Council in March.
- 2.2 The position had been agreed by General Services Committee as part of the senior manager interim arrangements put in place to respond to Government Intervention and the Best Value Inspection.
- 2.3 The Council is required to appoint a Monitoring Officer under Section 5 of the Local Government and Housing Act 1989.

3. Issues, Options and Analysis of Options

- 3.1 In order to replace John Jones a further search for interim resources was undertaken. Two suitable candidates were identified, and General Services Committee undertook interviews on 7 February 2023.
- 3.2 Selection interviews, conducted by General Services Committee, took place on 7 February.
- 3.3 As a result of these interviews, General Services Committee unanimously recommend to Council to appoint Asmat Hussain as Interim Director of Legal and Governance (Monitoring Officer) with effect from 2 March 2023.

4. Reasons for Recommendation

- 4.1 To ensure that interim arrangements continue to be in place to enable the Council to fulfil statutory functions and have appropriate senior leadership to deliver critical services and the Improvement and Recovery Plan ambitions.

5. Consultation

- 5.1 General Services Committee have undertaken interviews for this role and recommend the interim appointment to Council.

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

- 6.1 Not applicable.

7. Implications

7.1 Financial

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

The cost of this post is not part of the core budget allocation but forms part of the exceptional financial support request made to central government, for which discussions are ongoing. The post meets the requirements of the Section 114 notice which prohibits all non-essential spend. The estimated cost for the initial six-month period is £129,285.

7.2 Legal

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

The legal requirements and implications in relation to the appointment of the Monitoring Officer are set out in this report.

7.3 Diversity and Equality

Implications verified by: **Tina Dempsey**
Strategic Lead People and Organisational Development

This appointment is recommended based on the Council's recruitment process which is underpinned by the Council's equal opportunity policy.

Report Author:

Jackie Hinchliffe
Director of HR, OD and Transformation
HR, OD and Transformation

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1 March 2023		ITEM: 13
Council		
Independent Remuneration Panel		
Wards and communities affected: N/a	Key Decision: Non-key	
Report of: John Jones, Interim Director of Law and Monitoring Officer		
Accountable Assistant Director: N/a		
Accountable Director: John Jones, Interim Director of Law and Monitoring Officer		
This report is public		

Executive Summary

This report sets out the new arrangements for the Independent Remuneration Panel (IRP) including the appointment of new panel members.

1. Recommendation(s)

1.1 Agree the make up and arrangements for the new Thurrock IRP as set out in section 2.2.

1.2 Determine whether panel members be paid a fee in recognition of their contribution or not.

1.3 If Council agree to a fee for panel members that this fee be £250 per day of attendance per panel member.

2. Introduction and Background

2.1 The IRP exists to independently consider and recommend a level of allowances for Members. Historically Thurrock has shared an IRP with Southend Borough Council. At Full Council on 29 January 2020 Members agreed that “Officers should investigate and implement alternative IRP arrangements for future years”. The General Services Committee considered an options paper in July 2022, agreeing to a dedicated Thurrock IRP.

2.2 Officers have subsequently worked on establishing this IRP with the following:

- The Chair will be Mark Palmer. Mr Palmer is the Development Director of South Essex Employers and chairs numerous IRPs across the country including Maidstone, Winchester, Milton Keynes, South Oxfordshire and

many others. His services are engaged through the East of England Local Government Association.

- Three panel members have been identified with suitable skills and experience. These are:
 - Mr John Freeman
 - Ms Fabiana Goodall
 - Mr Jaswinder Jassell

Reserve Panel Member: Ms Geraldine Heapy

The Panel intends to convene in early July 2023 to consider Member Allowances and meet every four years as per national guidance.

- 2.3 Since the decision to establish an IRP solely for Thurrock, the Council has issued a Section 114 Notice which requires the Council to ensure all expenditure is within existing budgets. An IRP solely for Thurrock, based on a £250 per day fee for 3 panel members, has been costed at £6000. This cost also covers a chair person for two days' attendance at the panel and the production of his independent report. If Council decline to pay a fee to panel members then the cost of the Thurrock IRP would be £4500 (covering the cost of the Chair and his report writing services only). The cost of sharing these services with Southend Council was £4450 based on 2 panel members and a chair person for two days plus the specialist services to produce the report. Depending on the Council's decisions on recommendations 1.2 and 1.3, the extra cost of a Thurrock IRP compared to a joint panel will be £1550 (if panel members are reimbursed the £250 per day) or £50 (based on panel Members not receiving a fee). Any additional cost would need to be met through existing budgets.
- 2.4 The power under which schemes of Members' Allowances are made is contained in Section 18 of the Local Government and Housing Act 1989, Section 99 of the Local Government Act 2000 and in the Local Authorities (Members' Allowances) (England) Regulations 2003 ("the Regulations").
- 2.5 The Regulations impose a duty on local authorities to establish an Independent Panel to provide advice on its scheme of allowances and the amounts to be paid. In April 2005, the Council agreed to establish a Joint Panel with Southend-On-Sea Borough Council, consisting of 5 independent members. Since that time, the Panel has met on five occasions (June 2007, August 2010, June 2011, June 2015 and June 2019).
- 2.6 The terms of reference for the IRP will be established by the new Panel but the core responsibilities will be:
- (a) The amount of Basic Allowance that should be payable to elected Members and the expenses it should include.

- (b) The responsibilities or duties which should lead to the payment of a Special Responsibility Allowance and as to the amount of such an allowance.
- (c) Those Co-optees who should receive a Co-optees' Allowance and as to the amount of such an allowance.
- (d) The duties for which a travelling and subsistence allowance can be paid and as to the amount of this allowance.
- (e) As to whether Dependants' Carers' Allowance should be payable to Members, and as to the amount of such an allowance.
- (f) As to whether adjustments to the level of allowances may be determined according to an index and if so which index and how long that index should apply, subject to a maximum of four years, before its application is reviewed.
- (g) The implementation date for the new Schemes of Members' allowances and as to whether, in the event that the schemes are amended, any such amendments should be backdated to the beginning of the municipal year.

In addition, the Panel will be asked to make recommendations on:

- (h) The Civic Allowances and amounts payable.
- (i) The payments made to the statutory post of Independent Persons.
- (j) Any other issues that are brought to the Panel's attention.

3. Issues, Options and Analysis of Options

- 3.1 A report was taken to General Services Committee in July 2022 which set out options to continue the IRP with Southend Borough Council or to investigate sharing an IRP with another Council. There was cross party support to establish a Thurrock IRP which focussed on the local needs of Thurrock Members and that it convenes every four years.
- 3.2 Following the July 2022 meeting Southend Council has taken action to establish its own IRP through its Constitution and it will be difficult to restart an arrangement with Southend. If Members wish to re-establish a Joint IRP to make further savings, the Council would need to find a new partner to do this with.

Panel Member Fees

- 3.3 Since the establishment of the joint IRP with Southend Council, each panel member has been paid £500 per day of attendance. This payment recognises the time each panel member takes out of their day/paid employment to attend the IRP. It also recognises the preparation time expected of each panel member in reading information packs and reviewing and signing off the subsequent report before it is presented to Full Council and attending any subsequent council meetings where the report may be discussed.
- 3.4 Due to the Council issuing a Section 114 Notice there is an opportunity for Full Council to review this payment and decide whether to offer a payment to panel members or not. The Local Authorities (Member Allowances) (England) Regulations 2003 state that it is for the Authority which the Panel is convening for to determine any expenses or allowances to be paid to the panel. There is no obligation to pay a fee to panel members.
- 3.5 If Council decides to pay panel members a fee then recommendation 1.3 advises £250 per day as a reasonable figure to recognise the service the panel member is providing and also to cover subsistence and travel expenses. When making a decision Council must consider a fair compensation to members of the public for undertaking their duties on the IRP and attracting good calibre candidates now and in the future.
- 3.6 Depending on the decision Council make in relation to recommendation 1.2 and 1.3, the panel members named in 2.2 will need to accept their positions based on the agreed fee.

4. Reasons for Recommendation

- 4.1 The recommendations reflect the desire of the General Services Committee to establish a local IRP dedicated to Thurrock, as well as making a move to reduce costs as much as possible. The new panel chair is highly experienced in managing IRP discussions. The Panel members were interviewed in December 2022 following a detailed recruitment process. During interviews they demonstrated knowledge of Member allowances, financial matters and the ability to disseminate large amounts of information, which made them suited to the role.

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

- 5.1 The General Services Committee considered whether to establish a new IRP or continue with joint arrangements in July 2022. Members were fully supportive of a stand-alone IRP for Thurrock.

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

- 6.1 There is a legal requirement to have an IRP to independently consider the allowances of Members. This ensures that allowances are set fairly for Members without due influence from Members, officers or any other party. The new IRP will maintain Thurrock's duties in producing recommendations on allowances, for Members to consider, every four years.

7. Implications

7.1 Financial

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

The once shared cost of the IRP will now be fully covered by Thurrock's budget. The additional cost identified in 2.3 can be met through existing budgets, specifically income generated through the Democratic Services' school appeals service. The report supports a rationalisation of costs for the Panel by recommending a 100% or 50% reduction in the fees paid to the panel Members whilst maintaining an appropriate service.

7.2 Legal

Implications verified by: **John Jones**
Director of Law & Governance

The legal implications are contained in the main body of the report.

7.3 Diversity and Equality

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

A fair recruitment process was run by the Council with regards to the new panel members. The application process was run between November and December 2022 and was open to everyone who met the criteria to apply. The Panel reflects the skills, interests and expertise required to fulfil the role.

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

There are no specific impacts related to this report.

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

- None.
- CVs and application details of panel members are exempt due to the personal nature of the information contained in them.

9. Appendices to the report

- None

Report Author:

Matthew Boulter

Democratic Services Manager

Legal Services

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 10 questions to Cabinet Members, Committee Chairs and Member appointed to represent the Council on a Joint Committee.

QUESTIONS TO THE LEADER

1. From Councillor Allen to the Leader

Following your recent approach to being both 'Open & Transparent' in all aspects of how council work takes place. Please may I request that all four Elected Tilbury Councillors be included on The Tilbury Town Fund Board to ensure full openness & transparency?

2. From Councillor Byrne to the Leader

January's Cleaner Greener elephant in the room was the totally unnecessary pink paper. Are officers and members on board with your promise of an openness and transparency going forward?

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

1. From Councillor Allen to Councillor Jefferies

Please can I ask what steps you personally are willing to make to address the concerns of many Tilbury residents regarding the ongoing dirt and dust fallouts which plight the lives of many people in Tilbury and the surrounding area?

2. From Councillor Byrne to Councillor Jefferies

The day after January's full council, you put out propaganda claiming the opposition voted in favour of ULEZ, was there an actual vote on ULEZ charges or did we vote for our preferred option on the two motions presented?

3. From Councillor Worrall to Councillor Jefferies

Following several public apologies and restarts of the waste collection services can the cabinet member for environmental services advise when residents will get the full service that they pay for?

4. From Councillor Pearce to Councillor Spillman

Tenants of the Airey houses in Central Avenue, and Love Lane, Aveley, were decanted from their properties whilst essential works were completed by the council. They were told that they would be out of their homes for a matter of weeks, but after more than 12 months they are yet to return as works are still ongoing. Does the Portfolio Holder agree this is both unacceptable and unfair and what is being done to ensure the works are now completed?

5. From Councillor Pearce to Councillor M Coxshall

Residents of the Hall Estate are suffering as a consequence HGV movement to and from the new school development site in Love Lane, which in itself is not needed. Mud and debris are being strewn on residential roads, HGVs appear to be accessing the site outside of permitted hours and driving along inappropriate routes, asking residents to move their vehicles in the early hours on one such occasion so that they could pass. What action can the council take to address these issues with the developer?

6. From Councillor P Arnold to Councillor Maney

With the proposed introduction of parking permit charges, will the Portfolio Holder confirm, that the monies raised, will be ring fenced for increasing enforcement and for consultations within other areas of South Ockendon, that may wish to have permit parking. For example, the Peartree Estate. Also, that the residents on the Flowers Estate, who will now have to pay these charges, will get an opportunity to decide if they wish the parking scheme to continue or not?

7. From Councillor G Coxshall to Councillor Maney

One of the cruellest consequences of the proposed ULEZ expansion will be that Thurrock residents with non-compliant vehicles will incur the charge when attending Corbetts Tey Crematorium and/or Upminster Cemetery. Will the Portfolio Holder make representations to the Mayor of London and seek a dispensation for such residents?

8. From Councillor C Kent to Councillor M Coxshall

The Portfolio Holder will be aware of the covenant that is in place on the former Adult Education site in Richmond Road, will the council support any bid to remove the covenant?

9. From Councillor J Kent to Councillor M Coxshall

Will the Portfolio Holder give an update in respect of work to ensure the council fulfils its obligations to protect the State Cinema?

10. From Councillor J Kent to Councillor M Coxshall

Can the Portfolio Holder confirm that the necessary planning permission was in place to allow the demolition of the Arena Essex Raceway Tavern?

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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. An application to the Royal Mail for a new postcode has been made.	Mark Bradbury
25 January 2023	Cllr 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.	<p>Thurrock Council has recently written to the Mayor of London stating that the authority has not been suitably engaged in the ULEZ consultation and therefore has not had the opportunity to work with the Mayor of London's office to devise strategies to mitigate negative impacts of ULEZ proposals. In view of the lack of engagement and in the absence of a response to our consultation submission, the council has no option but to state its objection to the current ULEZ proposals that will impact our road network and users.</p> <p>Nevertheless, the Council has highlighted that it would welcome an opportunity to discuss concerns in more detail.</p>	Mark Bradbury

25 January 2023	Cllr 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	Officers have been in negotiations with National Highways regarding their contribution towards the cost incurred by Thurrock in submitting representations and engaging with the Examination process. This is to ensure as little of the cost as possible is borne by Thurrock residents.	Mark Bradbury
25 January 2023	Cllr 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.	The Council will support proposals for the retention of Speedway in Thurrock and the development of a new home for Grays Athletic through the Local Plan process where it can be demonstrated that the uses are viable and appropriate for the sites proposed.	Mark Bradbury

Motions Submitted to Council

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

Motion 1

Submitted by Councillor J Kent

Council calls on cabinet to retain the Thameside Complex as a hub for arts, culture, and heritage for the community of Thurrock to own.

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 Thameside Complex is a matter of which the Council has a relevant function. Decisions on any proposed changes or potential disposal of a Council owned asset is an executive function for the Council's Cabinet to make taking into account all relevant considerations.

Section 151 Officer Comments:

The Joint report of the s151 Officer and Cabinet Member for Finance to Cabinet on 22 February outlined the considerable financial challenges facing the authority. The report clarified the scale of the challenges and the fact that in addition to Exceptional Financial Support, the Council would need to continue to take some very difficult decisions on savings, increases in Council Tax and fees and charges. Some of the many challenges facing the Thameside complex reflect the failure to invest in the building for a considerable time and the backlog maintenance required to bring it up to an acceptable level is £18-20m. Any decision about the future ownership of the complex would need to acknowledge, and finance, the investment required.

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

Yes

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