

## Minutes of the Meeting of the Corporate Overview and Scrutiny Committee held on 7 March 2023 at 7.00 pm

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**Present:** Councillors Fraser Massey (Chair), James Thandi (Vice-Chair), Paul Arnold, Adam Carter, Victoria Holloway and John Kent

**In attendance:** Mark Bradbury, Director of Place  
Gerard McCleave, Assistant Director of Economic Growth and Partnerships  
Karen Wheeler, Director of Strategy, Engagement and Growth  
Lucy Tricker, Senior Democratic Services Officer

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

### **33. Items of Urgent Business**

There were no items of urgent business.

### **34. Declaration of Interests**

Councillor John Kent declared a non-pecuniary interest for Item 10 as he was employed by Thurrock Lifestyle Solutions (TLS).

### **35. Thameside Centre**

The Chair stated that three public questions had been received and these would be heard in the order they had been submitted. He invited Mr Neil Woodbridge to read his question.

Mr Woodbridge raised a point of clarification that the building was named the Thameside Complex, rather than the Thameside Centre as stated in the report. He added that the Thurrock International Celebration of Culture (TICC) was a community interest company, and this had been omitted from the report. Mr Woodbridge moved on and read his question as follows:

*“Our proposals indicated a partnership-based approach with the Council, assuming that the Council would wish to not only share risk but also reward to enable the asset to remain a public asset. Will you still consider any partnership based models that assume Council participation in your call for new proposals, or is the Council seeking to completely divest itself of the Thameside entirely with no stake in it at all as a public asset?”*

The Director of Place responded that the Council's position for the proposals of the Thameside had changed over the life of the process, and highlighted that earlier in the process Mr Woodbridge had received guidance that a

partnership process would be appropriate. He stated that he had met with Mr Woodbridge and TLS/TICC at the end of 2022 to discuss the changes to the approach and had expressed concern that the bid may require council support. He explained that the bid needed to show a reduction in financial dependence, and needed to consider the effects of the S114 notice. He added that the proposed recommendation was to consult on a cultural model, which could provide more time to amend proposals and demonstrate that the TLS/TICC bid was financially sustainable. The Director of Place confirmed that the report did not include a decision to dispose of the Thameside building, and the team would consider any revised proposals in light of the S114 notice and the need for financial sustainability.

The Chair invited Mr Woodbridge to ask a supplementary question. Mr Woodbridge highlighted the potential capital cost of £20m which was listed in the original report, and included investment of £300,000 in year one of a ten-year proposal. He stated that many things on the Thameside Complex red list had already begun, and felt that the building did not require as much investment as the Council had listed. The Director of Place responded that the council had considered investment over the lifecycle of a thirty-year lease, and this had included some of the immediate health and safety compliance work that had already been undertaken. He felt that there would be differing opinions over the works that would need to be carried out at the Thameside, but this would need to include replacing lifts, vent maintenance, electrical maintenance, and internal/external decoration.

The Chair invited Ms. Sam Byrne to read her question as follows:

*“TICC & TLS applied for a Community Asset Transfer; we submitted our bid in March 2022. We have asked several times in writing for the process and procedures that the bid would follow and never received this information.*

*We were promised the opportunity to give a full business plan presentation with a Q&A session with a group of officers and councillors, this never happened. Why may I ask 12 months after our bid was submitted were we informed, only in this report that was published last week that our bid is not sustainable?”*

The Director of Place responded that he had first met with TICC and TLS in August 2022 when he had recently joined the Council, but the process had begun before this time. He stated that he had met with TLS/TICC again in November 2022 to discuss finances and what changes would need to be made to submit a revised bid. He added that he had also explained the process of submission to officers, the relevant Overview and Scrutiny Committee, and Cabinet. The Director of Place added that he had then met with TLS/TICC on 27 February 2023 to talk through the report being presented to the Committee and explain the rationale behind the recommendations. He felt he had communicated with TLS/TICC throughout the process and had outlined the Council’s intentions, but could not comment on the process which had been undertaken before he had joined the Council.

He stated that he was happy to meet with TLS/TICC again to discuss ways forward.

The Chair invited Ms. Byrne to ask a supplementary question. Ms Byrne stated that she had requested the formal process of bid submission, as well as the Asset Transfer Policy, in writing, and this had not yet been received. She felt that the report should not be presented to Cabinet until the necessary processes had been completed regarding the TLS/TICC bid. Ms Byrne stated that she had been advised to reconsider the finances of the bid, but felt that more information should be provided by the Council to support TLS/TICC in revising their bid and updating their financials. The Director of Place explained that the report would be presented to Cabinet, but it would be their decision whether to accept the recommendations.

The Chair invited Mr. Vic Gray to read his question as follows:

*“Following the commissioners findings that the council has been ‘unconsciously incompetent’, has the handling of our bid not followed any council guidelines on a prescribed process?”*

The Director of Place stated that he could not comment on processes that had been followed before he joined the Council, but since he had started in his role he had followed the processes outlined in the Asset Disposal Policy, which considered the finances, socio-economic, and cultural value of an asset before potential disposal. He explained that if the proposed disposal was over £500,000 in value it had to be presented to the relevant overview and scrutiny committee and Cabinet.

The Chair asked Mr. Gray if he wished to pose a supplementary question. Mr Gray felt that negotiations at the beginning of the process had been professionally managed, but felt that since July 2022 no due process had been followed, and questioned if Cabinet could amend the asset disposal procedures. The Director of Place responded that Cabinet Members would need to consider and update the Asset Disposal Policy if they felt it was appropriate.

The Chair thanked the public speakers for their attendance, engagement, and questions to the Committee. The Director of Place introduced the report and explained that since the publication of the Corporate Overview and Scrutiny Committee report, the recommendations of the Thameside Centre Cabinet report had been amended. The Committee requested that hard copies of the updated Cabinet recommendations be circulated, and the meeting be adjourned.

*The meeting was adjourned at 7.26pm.*

*The meeting reconvened at 7.36pm.*

The Director of Place outlined the updated Cabinet recommendations, which included separate recommendations for each of the proposed consultations,

as each consultation had to follow different processes, for example the library consultation would be a statutory consultation. He added that the recommendations also sought delegated authority to the relevant directors to undertake the consultations, and a final recommendation had been added which noted the money within the capital programme for relocation.

The Director of Place moved on and explained that the Thameside building was approximately 50 years old and required investment over the next 30 years such as internal refurbishment and updated electrical and mechanical systems. He stated that the building had been declared surplus in July 2021, and following public engagement and roundtable meetings with interested community members, a further decision was made by Cabinet in January 2022 to continue with discussions, and a business case that could see community interest organisations take over the running of the building, including related cultural services. He added that many references were made during this time to the financial sustainability of the business case. The Director of Place explained that internal and external consultation had been carried out during this period, but felt that further consultation was necessary before a decision could be made. He outlined the five options for the Thameside which had been listed in the report, and stated that options 1, 4, and 5 were not being recommended as part of the report, and options 2 and 3 were being considered but were not currently financially sustainable. The Director of Place highlighted that option 2 currently stated that the building would be transferred as part of a 25-year lease, but explained that this was a 30-year lease, and this had been amended for the Cabinet report.

The Director of Place highlighted the reasons for the recommendations and stated that the TLS/TICC bid required unconfirmed funding, and if this could not be found and running costs were not met, the responsibility for the building would fall back on the Council. He added that the Waltham International College (WIC) bid had recently received an Ofsted inspection rating of 'inadequate' and further work was needed on their business case. He felt that the concerns regarding the TLS/TICC bid could be resolved moving forward, but at this current stage, the Council could not recommend this option. He explained that the recommendation was to undertake detailed consultation regarding the services within the Thameside, and this would also allow both TLS/TICC and WIC time to further strengthen their business cases. He added that the alternative option was to relocate the services currently in the Thameside, and money could be found within the capital programme for this.

Councillor Kent questioned what cultural and event provision within the borough could look like moving forward, and if cultural provision would be moved away from Grays. The Director of Place explained that Grays was the primary centre for culture and events, as the town contained a mix of retail, housing and leisure facilities, but if other alternatives were presented then these would not be excluded. He added that culture had a wide definition and could range from street art to a new theatre building. He felt that cultural arts and activities should look beyond the Thameside building to a range of locations and events across Thurrock, and his team were open to suggestions

on how arts and culture should be delivered. Councillor Kent queried who would carry out the proposed consultations, how much these would cost and when they would begin. He also asked if there would be three separate consultations on the three different areas. The Director of Place explained that there would be overlap between the three consultations as they would be on the same digital platform, but they would be separate and would contain different questions and discussions. He added that any roundtable meetings between the Council and community interest groups as part of the consultation would include a third-party facilitator, as this had been shown to be best practice. He added that there was no firm budget for the consultations, but the main expenditure would be on the third-party facilitator, as the consultations would be run by existing staff members. Councillor Kent asked if the library relocation fell under statutory consultations and regulations. The Director of Place confirmed that it was a statutory duty and would have a separate consultation.

Councillor Kent moved on and highlighted point 2.3 of the report. He asked if the construction costs quoted included removing the roof of the Thameside to be able to raise the height of the building, and if the contingency figure of £2.2m listed in previous reports was still accurate. The Director of Place commented that no detail was included in the construction costs as different building uses, specifications and operators would have different construction needs and budgets. He felt that significant investment was required to ensure the future sustainability of the Thameside, but other organisations may have a different viewpoint. He added that the team had considered recommendations from the Best Value Inspection (BVI) regarding the level of contingency funding. Councillor Kent highlighted points 3.9 and 3.10 of the report and asked if staff would be made redundant, and if so, how many. The Director of Place explained that the staffing implications mentioned in the report could mean changing job roles or relocation, as well as redundancy, but stated that no redundancies were planned as a result of the report. He explained that once a decision had been made regarding the future of the Thameside, a formal consultation on staffing implications would be undertaken, but this would separate from the consultations planned on the cultural offer in Thurrock. Councillor Kent sought confirmation that the date within the report for potential relocation of the library to the Civic Offices of March 2024 remained feasible, and if this included time for the consultation. The Director of Place stated that this date remained feasible, but could be challenging and depended on the outcome of consultation. He added that some work had already been undertaken on the relocation of the library following the decision in July 2021 to declare the Thameside as surplus, but this had not been progressed due to the January 2022 Cabinet report. He added that preliminary plans for the library relocation to the Civic Offices had been drawn up, and these would form part of the consultation documents. Councillor Kent asked if the Council could spend approximately £500,000 to £1mn on the relocation of the library, given the S114 announcement in December 2022. The Director of Place explained that the library was a statutory requirement, but needed to demonstrate a good service and best value under the S114 notice and a business case would be required. He added that as a library was a statutory duty, he felt it unlikely that any decision regarding libraries would

not include a central library in Grays. Councillor Kent queried how much money the telecommunications equipment on the Thameside roof delivered. The Director of Place stated that the equipment brought in approximately £27,000 per year. Councillor Kent asked if the current tenants of the building had rights. The Director of Place commented that the tenants were protected under statute. He explained that there were currently two tenants in the building, one of whom was currently in the process of renegotiating their lease. He added that there were other organisations within the Thameside, but they hired rooms and therefore were not classed as tenants and did not have the same protections.

Councillor Arnold queried if the Council would be liable for ongoing costs of the theatre if they did nothing. The Director of Place confirmed that the Council would be liable, as well as being liable for planned maintenance and the required investment. He stated that if the Council leased the building but retained occupation, the Council could introduce service charges and sinking funds, but it would be the tenant's responsibility to maintain the building. Councillor Arnold asked if the team had undertaken a comparative exercise to determine the cost and availability of other office spaces in Grays. The Director of Place explained that the team had undertaken an assessment of office space value in Grays, although the values ranged significantly based on specification, facilities, and area. Councillor Thandi questioned if a break clause could be included if the building was leased out. The Director of Place explained that this could be included, but stated that the team would be unable to begin a lease without a financially viable business plan being put in place. Councillor Thandi asked if the complex would remain open whilst the consultations were running. The Director of Place stated that the Thameside would remain open as usual, and bookings had been accepted until the summer of 2023. He stated that no changes would be implemented until a decision had been made.

Councillor Holloway expressed her concern that the updated Cabinet recommendations had not been circulated to the Committee in hard copy before the meeting. She also sought reassurance that the consultations would be thorough, and not simply a tick box exercise. She felt that Grays library was an important facility for those in the area, as it held sessions for a variety of people such as those with disabilities, community groups, and children who were home-schooled, as well as lending books. She added that the theatre helped inspire children and the museum helped encourage learning in the borough, and asked if the cultural value of the Thameside building had been considered. The Director of Place confirmed that there was no proposal to close or downsize the library, and the team were working hard to maintain and improve the museum. He stated that the Council had to consider the financial sustainability of the Thameside building, but there remained an opportunity to work with the community interest groups on their bids.

Councillor Carter thanked the members of the public for their questions. He asked if a question-and-answer session could form part of the consultation. He wanted to see engagement continue with TLS/TICC and WIC on their proposals. Councillor Kent felt concerned that the arts in Thurrock were not

being invested in, and stated that the borough needed to have a Cultural Strategy in place. He felt that Thurrock needed a theatre building, but felt that the report leant towards the option of closing the building. He stated that it would be good to see consultation on culture and arts in the borough, but sought reassurance that that would include the Thameside.

Members agreed to a recorded vote on each recommendation, including the individual Cabinet recommendations.

**RESOLVED: That the Committee:**

**1. Noted the options considered for the future of the Thameside building and the analysis of those options set out in the report.**

This recommendation was agreed by all Committee Members.

**2. Commented on the following recommendations for the future of the Thameside Centre that will be considered by Cabinet at their meeting on 15 March 2023:**

**1.1 Cabinet notes the bid from Thurrock Lifestyle Solutions/Thurrock International Celebration of Culture and Waltham International College and thanks them for their efforts to try and offer a financially sustainable alternative for the future of the building.**

All Committee Members agreed with the recommendation.

**1.2 Cabinet notes the significant concerns regarding both proposals and that neither is recommended as a financially sustainable alternative for the future of the building.**

Committee Members sought to amend the recommendation as below:

***1.2 Cabinet notes the significant concerns regarding both proposals and that neither is recommended, in its current form, as a financially sustainable alternative for the future of building. Cabinet agrees that negotiations and discussions will continue with TLS/TICC to try and facilitate a financially sustainable bid.***

All Committee Members agreed with the amended recommendation.

**1.3 Cabinet authorises the Director of Place to undertake consultation on alternative options for the delivery of cultural activities and events in Grays.**

Committee Members sought to amend the recommendation as below:

***1.3 Cabinet authorises the Director of Place to undertake consultation on all options for the delivery of cultural activities and events in Grays and the wider borough.***

All Committee Members agreed with the amended recommendation.

**1.4 Cabinet authorises the Corporate Director of Adults, Housing and Health to undertake consultation on the relocation of the library from the Thameside Building to the Civic Offices.**

FOR: 0

AGAINST: 3 (Councillors Massey, Holloway and Kent)

ABSTAIN: 3 (Councillors Thandi, Arnold and Carter)

As the Chair had the casting vote, this recommendation was not agreed.

Committee Members sought to amend the recommendation as below:

***1.4 Cabinet authorises the Corporate Director of Adults, Housing and Health to undertake consultation on the relocation of the library from the Thameside Building to the Civic Offices. A report on this recommendation to be brought back to the Corporate Overview and Scrutiny Committee on completion of the consultation.***

FOR: 3 (Councillors Thandi, Arnold and Carter)

AGAINST: 3 (Councillors Massey, Holloway and Kent)

ABSTAIN: 0

As the Chair had the casting vote, this recommendation was not agreed.

**1.5 Cabinet authorises the Director of Place to undertake consultation on the relocation of the museum from the**

**Thameside Building to the Civic Offices with a view to achieving Accredited Museum status.**

The Committee sought to amend the recommendation as below:

***1.5 Cabinet authorises the Director of Place to undertake consultation on the future of the museum with a view to achieving Accredited Museum status. A report on this recommendation to be brought back to the Corporate Overview and Scrutiny Committee on completion of the consultation.***

FOR: 3 (Councillors Thandi, Arnold and Carter)

AGAINST: 3 (Councillors Massey, Holloway and Kent)

ABSTAIN: 0

As the Chair had the casting vote, this recommendation was not agreed.

**1.6 Cabinet notes the allocation of £1.2million in the Capital Programme agreed at Council on 1<sup>st</sup> March 2023, funded from asset sales, for the relocation of the library and museum.**

All Committee Members agreed with the recommendation.

*The Director of Place left the meeting at 9.08pm.*

**36. Greater Essex Devolution**

The Director of Strategy, Engagement and Growth introduced the report and stated that the devolution proposal was in response to the Government's White Paper and framework in 2022. She explained that the report outlined the opportunities, as listed in the White Paper, as well as wider opportunities for Thurrock outside of the framework. She stated that Appendix 2 contained the Expression of Interest, but the purpose of the report was to start a conversation between local authorities in Essex with Government and did not decide upon a deal. She explained that any potential deal would take approximately six months to negotiate, and would require member agreement and public consultation. She commented that the report would be going to Cabinet next week and would present two options: the first being support the Expression of Interest; the second being to play no further part in Greater Essex Devolution moving forward. She explained that similar devolution reports had been through Cabinet at Essex County Council and Southend-on-Sea City Council, who had both supported the Expression of Interest. She stated that Southend City Council had not supported the level three option,

but had supported level two. Councillor Coxshall added that the conversation regarding devolution was also being discussed by the borough's MPs, and felt it was important to engage in the process.

Councillor Kent agreed that Thurrock should be part of a devolution deal, but did not agree that Greater Essex devolution would be right for Thurrock. He felt that the differences between north and south Essex were too great, as Thurrock was drawn closer to London than other parts of Essex. He expressed concern regarding the role of Essex County Council, as Chelmsford was far from Thurrock and Thurrock collected more business rates than elsewhere in Essex, and felt that this should not be distributed across the county. He also felt concerned regarding the mayoral model and accompanying council tax precept, as he felt this would add another level of government. He questioned when the all Member briefing session had been held, and if Thurrock Members had been invited. The Director of Strategy, Engagement and Growth replied that two all Member briefings had been arranged in January by Tendring Council, and all Essex Councillors had been invited. Councillor Coxshall shared some of Councillor Kent's concerns, but felt that Thurrock needed to be involved in the conversation. He stated that a south Essex devolution deal was not currently being proposed, but this may be a viable option in future. He also shared concern regarding the impact devolution could have on the Thames Freeport, as the devolution deal would mean two Freeports in one combined authority area, which could be difficult to deliver. Councillor Kent added that as Essex also contained two major airports, the taxes of which would be hypothecated across the county. He also felt the Expression of Interest could be more ambitious in that regard.

The Chair sought clarification regarding the different devolution levels proposed. The Director of Strategy, Engagement and Growth explained that level two devolution did not include a mayor, but level three had a mayoral model and therefore a mayoral council tax precept. The Chair summarised and stated that he could see the challenges of devolution, but felt that the Council needed to engage. The Committee supported being part of the discussions with Government through the Expression of Interest submission.

**RESOLVED: The Committee:**

**1. Considered and commented on the Expression of Interest and submission to Government to begin a dialogue for a Greater Essex devolution deal and understanding the benefits it might bring to the residents of Thurrock, or whether to take no further part in the process at this time.**

**The meeting finished at 9.23 pm**

Approved as a true and correct record

**CHAIR**

**DATE**

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Democratic Services at [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)**