

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

Present: Councillors Susan Little (Mayor), Qaisar Abbas (Deputy Mayor), John Allen, Alex Anderson, Deborah Arnold, Paul Arnold, Adam Carter, John Cecil, Daniel Chukwu, George Coxshall, Jack Duffin, Tony Fish, Robert Gledhill, Aaron Green, James Halden, Vikki Hartstean, Mark Hooper, Mark Hurrell, Andrew Jefferies, Barry Johnson, Tom Kelly, Cathy Kent, John Kent, Martin Kerin, Steve Liddiard, Ben Maney, Jacqui Maney, Cici Manwa (*arrived 8.02pm*), Fraser Massey, Sara Muldowney, Augustine Ononaji, Srikanth Panjala, Maureen Pearce, Terry Piccolo, Georgette Polley, Kairen Raper, Joycelyn Redsell, Elizabeth Rigby, Sue Sammons, Sue Shinnick, Graham Snell, Luke Spillman, James Thandi, Lee Watson and Lynn Worrall

Apologies: Councillors Gary Byrne, Gary Collins, Valerie Morris-Cook and Neil Speight

In attendance: Dr Dave Smith, Chief Executive and Managing Director
Commissioner
Asmat Hussain, Director of Legal and Governance and Monitoring Officer
Alix MacFarlane, Communications Advisor - Intervention and Improvement, Interim Director
Patrick McDermott, Chief of Staff to the Thurrock Commissioners
Steven Mair, Interim Chief Financial Officer/Section 151 Officer
Sheila Murphy, Corporate Director of Children's Services
Luke Tyson, Chief Intervention Officer
Ian Wake, Corporate Director of Adults, Housing and Health
Nicole Wood, ECC Best Value Commissioner
Matthew Boulter, Head of Democratic, Scrutiny and Member Services
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.

68. Minutes

Minutes of Extraordinary Council held on the 14 September 2023 were approved as a correct record.

Minutes of Council held on the 27 September 2023 were approved as a correct record.

Councillor Raper questioned why the transcript of public and member questions were not now being included within the agenda. Councillor Worrall also agreed as the transcripts included all the supplementary questions. Mayor agreed this was an important point and the decision should be made to revert back to the inclusion of those transcripts. Officers would provide an update following the meeting.

69. Items of Urgent Business

There were no urgent items of business.

70. Declaration of Interests

No declarations of interest were made.

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

The Mayor had attended alongside Councillor Muldowney the opening of three children centres which had been most enjoyable events. The Chief Executive had also joined the Mayor on one of those visits.

The Leader made the following announcements:

- Had visited, alongside the Mayor, DP World and Thames Enterprise Park to see the opportunities for economic growth and job creation at both of these sites.
- Since the start of April, 1422 fly tips had been cleared, 2200 potholes filled, the street cleaning team had cleared 1000 tonnes of litter from the streets of Thurrock.
- The Leader referred to the petition that had been submitted but refused this evening in regard to the financial collapse of Thurrock Council as a previous petition had been presented at September Council. The Leader agreed for this petition to be presented by the lead petitioner at the Cabinet Meeting on the 8 November 2023.

72. Questions from Members of the Public

There were no public questions.

73. Petitions from Members of the Public and Councillors

There were no petitions presented.

74. Petitions Update Report

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

75. Appointments to Committees and Outside Bodies, Statutory and Other Panels

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

The Leader made the following change:

Removed Councillors Carter and Thandi as Planning Committee Substitutions.

Appointed Councillor Anderson as a Planning Committee Substitution.

Appointed Councillor Redsell to the Essex Pension Fund Advisory Board.

The Leader of the Labour group, Councillor J Kent, made the following changes:

Appointed Councillor Raper as Vice Chair of the Standards and Audit Committee.

Appointed Councillor C Kent as Standard & Audit Committee substitute.

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

76. Employment Matter - Assistant Directors of Finance

The report presented set out the outcome of consultation in respect of the changes to the senior management structure most notably the inclusion in the new structure of two Assistant Director posts to replace the one post that was originally in the structure. This report was approved at General Services Committee on 10 October 2023.

Councillor J Kent stated his support of the recommendation.

RESOLVED

Full Council noted the decision made by General Services Committee on 10 October 2023 for the addition of an Assistant Director post within the revised structure of the Finance Department.

77. Improvement and Recovery Plan

The report presented allowed Members to approve the enhanced Improvement and Recovery plan for the Council. As agreed at Full Council in September 2023, Members would receive quarterly updates on the progress the Council was making in delivering the plan.

The following points were raised:

- Member welcomed the plan and the approach towards creating it which had been more open and involved more consultation with Members compared to previous plan.
- Member reiterated the audience of the plan was not aimed at the local community but for commissioners and government.
- Member requested a 2-page simple language explainer so that everybody knew what was being sought to achieve.
- Member thanked officers for the work undertaken on the report.
- Member stated a means of tracking of progress was missing from the report, there needed to be way of recording the progress and any slippage. This would help residents understand what was being achieved.
- Member stated that member/member relationships should not be ignored and again required a means of measurement.
- Member agreed the report needed to be explained in a better way for all residents.
- Member stated the timing of the extraordinary council meeting would not provide sufficient time for the Planning Transport and Regeneration Overview and Scrutiny Committee to scrutinise and comment on the local plan and for cabinet to have time to act on any recommendations made.
- Member agreed the report had provided a focus on improvements and had identified outcomes which would allow progress to be tracked.
- Member stated the report did not represent improvements from residents point of views.
- Member also stated the process must lead to real and lasting change at the council.

RESOLVED

That Council approved the enhanced Improvement and Recovery Plan at appendix 1.

78. Financial Strategy Update

The report presented to Members focused on three areas: financial strategy, divestment of the previous investments and other financial management initiatives.

The following points were raised:

- Member referred to the 40% of the revenue budget that would be spent servicing debt which was an unsustainable position; another five years of going to the government for exceptional support to set a budget; £75 million on service cuts and selling £150 million of land and property and selling of additional investments.
- Member concluded as a result the future of Thurrock would look very different.
- Member referred to the remaining investments, selling of £1 billion of 14 separate investments which 75% of that was two investments.

- Member stated the council had to ensure that costs did not spiral further out of control.
- Member referred to recommendation 2.1 (v) (a) and questioned the financial thresholds in the Council's Contract Procedure Rules.
- Member raised her concern on the disposal of capital assets.
- Member questioned and raised her concern that the Investment Advisory Panel had not yet met.
- Member referred to readjustments of budgets which would involve capital projects being refocused to include essential spend and questioned why this was in the report.
- Member questioned how confident the portfolio holder was in regard to the planning savings of £18.2 million as the report could potentially have been misleading.
- Member welcomed that Members were receiving a true extent of the financial problems of the council and needed to get to a place in order to take action to make improvements.
- Member raised concern on who the assets and parcels of land would be sold to.
- Member stated his concern how the £18.2million to be saved from next year's budget would have on the services used by the people of Thurrock.
- Member also raised concern that there was no cross-party democratic oversight of the divestment process, continuation of delegated powers and members being informed after the fact.
- Member requested pink papers presented at cabinet should also be sent to shadow portfolio holders.
- Member requested an update on the audit accounts which remained outstanding.
- Member raised her concern on the blame culture within the chamber.
- Member referred to the selling of £150 million investments and had been surprised this would take five years.
- Member praised the portfolio holder for the progress being made with the support from officers, Essex County Council as well as the progress made by the previous leader and chief executive of the council.
- Member stated the focus had been on local authorities who had declared a section 114 action and that questions were being asked on what could be done to rectify those individual circumstances without questioning the wider suite of circumstances that caused the events. Referred to the structure of funding across local government, direct funding streams and local government reform and how to use the ingrained links that Thurrock had with government.
- Member questioned why members were surprised to see HRA within the report as this had been considered as part of the council's budget.

At 8.02pm, Councillor Manwa arrived into the chamber.

- Member questioned again the financial thresholds in the Council's Contract Procedure Rules. The Mayor agreed that the meeting could be adjourned so that figure could be confirmed.

The meeting adjourned at 8.14pm.

The meeting reconvened at 8.26pm.

- The portfolio holder confirmed the current limit was £500,000 and had asked officers to waive that temporarily. This would be reviewed and reported back to Council in late December, early January 2024.
- The portfolio holder stated the next Investment Advisory Panel meeting was scheduled for the 31 October 2023 with the November meeting being cancelled to accommodate the Extraordinary Corporate Overview and Scrutiny Committee. A future date would be rescheduled as soon as possible.

Members noted the recommendations.

RESOLVED

That Council

- i) noted the progress on the investment recovery and divestment strategy.**
- ii) noted the progress being made on the other financial actions.**
- iii) noted the urgent ED2 decisions made to date.**
- iv) noted the continued use of necessary advisors as required until completion of work associated with divestment of and recovery of value of investments including the conduct of litigation, subject to the review of the programme currently being undertaken by the Council's officers to be reported to Cabinet in November 2023 and the Leader, Finance PFH, Chief Executive and Commissioners being consulted before advisors are instructed on new work streams.**
- v) noted that each council Director involved in delivering the strategy is in consultation with the Leader, Finance Portfolio Holder the Section 151 officer, the Monitoring Officer (where the Director does not fulfil one of those roles) and Commissioners is authorised within their professional area to (a) subject to recommendation 2.1 iv), to procure and appoint the advisors using the most expeditious and efficient procurement process which is lawfully available under the Public Contract Regulations 2015 and that the financial thresholds in the Council's Contract Procedure Rules are waived for this purpose; and (b) to take all action necessary (within appropriate budgets) to ensure the implementation of the Council's recovery strategy if timescales do not allow for a report to Cabinet as long as a full update is provided at the next available Cabinet meeting.**
- vi) noted the Director of Law and Governance is authorised to the commence legal proceedings for potential claims where there is a supportive advice from a King's Counsel together with any associated action after consultation with the Leader Chief**

- Executive, Section 151 Officer and Commissioner subject to reports on progress being brought to Cabinet.**
- vii) noted the Section 151 Officer in consultation with the Leader and Portfolio Holder, the Monitoring Officer and Commissioners is given delegated authority to take all action necessary to implement the divestment strategy where a divestment meets the criteria set out in the Direction subject to reports on progress being made to members.
 - viii) noted that the main objective is to reduce the Council's exposure to financial risk by delivering a divestment strategy that optimises (sums and timing) receipts to repay the borrowings as long as doing so secures best value using its criteria set out in this report.
 - ix) noted an indicative hurdle rate of 12% (i.e., 7% PWLB rate and 5% MRP) is set for investment yield / return, with anything yielding less being put forward for sale, subject to the detail of the individual investment, the Council's contractual obligations and the ability to deliver value for money.
 - x) noted and agreed the review of the programme as set out in paragraph 4.70 and requests regular reports back to Cabinet on progress on the financial strategy.

79. Questions from Members

The Mayor informed the chamber that five questions to the Leader and three questions to cabinet members and committee chairs had been received:

Asked by	Asked to	Subject
Councillor Kerin	Leader	Upholding of a Stage 2 Complaint from Thurrock Nub News
Councillor J Kent	Leader	New operating model for the council
Councillor J Kent	Leader	Redundancies that would be needed to set a balanced budget for the next financial year
Councillor J Maney	Leader	ULEZ style charge
Councillor J Maney	Leader	Incident regarding the abandonment of a pet
Councillor J Kent	Councillor B Maney	Money spent on the abandoned Grays underpass scheme
Councillor J Kent	Councillor Coxshall	Per hour cost of Thurrock's in house home care service
Councillor Redsell	Councillor Johnson	Plans for the redevelopment of Blackshots Tower

80. Reports from Members representing the Council on Outside Bodies

No reports were presented.

81. Minutes of Committees

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

82. 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.

83. Motion submitted by Councillor Redsell

The Motion, as printed in the agenda was proposed by Councillor Redsell and seconded by Councillor Polley.

The Motion read as follows:

Members resolve that a task and finish group or similar be established to look at options for tackling school parking across the borough. Further, that a report on such options should be produced at the conclusion of the group's review.

Members of the chambers agreed this was a long-standing issue across the borough and was making residents that lived in school catchment areas a misery. Members agreed that safety was paramount and required the presence of the enforcement officers. Members agreed the task and finish group had to look at more initiative ways to tackle this problem with a paper setting out options and have clear tangible outcomes. Members agreed there had to be a coordinated approach that would make a difference to all wards. To include input from members, schools, parents and include contributions from school children.

Councillor Redsell summed up by thanking members for their comments this evening and hoped everyone in the chamber saw the importance of the motion and would vote in favour. This was an important issue and for this to be achieved required input from all parties.

The Mayor called a vote on the motion, to which members voted unanimously in favour. The Mayor announced the motion carried.

84. Motion submitted by Councillor Halden

The Motion, as printed in the agenda was proposed by Councillor Halden and seconded by Councillor Coxshall.

The Motion read as follows:

The chamber wishes to confer Freedom of the Borough on Reverend Canon Darren Barlow upon his retirement as rural dean.

Members of the chambers agreed the Freedom of the Borough was well deserved for Reverend Canon Darren Barlow for the service, the care and respect, the commitment, and the good advice he had offered to all within this chamber and to the community of Thurrock. That Reverend Canon Darren Barlow had been the cornerstone of civic life and it would be hard to imagine not having him present at council meetings. Members agreed this was very fitting and a testament to the work that he had undertaken.

Councillor Halden summed up by wishing Reverend Canon Darren Barlow well in his new posting and hoped to have the full consensus of the chamber this evening.

The Mayor called a vote on the motion, to which members voted unanimously in favour. The Mayor announced the motion carried.

A further council meeting will be convened for a formal presentation to take place.

The full recording of this meeting can be viewed from the following link:

[Council - Wednesday 25 October 2023, 7:00pm - Thurrock Council committee meeting webcasts \(public-i.tv\)](#)

The meeting finished at 9.39 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**