

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

## Cabinet

The meeting will be held at **7.00 pm** on **12 July 2023**

**Council Chamber, CO3, Civic Offices, New Road, Grays RM17 6SL**

### Membership:

Councillors Andrew Jefferies (Chair), Deborah Arnold (Deputy Chair), Adam Carter, Barry Johnson, Ben Maney, George Coxshall and Graham Snell

### Agenda

Open to Public and Press

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To approve as a correct record the minutes of Cabinet held on 14 June 2023.	
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To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
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#### Exclusion of the Public and Press

Members are asked to consider whether the press and public should be excluded from the meeting during consideration of an agenda item on the grounds that it involves the likely disclosure of exempt information as specified in Part I of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act.

In each case, Members are asked to decide whether, in all the circumstances, the public interest in maintaining the exemption (and discussing the matter in private) outweighs the public interest in disclosing the information.

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

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

Agenda published on: **4 July 2023**

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1. If you are feeling ill or have tested positive for Covid and are isolating you should remain at home, the meeting will be webcast and you can attend in that way.
2. You are recommended to wear a face covering (where able) when attending the meeting and moving around the council offices to reduce any chance of infection. Removal of any face covering would be advisable when speaking publically at the meeting.
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# 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.**

## Our Vision and Priorities for Thurrock

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

1. **People** – a borough where people of all ages are proud to work and play, live and stay
  - High quality, consistent and accessible public services which are right first time
  - Build on our partnerships with statutory, community, voluntary and faith groups to work together to improve health and wellbeing
  - Communities are empowered to make choices and be safer and stronger together
  
2. **Place** – a heritage-rich borough which is ambitious for its future
  - Roads, houses and public spaces that connect people and places
  - Clean environments that everyone has reason to take pride in
  - Fewer public buildings with better services
  
3. **Prosperity** – a borough which enables everyone to achieve their aspirations
  - Attractive opportunities for businesses and investors to enhance the local economy
  - Vocational and academic education, skills and job opportunities for all
  - Commercial, entrepreneurial and connected public services

**Minutes of the Meeting of the Cabinet held on 14 June 2023 at 7.00 pm**

**The deadline for call-ins is Monday 26 June 2023 at 5.00pm**

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**Present:** Councillors Andrew Jefferies (Chair), Deborah Arnold (Deputy Chair), Adam Carter, Barry Johnson, Ben Maney, George Coxshall and Graham Snell

**Apologies:**

**In attendance:**

Les Billingham, Assistant Director for Adult Social Care and Community Development  
Asmat Hussain, Director of Legal and Governance and Monitoring Officer  
Alix MacFarlane, Communications Advisor - Intervention and Improvement (Interim Director)  
Steven Mair, Interim Chief Financial Officer  
Julie Nelder, Acting Director of Public Realm  
Dave Smith, Chief Executive and Managing Director  
Commissioner  
Jonathan Wilson, Interim Director Finance & S151 Officer  
Rhiannon Whiteley, Senior Democratic Services Officer

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

**129. Minutes**

The minutes of Cabinet held on 15 March 2023 were approved as a correct record.

**130. Items of Urgent Business**

There were no items of urgent business.

**131. Declaration of Interests**

No interests were declared.

**132. Statements by the Leader**

The Leader began his statement by stating that he has been in the role as Leader of the Council for 3 weeks and thanks to the Chief Executive and

senior officers providing excellent briefings and advice he has been able to hit the ground running.

The Leader stated that he has appointed a new cabinet and with the support of the right officers he is satisfied that they will carry out the reforms that are needed for this Council to get back to financial recovery and sound governance.

The Leader further stated that there is a long way to go, more of which we will find out when the Government release the BVI report. The Leader confirmed that it is an opportunity to reshape and reform the Council so that it will provide the services that residents need.

**133. Petitions submitted by Members of the Public**

No Petitions had been submitted by Members of the Public.

**134. Questions from Non-Executive Members**

No questions had been submitted by Non-Executive Members.

**135. Matters Referred to the Cabinet for Consideration by an Overview and Scrutiny Committee**

No matters have been referred to Cabinet for consideration by an Overview and Scrutiny Committee other than some comments from the Cleaner, Greener and Safer Overview and Scrutiny Committee which are in relation to the Waste Item to be heard later.

**136. Briefings on Policy, Budget and Other Issues**

Councillor B Maney raised in relation to School Crossing Patrol Officers that when Cabinet was looking into potential savings the service was identified as one that is not a statutory service. Cabinet are looking into whether that service can be funded by schools or by third parties in the borough. There have been some discussions with third parties which could bear fruit but it is in the early stages. Councillor B Maney highlighted that the letter sent to schools was not worded particularly well and has caused some confusion. Councillor B Maney confirmed there is no intention to remove that service.

The Leader echoed Councillor B Maney's comments and stated that whilst they are looking at alternative ways of funding there are no plans to remove the service.

**137. Appointments to Outside Bodies, Statutory and Other Panels**

The Leader confirmed the following appointments to Outside Bodies.



Anglian (Eastern) Regional Flood & Coastal Committee – Councillor G Collins

Association for Public Services Excellence – Councillor A Jefferies

Mid and South Essex NHS Foundation Trust Council of Governors –  
Councillor G Polley

Essex Partnership for Flood Management – Councillor G Collins

Essex County Traveller Unit – Councillor A Jefferies

Impulse Leisure – Councillor J Thandi

Local Government Association – Councillor B Johnson and Councillor Q  
Abbas

Opportunity South Essex – Councillor A Jefferies

South East Local Enterprise Partnership – Strategic Board – Councillor A  
Jefferies

South East Local Enterprise Partnership – Accountability Board – Councillor A  
Jefferies

Thurrock Arts Councillor – Councillor J Redsell

Thurrock Sports Council – Councillor J Thandi

Thurrock Estuary 2100 Strategic Programme Board – Councillor A Jefferies

Thurrock Community Safety Partnership – Councillor A Jefferies

ASELA – Councillor A Jefferies

High House Production Park – Councillor D Arnold

**RESOLVED:**

**1. That the nominations to Outside Bodies, Statutory and Other Panels  
be approved as set out above.**

**138. Waste Report - (Report to Follow) (Decision 110653)**

The Leader confirmed that the Waste report had gone to Overview and Scrutiny and their comments were in front of Members tonight. The Leader confirmed that Overview and Scrutiny broadly welcomed what is being

proposed however they would like to remove the words '*interim solution*' from recommendation 1.1 and replace it with '*until a fully costed Waste Implementation Plan has been completed*'. They would also like to add to recommendation 1.3 '*that this should be brought to the Overview and Scrutiny Committee not less than one month before Cabinet*'. The Leader confirmed that he had no issue with either of these proposed amendments and stated that he hoped the other Cabinet members would agree.

The Leader recognised that the service with regard to the brown bins has not been acceptable to residents for quite some time. The Leader stated that there has been a much improved service for waste and recycling collections. The Leader welcomed the review of the service.

Councillor G Coxshall queried the timelines for the review of the waste service.

The Acting Director of Public Realm confirmed this would be completed by the end of the year.

Councillor Snell highlighted that a resolution was needed, and what is being proposed is a sensible solution. Councillor Snell highlighted that a comment was made at Overview and Scrutiny that the suspension of the brown bin service in the months of December and January when this service was less needed could be extended to the month of November and weekly recycling collections reinstated.

Councillor B Maney stressed that pairing back the recycling service did not sit well with him and he really hopes this is an interim solution as he was concerned residents may put recycling in the green bins. Councillor B Maney also suggested that as the leaves are falling much later the brown bin service should perhaps be suspended for the months of January and February.

The Leader responded that in December there is more packaging due to Christmas and that is why December and January were selected.

#### **RESOLVED:**

- 1. Option 5 be approved for the collection of garden waste and the associated change to the frequency collection of recycling until a fully costed Waste Implementation Plan has been completed**
- 2. A full strategic review of the waste service be undertaken to provide for a sustainable service in the context of reducing budgets, increasing costs, demographic and other pressures, changes in legislation.**
- 3. That the scope of the strategic review will be developed for members consideration, but will include the type, levels, and forms of delivery of service. This should be brought to the Overview and Scrutiny Committee not less than one month before Cabinet.**

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

**139. Award of Contract for Occupational Therapy and Independent Mobility Assessment Service (Decision: 110654)**

Councillor G Coxshall introduced the report and explained that the report is about the award of contract for Occupational Therapy and Independent Mobility Assessments. The tender process has been completed and the outcome has now been received. The budgetary envelope remains the same as last year.

Councillor B Maney queried on page 37 how the figure of £99,360 per annum was arrived at and if this is enough to provide the service. He further queried if now the decision has been made whether it should go back to the Health and Wellbeing Overview and Scrutiny Committee to consider.

The Assistant Director for Adult Social Care and Community Development confirmed that the figure of £99,360 is the outturn figure of what was spent last year. The good news is that despite the various pressures people are under the figure has been kept within this cash envelope and he has no reason to believe the high quality of service would reduce. If demand increased then it would affect the waiting times for the assessments. He further confirmed that he had not been advised to take this back to Overview and Scrutiny.

**RESOLVED:**

**1. That Cabinet agrees with Procurement's recommendation to appoint the winning provider to fulfil the obligations under the contract to provide an occupational therapy and independent mobility assessment service.**

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

**140. Award of Contract to Supply, Install, Maintain and Repair Telecare Equipment (Decision: 110655)**

Councillor G Coxshall introduced the report and confirmed it is regarding the award of contract for telecare equipment.

Councillor Carter queried whether digital transformation was part of this.

The Assistant Director for Adult Social Care and Community Development stated that they have built into the contract the digital switchover and the provider selected is compatible with that switch.

Councillor Snell queried if only one company had come forward.

The Assistant Director for Adult Social Care and Community Development confirmed that only two companies came forward. It is a fairly limited market and one provider was picked from those two options.

Councillor B Maney queried how they came to the contract figure.

The Assistant Director for Adult Social Care and Community Development confirmed they did set a cash limit when going to tender and this was accepted. In the current financial climate, it is necessary to set limits when going out to tender although there is normally a tolerance when considering this. The Assistant Director for Adult Social Care and Community Development Assured confirmed that through the tender process where they consider a number of different criteria they are assured the chosen provider is capable of delivering a good service for the contract amount.

Cabinet went into exempt session to discuss the appendices to item 12 and 13. Cabinet members sought further clarification from officers on the procurement process, requested additional information on the weightings and rationalisation behind the application. Cabinet members requested that all future procurement reports must include more explanatory detail of the decision, the procurement process, rationalisation and outcome of the weightings in supporting the successful supplier. The Leader requested additional information is made available to Cabinet on items 12 and 13. (Detailed minutes are contained in the exempt minutes).

**RESOLVED:**

**1. That Cabinet agrees with Procurement's recommendation to appoint the winning provider to fulfil obligations under the contract to supply, install, maintain and repair telecare equipment.**

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

**The meeting finished at 7.54 pm**

Approved as a true and correct record

**CHAIR**

**DATE**

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

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<b>12 July 2023</b>		<b>ITEM: 10</b> <b>Decision: 110656</b>
<b>Cabinet</b>		
<b>Housing Capital Programme Contract Modifications</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Key	
<b>Report of:</b> Cllr Barry Johnson, Cabinet Member for Housing		
<b>Accountable Assistant Director:</b> Ewelina Sorbjan, Assistant Director of Housing		
<b>Accountable Director:</b> Ian Wake, Corporate Director of Adults Housing and Health		
<b>This report is Public</b>		

## Executive Summary

This report sets out a recommendation for the Contract Modification to the Refurbishment of Non-Traditional Construction Properties contract awarded to Wates Property Services.

The original term of the contract ran until 30 April 2023. An extension is required to increase the length of the contract term and value of the overall contract sum.

The requested increase to the value of the contract sum and timeframe is due to the following factors:

- Increased scope of work due to additional structural requirements
- Incorporation of new retrofit standards (PAS 2035)
- Inflationary price changes (beyond predicted levels)
- Availability of accredited supply chain

By law, councils must have a balanced budget. If a council cannot find a way to finance its budget, it must issue a 'Section 114' notice. On 19 December 2022, the Council issued the 'Section 114' notice. This puts strict limits on what the Council can spend.

The Section 114 notice was necessary as the Council was unable to balance its budgets for the financial years of 2022/23 and 2023/24.

In September 2022, Directions issued to the Council by the Government required us to put in place an Improvement and Recovery Plan to the satisfaction of Commissioners. The plan has 5 main themes:

- financial sustainability
- governance and scrutiny
- strategic direction
- place leadership and growth
- leadership and culture

These recommendations fit within the objectives of the Thurrock Improvement and Recovery Plan 2022 for a financially sustainable council.

Previous reports

Procurement of Housing Capital Programme Delivery, Cabinet 10<sup>th</sup> March 2021 item 121.

## **Commissioner Commentary**

### **1. Recommendation(s)**

- 1.1 Approve the Modification to Contract to increase the contract sum by £1,757,471.74 to the total of £5,272,415.**
- 1.2 Approve the Modification to increase the Contract term for the Refurbishment of Non-Traditional Construction Properties to April 2024.**
- 1.3 That Cabinet agrees to delegate authority to the Corporate Director of Adults, Housing and Health in conjunction with the Portfolio Holder and Section 151 Officer, to sign the contract variation.**

### **2. Introduction and Background**

- 2.1 Non-traditional construction generally refers to prefabricated building systems, frames and construction methods that known as Prefabricated Reinforced Concrete (PRC) properties. They were mostly constructed post-war up between 1945 and 1951 and were only envisaged to last 10 years, but such was the durability that many are still standing today. Within the Thurrock housing stock we have over 200 of these non-traditionally constructed properties all of which are tenanted family sized homes. These properties are designated defective within the meaning of the Housing Defects Act 1984, now part of the Housing Act 1985, because they have the potential for corrosion of the embedded steel reinforcements and are generally considered by lending institutions not to be mortgageable.
- 2.2 The refurbishment of these properties will make them both structurally safe and achieve improved standards of thermal comfort and energy efficiency. Improvements are tailored to the different build types of which the level of refurbishment required varies. It incorporates measures such as new external wall insulation, new windows and doors, sustainable heating systems and sustainable energy sources. These will both improve the energy efficiency



ratings of the properties providing more comfortable and economical homes for our residents, in line with the Councils climate change agenda.

- 2.3 The Housing Revenue Account Business Plan and Budget Report of 12 February 2020 outlined a budget of £7.5m to invest in the refurbishment of the properties of Non-Traditional construction in the housing stock. In March 2021 Cabinet approved the procurement of the Non-Traditional Housing Stock Refurbishment programme to deliver these the required refurbishment.
- 2.4 A mini competition was carried out via South East Consortium framework. A process of cost evaluation was carried out during this period. Following full evaluation on the basis of 60% quality and 40% price and the contract sum awarded at £3.5m. The contract start date was confirmed as 6<sup>th</sup> September 2021.
- 2.5 The original sum budgeted in the HRA business plan was £7.5m. Although the costs received at tender stage were substantially lower than anticipated, due to the risks identified in relation to the scale and complexity of the delivering this project, a contingency sum was retained and the overall budget set at £5.28m.
- 2.6 Mobilisation of the programme commenced in October 2021 and engagement with residents began in November 2021. The construction phase of the programme then began with specialist surveys and design work. To date 41 number of homes were started, of which just under 30 are nearing completion, namely: 11 properties at Arisdale are ready to handover, 12 properties in Daiglen Drive and 4 in Cample Lane are having windows installed and external wall installation is to follow as the last element. To date £2,382,338.00 was spent.

#### Summary of costs

<b>Item</b>	<b>Sum</b>
Original budget allocation based on feasibility studies	£7.5m
Revised budget	£5.28m
Tender return	£3.5m
Spent to date	£2.382m
Anticipated final account	£5.272m
Amount requested by way of contract amendment	£1.757m

- 2.7 Work has continued to date but has not progressed at the anticipated rate due to a number of factors.

#### 2.7.1 Introduction of the PAS 2035 retrofit standard

The full implementation of the British Standards Institute (BSI) PAS 2035 coincided with the procurement timeline for this project, and as the contract was awarded (June 2021) compliance with PAS 2035 became

mandatory for all companies installing energy efficiency measures, including domestic retrofit.

This meant that the scope of the planned measures was reviewed and enhanced to ensure compliance with the new standards. The direct consequence the revisions had on the programme is an associated increase in the cost, and the additional time needed to design, plan and undertake the additional work.

### 2.7.2 Additional elements of structural work

Prior to, and at the commencement of the project properties were occupied, therefore due to the level of disturbance this would have caused, it was not possible to undertake fully intrusive surveys. Once residents were temporarily relocated and work progressed, the exposure and inspection of the full structure of the buildings led to the identification of a significant level of additional work required.

Earlier visual inspection along with the review of other known data did not suggest evidence of the underlying condition.

- I. High levels of carbonation identified in the concrete panels and frames.
- II. High levels of degradation and carbonation was found to be present within the structural concrete posts.
- III. The existing foundations were found to be shallow and required underpinning, to comply with current design criteria and Building Regulations.
- IV. As the existing foundations were revealed it became apparent that a redesign of the wall structures was required to ensure the load bearing capacity. This was done by incorporating a lightweight steel frame system.

### 2.7.3 Inflationary factors

Since the first quarter of 2020, costs for the residential sector (based on our cost consultants in house data) have increased by 33.3% to July 2022, which reflects an increase of approximately 1.2% per month over 28 months evaluated.

This is even more pronounced over the last 12 months, where increases of 16.4% have been seen, reflecting an increase of almost 1.4% per month.

These increases are primarily driven by material cost increases rather than labour. There have been well reported rises in material costs within the construction sector, with 2021- 2022 seeing sharp rises in the cost of timber and steel products, with many other elements following suit.

This had an impact on the projects budget as inflationary changes applied to materials that were not within scope at the point of tender.

#### 2.7.4 Availability of accredited supply chain

The supply chain carrying out the various elements of work must have PAS 2030 accreditation to undertake retrofit installation/works (in accordance with PAS2035 Retrofit Whole-Dwelling Assessments and Retrofit Designs).

In addition to being restricted to accredited suppliers, the obtainability has been further diminished by the delivery of Social Housing Decarbonisation Fund projects (SHDF) across the sector. Consequently, this has elongated the procurement process and is a cause of delay.

#### 2.7.5. Summary of issues

The combined impact of the factors outlined in this report have directly extended both the timeframe for delivery and contract sum as outlined below.

The original provisional completion date for the programme was June 2022, it is now projected to complete in June 2024 if all properties are completed.

- 2.8 Opportunity has also been identified and pursued in the form of external funding (ECO 4). The Energy Company Obligation (ECO) is a government energy efficiency scheme administered by Ofgem. The main objective of ECO4 is to improve the least energy efficient housing stock. This will directly support the financing of the project. This funding would be paid direct to Thurrock so would not reduce the final account payable or the overall contract sum required.

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

- 3.1 Remedial actions have been carefully considered. They all consider the current position of the programme and include a review of potential adjustment to the scope of works or reprogramming options for selected properties of which works have not yet commenced.
- 3.2 Our underlying objective remains to improve the thermal and energy performance of as many properties as possible and support residents out of fuel poverty, we recommend that Cabinet approve the contract modification to allow for the contract sum to be increased to £5,272,415 to be in line with procurement regulations spend limits. Also extend and contract term to April 2024 to allow for completion in line with the recommended option below.
- 3.3 The table below outlines the options appraised. Option 2 is identified as the preferred option and aligns with the recommendations being made to Cabinet.

Option	Opportunity/Strengths	Risk/Weakness
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<p>1. Complete full scope of works to all (67) properties as per current programme.</p> <p>Anticipated final account £7,051,166</p> <p>Attracts ECO funding amount of £315,556</p> <p>This option is not recommended.</p>	<ul style="list-style-type: none"> <li>• Maximum number of properties refurbished.</li> </ul>	<ul style="list-style-type: none"> <li>• Anticipated final account exceeds budget.</li> <li>• Risk of further unforeseen elements at currently unopened properties.</li> </ul>
<p>2. Complete works to 44 properties in progress and maximum number of properties not yet started. Anticipated to achieve 53 properties in total.</p> <p>Anticipated final account £5,272,415</p> <p>This option attracts a funding amount of £226,470</p> <p><b>This option is recommended</b></p>	<ul style="list-style-type: none"> <li>• Maximum number of properties completed in budget.</li> <li>• Risk of ongoing unforeseen elements reduced.</li> </ul>	<ul style="list-style-type: none"> <li>• Up to 14 properties would require reprogramming.</li> <li>• Delay to allow for procurement and mobilisation for the properties that need reprogramming.</li> <li>• It would be the intention to pick up these properties as part of the transforming homes programme in future.</li> <li>• Residents expecting works as part of this programme would require appropriate liaison and support.</li> </ul>
<p>3. Complete works only to 44 properties currently in progress.</p> <p>Anticipated final account</p>	<ul style="list-style-type: none"> <li>• Risk of unforeseen elements reduced.</li> </ul>	<ul style="list-style-type: none"> <li>• 23 properties would require reprogramming and this volume would necessitate commissioning of</li> </ul>

<p>£4,972,746</p> <p>Attracts ECO funding amount of £220,833</p> <p>This option is not recommended</p>		<p>a separate programme in future.</p> <ul style="list-style-type: none"> <li>• Residents expecting works as part of this programme would require appropriate liaison and support.</li> <li>• Considerable delay to allow for procurement and mobilisation on a larger scale than option 2</li> <li>• Costs would be subject to inflationary increases and therefore will be higher overall and therefore outside of provision in HRA business plan</li> <li>• Logistically it would mean doubling up of cost for resources to demobilise and remobilise</li> </ul>
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#### 4. Reasons for Recommendation

- 4.1 There is an existing budget allocated for this programme of work, initially set at £7.5m and subsequently revised to £5.280m.
- 4.2 The increase in contract value does not exceed the Public Procurement Regulations 2015 contract variation spend limits, and therefore is permissible under these regulations. The recommendation complies with the requirements of Regulation 72 of the Public Contracts Regulations 2015.
- 4.3 Due to the risks associated with works of this nature and scale the original budgeted amount of £5,280,000.00 was retained to provide a level of contingency.

- 4.4 The approval of the report recommendation will support of the delivery of the of the Council's Housing Asset Management Strategy aims and objectives. This includes investing in improving the overall thermal performance and energy efficiency of resident's homes and effectively support them out of fuel poverty.

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

- 5.1 The Cabinet Lead Member for Housing has been briefed and consulted on this report and is in support of the recommendations.

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

- 6.1 In October 2019, the council passed a motion to declare a climate emergency and to take urgent action to reduce its carbon emissions to net-zero by 2030. The work this project is delivering will contribute to reducing the carbon emissions of the Councils housing stock.
- 6.2 This project is linked to the Housing Strategy Vision in that every Thurrock resident will have access to a safe, secure, suitable, and affordable home that meets their needs and aspirations, serving as a foundation to support their health and wellbeing.

## **7. Implications**

### **7.1 Financial**

As detailed in the body of the report, the initial estimate for the works set a budget of £7.5m in 2020/21.

The budget was subsequently revised to £5.280m following further review of the estimated costs of the works.

These works will need to be funded through prudential borrowing, as no external grant funding is available to contribute towards the cost. These costs are ring-fenced to the HRA only

The financing of the recommended option equates to £5.046m, which allows for £0.226m of external funding. This net sum will be financed through prudential borrowing and is included within the 2023/24 total interest and financing budget of £8.937m. The forecast cost of this element is predicted to be £0.237m per year, however, the Council will explore the use of the preferential PWLB housing rate that was announced by the government to be implemented in June 2023.

The works detailed in the contract are essential to ensure that the HRA maintains the properties to the required standard, and therefore form part of the HRA expenditure forecasts contained within the business plan.

Implications verified by: **Mike Jones, Strategic Lead | Corporate Finance – Resources and Place Delivery**

## 7.2 Legal

Varying a public contract must be done in accordance with Regulation 72 of the Public Contracts Regulations 2015, which outlines the ways in which this can be done legally. Regulation 72(1) b sets out that a variation is permissible where the following requirements are met “for additional works, services or supplies by the original contractor that have become necessary and were not included in the initial procurement, where a change of contractor would cause significant inconvenience or substantial duplication of costs for the contracting authority”,

The evidence relied upon by the Council for compliance with these requirements is shown at clauses 2.7.2, 2.7.3 and 3.3 above.

The issuing of a Section 114 notice by Thurrock Council means that any new spending - with the exception of protecting vulnerable people, statutory services and pre-existing commitments – must be reviewed on a case-by case basis by a formal spending review panel. Members can be satisfied that the costs referred to in the report are essential, come within pre-existing commitments and comply with appropriate legislation.

The Council have a statutory duty to provide for the Health and Wellbeing of its residents through improvement to their living conditions and this could be by way of delivering this project as proposed in this report, with the ultimate outcome of improving the Wellbeing of its residents.

Implications verified by: **Kevin Molloy  
Principal Solicitor Contracts Team**

## 7.3 Diversity and Equality

It is likely that residents in these homes are experiencing levels of fuel poverty. Fuel poverty has many negative impacts on physical and mental health. The installation of energy efficiency measures and heating systems is intended to address this financial exclusion by delivering a reduction in annual costs for these residents on their heating bills.

The investment made through these improvements in the housing stock represents a real opportunity to provide additional social value initiatives to the local communities in the borough. One example of this was the ‘Christmas

dinner hamper' which was provided to 50 vulnerable residents identified via our Financial Inclusion Officers and the refurbishment of the community room at Chadwell St Mary high rise blocks to provide a warm space with good quality amenities that allows for the community to come together.

Implications verified by: **Roxanne Scanlon | Community Engagement and Project Monitoring Officer, Adults Housing and Health**

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

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):

Procurement of Housing Capital Programme Delivery, Cabinet 10<sup>th</sup> March 2021

<https://democracy.thurrock.gov.uk/documents/s29882/Procurement%20of%20Housing%20Capital%20Delivery%20Programme.pdf>

9. **Appendices to the report**

None

**Report Author:**

Nicola Richards

Capital Programme Delivery Manager

Housing Assets, Repairs and Compliance



<b>12 July 2023</b>	<b>ITEM: 11</b> <b>Decision: 110657</b>
<b>Cabinet</b>	
<b>Lower Thames Crossing Development Consent Order Update and Planning Performance Agreement</b>	
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Yes
<b>Report of:</b> Leigh Nicholson, Assistant Director Planning, Transport & Public Protection	
<b>Accountable Assistant Director:</b> Leigh Nicholson, Assistant Director, Planning, Transport & Public Protection	
<b>Accountable Director:</b> Mark Bradbury, Interim Director of Place	
<b>This report is</b> Public	

## Executive Summary

The National Highways (NH) submission of its Lower Thames Crossing (LTC) application for a Development Consent Order (DCO) was formally accepted by the Planning Inspectorate (PINS) in October 2022.

This report sets out the Council's current understanding of the LTC DCO pre-examination work process and timescales of the LTC DCO Examination.

In May 2023 the Council attended the LTC DCO Programming Meeting to make representation and formally request a delay to the programme in consideration of the suspension of work necessary due to the Council's financial situation and subsequent S114 notice. The Council requested the LTC DCO process was extended by 7 weeks.

Following a pause whilst the S.114 implications of proceeding with the Council's objection were assessed the technical review team has been remobilised and is undertaking a review of the LTC DCO documents submitted as these are likely to be different to the information previously provided by National Highways (NH) prior to submission. This is complex work and requires substantial external resource and management.

Despite a strong case for an extension and support from other stakeholders the Examining Authority (ExA) confirmed in its Rule 8 letter, issued after the Preliminary Meeting (Part 1) which was held on 6 June, that the programme would be unchanged.

The Examination therefore commenced on 20<sup>th</sup> June and is scheduled to be completed by 20<sup>th</sup> December 2023. The ExA will then take 3 months to make its recommendation report to the Secretary of State for Transport. The ExA recommendation report is then sent confidentially to the Secretary of State for Transport to consider the recommendations.

A formal announcement on planning determination for this scheme might be expected from

summer to late 2024, although this may be influenced by the dates of the General Election currently expected in May 2024.

Part of the cost of Thurrock Council's engagement with the process to date is met by National Highways as set out in a Planning Performance Agreement (PPA) between the Council and National Highways. That PPA terminated when the DCO was accepted by PINS.

Officers have worked closely with National Highways to agree the terms of a new Agreement to take us through the Pre-Examination and Examination phase. Terms have now been agreed that will deliver a higher contribution from National Highways than the previous PPA (and greater than agreed with other affected authorities to reflect Thurrock's current financial position). The agreed draft is attached as appendix 2.

The Department for Transport (DfT), the Department for Levelling Up, Housing & Communities (DLUHC) and more recently the ExA have made clear the importance of Thurrock Council being properly resourced to fully participate in the Examination process.

The ExA has asked for confirmation that the PPA will be approved and signed early in the Examination process.

### **Commissioner Commentary**

The LTC has consequences for the 'Place Leadership and Growth' theme within the Improvement and Recovery Plan. Unless properly mitigated, the LTC presents a significant risk to Thurrock, in terms of economic, environmental, and social impacts.

#### **1. Recommendation(s)**

- 1.1 That Cabinet notes the DCO pre-examination process and draft examination timetable and the ongoing role of the Lower Thames Crossing Task Force.**
- 1.2 That Cabinet approves entering into a further Planning Performance Agreement with National Highways and delegates authority to the Director of Place to effect this decision.**

#### **2. Introduction and Background**

- 2.1 The Lower Thames Crossing is intended to create additional road capacity across the Thames and relieve pressure on the Dartford Crossing. The proposed route includes 14.3 miles of new road connecting the M2/A2, A13 and M25 and the longest road tunnel in the UK, stretching for 2.6 miles. The project also includes around 50 new bridges and viaducts. About 70% of the infrastructure will be in Thurrock.
- 2.2 The Council has endeavoured to work with National Highways to influence and improve the scheme but remains opposed to the scheme in its current form due to the magnitude of unmitigated economic, environmental, and social impacts levied disproportionately on Thurrock and the Council's concerns about the ability of the scheme to deliver its stated objectives.
- 2.3 The Lower Thames Crossing Task Force has met regularly from September 2017 and has consistently sought to hold National Highways to account. Cabinet has received regular updates in accordance with agreed terms of reference.

- 2.4 In October 2022 National Highways resubmitted its DCO application to the Planning Inspectorate. The Council submitted its Adequacy of Consultation (AoC) representation highlighting very serious concerns about the consultation, transparency of communication, and local understanding of the scheme impacts.
- 2.5 The Planning Inspectorate decided to accept the DCO application on 28 November 2022. There is no basis to challenge this decision except through Judicial Review later and PINS is not required to provide any substantive justification as to how they considered the Council position.
- 2.6 The Council reaffirmed clear all-party support for continuing to challenge the current LTC scheme in response to a Motion at its meeting on the 25<sup>th</sup> January 2023.
- 2.7 The DCO application has now proceeded to the more formal Pre-Examination and Examination stages.
- 2.8 The DCO Pre-Examination and Examination timetable and related work programme and indicative timescales for future work are out in tabular form in Appendix 1. This represents current understanding of the timetable, which is subject to change.

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

- 3.1 The Lower Thames Crossing is the largest single infrastructure project currently in planning in the UK. Thurrock Council is also managing other major projects through DCOs, Local Development Orders and Planning Applications.
- 3.2 Managing the Council's response to a complex DCO has been and will continue to be time and resource hungry. It is estimated that the remainder of the process will require expenditure of around £2.5 million by the Council on the preparation of evidence, responses to information supplied by the applicant and ExA and representation through the Examination process.
- 3.3 An improved PPA is essential to ensure that the financial burden on Thurrock residents and Thurrock Council is kept to the minimum possible. Officers have negotiated an improved PPA which goes significantly further than the previous PPA (and PPA's that have been agreed with other affected Councils) to reflect both the scale of the impact on Thurrock and the Council's current financial position.
- 3.4 The ExA has requested that Thurrock confirm that it has approved and entered into the PPA at the earliest possible stage in the examination process. Officers have indicated to the ExA that it is their intention to bring a decision to the July Cabinet meeting.
- 3.5 Not entering into the PPA would not allow the Council to be properly prepared and represented through the examination process at the lowest possible cost to the Council. The Council would not be in a position to fully participate without an addition of circa £2 million to the Council's budget for the current financial year.

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

- 4.1 In accordance with the terms of reference for the LTC Task Force Committee a paper is submitted to Cabinet to update the Council on the current status of the scheme as it progresses through the planning process. This paper sets out the current stage of the process and the forthcoming steps as they are presently understood to meet that

requirement.

- 4.2 Entering into the PPA will allow the Council to be properly prepared and represented through the examination process at the lowest possible cost to the Council.

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

- 5.1 The Lower Thames Crossing Task Force has been (and will continue to be) updated on the Examination process and Thurrock Councils representations. The most recent meeting was on 19<sup>th</sup> June 2023 and the members of the task force supported the Council's continued position.

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

- 6.1 The LTC Examination will have a significant impact on the Council's ability to continue with some planned activities during the remainder of 2023. Whilst a substantial and experienced team of consultants has been established to undertake the bulk of the work required, substantial inputs will be required from a wide variety of Council officers.
- 6.2 The ExA will often require detailed responses and Council decisions at short notice. Although this has been mitigated as far as possible the requirements of the DCO process will undoubtedly place additional pressure on Council resources. Time requirements for Council officer inputs have been identified and all those involved have been informed.
- 6.3 All Council staff time spent on the LTC DCO and the majority of the consultant team support is reimbursable to the Council via the proposed Planning Performance Agreement (PPA) which has been agreed and is awaiting Council governance approval. All Council time will need to be recorded to be reimbursable. Visibility of funding will enable the Council to bring in additional resource to assist delivery of normal workload during 2023 although this will require planning and approval.
- 6.4 Delegated powers have previously been established to enable the Council to expedite crucial decisions related to the LTC DCO during the Examination process.
- 6.5 This work is essential to secure mitigation of the likely economic, environmental and social impacts of the LTC project on Thurrock during the proposed construction period 2024-2032 and post opening of the scheme if the DCO is approved.

## **7. Implications**

### **7.1 Financial**

Implications verified by: **Laura Last**  
**Senior Management Accountant**

All Council staff time spent on the LTC DCO is reimbursable to the Council via a Planning Performance Agreement (PPA). An amendment to the current PPA agreement is now close to being signed off. The terms of the PPA have been agreed by all parties.

Counsel fees are excluded from the PPA and budget has been provided to fund this element of the project. All Council time will need to be recorded to be reimbursable. Visibility of funding will enable the Council to bring in additional resource to assist delivery of normal workload during 2023 although this will require planning and approval.”

## 7.2 Legal

Implications verified by: **Caroline Robins**  
**Locum Principal Solicitor**

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

The Development Consent (DCO) process is a planning process which falls outside the decision making powers of the local planning authority. The process relates to projects of national significance and is run by the Planning Inspectorate. If granted, the consent is contained within a statutory instrument known as a Development Consent Order. The Council is a consultee to the process, and the manner in which the Council engages with the process will influence the nature of the legal implications.

Host and neighbouring local authorities have an important role in the DCO process. The Council is a host authority because part of the proposal will be sited within the borough. Participation is not obligatory but is strongly advised. Relevant authorities are strongly encouraged to discuss and work through the issues raised by NSIP (nationally Significant Infrastructure Project) proposals. A local authority will provide an important local perspective, in addition to the views expressed directly to the developer by local residents, groups and businesses.

Thurrock Council would likely become responsible for discharging many of the requirements (akin to planning conditions) associated with the DCO if development consent is granted and would also likely to have a role in monitoring and enforcing many of the Development Consent Order (DCO) provisions and requirements.

In addition, the DCO if granted, could result in material implications for the Council and its assets, with attendant cost. Further implications could include statutory consents such as stopping up highways and discharge of water. The Council's involvement in the process can result in the securing of the mitigation of such effects. The DCO process includes Protective Provisions which will form part of the Statutory Instrument which would be issued upon the granting of the Order. These will need to be negotiated with NH's lawyers.

The DCO process runs on tight and inflexible timetables, and whether or not the DCO process is suspended, speed will be the essence for the Council to find ways of mitigating adverse impacts, including Protective Provisions.

Looking ahead, if the DCO is granted, and the Council sees fit to challenge the decision, a judicial review must be made very promptly (asap within 6 weeks of the decision),

The imperative for speed requires early preparation and it should be noted that before a judicial review challenge can proceed to a full hearing, it must be accepted by a court which must be convinced the case is arguable. Delay in investigating potential areas of

challenge could risk the Council missing an opportunity for the decision to be judicially reviewed.

Paragraphs 2.3 and 2.4 allude to a part of the process (Adequacy of Consultation) which the Council might now consider investigating potential for judicial review challenge. For this to occur (including obtaining initial advice regarding prospects of success), internal enabling processes should be put in place without delay.

The main grounds for challenge are: illegality, procedural unfairness, and irrationality.

The Council should remain vigilant for further potential judicial review challenge opportunities.

In view of the complexity and cost implications of a judicial review, a group action could be considered, if appropriate. Given the tight timetabling of the Judicial Review process, early engagement in this respect is recommended.

### 7.3 **Diversity and Equality**

Implications verified by: **Becky Lee**

**Team Manager - Community Development and Equalities, Adults, Housing and Health Directorate**

The Council remains opposed to the scheme as currently proposed due to the magnitude of unmitigated economic, environmental, and social impacts levied disproportionately on Thurrock and the Council's concern about the ability of the scheme to deliver on its stated objectives. These concerns have been incorporated within the Council's submitted Principal Areas of Disagreement (PADs) and will be further detailed within the Local Impact Report.

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

N/A

### 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**

- Appendix 1 – Pre-Examination and Examination Timetable and work plan

### **Report Author:**

Leigh Nicholson, Assistant Director Planning, Transport & Public Protection

### **Appendix 1**

<b>Key DCO Event</b>	<b>What is Required</b>	<b>Deadlines</b>
Comments on DCOv1 (Pre-DCOv2 Submission)	Detailed technical input depending on the topic	Done through many Technical Document responses during 2021 and then Community Impacts Consultation (CIC) and Local Refinements Consultation (LRC) responses
Ongoing discussions on Issues Logs/Themes and the draft Statement of Common Ground (SoCG)	Review of DCOv1 + technical responses from LTC + attendance at SoCG meetings	Up to October 2022
DCOV2 SUBMISSION	N/A	31 October 2022
Counsel (QC) Consultations	Initial preparation of Examination Strategy and AoC / Local Impacts Report (LIR)	1 March and 11 October 2022
Adequacy of Consultation (AoC) representation	Potential input on key matters, but no external LTC meetings	Submitted to Planning Inspectorate (PINS) on 16 November 2022
Potentially PINS could request(s) further information prior to Acceptance (using possibly Reg 5, The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009)	Potential for additional comment on additional information	Not required by PINS, but PINS issued Section 51 letter on 'minor errors and omissions' dated 28 November 2022
PINS decision on AoC	N/A	28 November 2022
PINS Rule 4 Letter (Appointment of Panel)	The 4-Member Panel appointment is: Lead Member – Rynd Smith Members – Dominic Young, Ken Taylor and Ken Pratt. Possibility of 5 <sup>th</sup> Member subject to understanding issues further	2 December 2022
Early Procedural Decisions from Examining Authority (ExA)	Required updated Documents to address 'Minor Errors and omissions'; Primary Areas of Disagreement (PADS) and	19 December 2022

	SoCGs procedures, Non-disclosure Agreements (NDAs); PPAs; and Other Matters. Examination Library published	
Additional Submissions from NH	Responses to S51 Advice (updated documents); Errata Report; Place Name Gazetteer; and, Letters from Department for Transport (DfT) and Department for Business, Energy and Industrial Strategy (BEIS)	22 December 2023
Relevant Representation (RR) Period – submission of Council and public RRs and interaction with Members and the Public	Completed	From Monday, 9 January 2023 until Friday, 24 February 2023  Thurrock Council provided submission – 4 May 2023
Prepare PADS Summary Statement and Tracker	Completed	To be completed (with NH) by Friday, 10 March 2023  Thurrock Council provided submission – 4 May 2023
NH to submit further details of current and prospective PPAs to ExA	NH submission to ExA – Thurrock Council has responded to ExA PPA questions	To be completed (with NH) by Friday, 10 March 2023 - completed
Interaction with Members and the Public	Council governance processes and accounting for any contributions from the public in preparing the LIR, as a representative of the public	During the following 3 months, i.e. during the period March 2023 – June 2023
Review of DCO documentation and Preparation of Local Impact Report (LIR) and updated PADs, SoCG and any Written Reps, which are key documents (and similar in nature, but not content)	Substantial inputs on specific technical issues to assess how previous comments on the technical documents dealt with (previous technical comments to be used to assess the DCO submission)	Underway during the period mid-April – July 2023



PINS Rule 6 Letter, Programming Meeting and Preliminary Meeting (Stage 1), which begins the formal timetable	Completed	25 April 2023
Procedural Deadline A (PDA) and Programming Meeting	Thurrock Council Submission – 4 May 2023	5 May and 16 May 2023 – Thurrock Council attended
Procedural Deadline B (PDB) and Preliminary Meeting Part 1	Thurrock Council Submission – 26 May 2023 (including signed Joint Position Statement on PPA Variation)	26 May and 6 June 2023 – Thurrock Council attended.
Procedural Deadline C (PDC) and Preliminary Meeting Part 2 – currently programmed	Thurrock Council Submission to be prepared	Submission for Procedural Deadline C made week commencing 13 June 2023.
The ExA will determine if Thurrock Council's request for deferring the start of the Examination, Deadline 1 and the end of Examination has been accepted and the ExA decision will be set out in their Rule 8 Letter		
Subsequent Period – Undetermined and awaiting ExA Decisions and Advice		
PINS Rule 8 Letter (Examination Timetable) – this will be a detailed and final programme	Limited input, it sets out the exact timetable and Council's likely involvement	Either before or immediately after the final Preliminary Meeting (after Stage 2), i.e. summer 2023
ExA potential request(s) for further information (Rule 17 - Infrastructure Planning (Examination Procedure) Rules 2010)	Unknown, but largely likely from LTC, but we would then need to review and include comments in the LIR and Written Reps	Unknown
Interaction with Members and the Public	Council governance processes, preparing public for Examination input, attendance	Usually post-Rule 8 for several weeks
Deadline 1 - Submission of the Local Impact Report (LIR) and any Written Representation (WR) (key documents) + other submissions and comments on other reps	Major submissions	18 July 2023 (currently programmed)
Procedural Deadline D (PDD) – requests by		18 July 2023

interested parties to be heard at Open Floor Hearings or Affected Persons at CPO Hearings – for members of the public and Thurrock Council		
PINS Written Questions	Likely significant technical input, dependant on the questions	Very significant technical involvement in whatever questions are assigned to Thurrock, usually needing a final collective response to all questions within 21 days from receipt.
Finalise SoCG (after several iterations)	Checking/confirming status of issues	Likely by late Autumn 2023
Attendance at Hearings (Issue-Specific (ISH), Open Floor (OFH) or CPO)	Some direct witness involvement, mostly back-office support during the Examination	Unknown yet, although OFH and ISH are set for 20, 21, 22, 23 and 28 June and 5 July 2023, the majority will be held probably from early Summer – Autumn 2023

www.nationalhighways.co.uk

National Highways Customer  
Contact  
Centre: 0300 123 5000

31 May 2023

Dear Mark Bradbury,

### Lower Thames Crossing - Variation of Planning Performance Agreement

1. We refer to the Planning Performance Agreement dated 16 January 2019 (**the Agreement**) between National Highways (**NH**) and Thurrock Council (**the Council**), a copy of which is attached as Schedule 1 to this letter.
2. The Agreement was varied by the Parties in an email dated 1 December 2020. A copy of the letter of variation (First Variation) is attached as Schedule 2 to this letter.
3. In accordance with Clause 12.2 of the Agreement, NH and the Council have agreed to further amend the Agreement (as amended) as set out in this letter with effect from the date of this letter (**Variation Date**).
4. Clause 12.2 of the Agreement states:  
  
*“The Parties may at any time, including at the quarterly performance review meeting, review this Agreement and may amend or vary its terms by agreement between the Parties. Any such amendment or variation must be in writing signed by an authorised representative of both Parties”.*
5. On 31 October 2022 NH submitted an application for development consent to the Planning Inspectorate in respect of the Lower Thames Crossing Project (**the Project**). Following recent discussions with the Council regarding the Examination of the application, NH has agreed to reimburse the Council its costs for certain activities during the Pre-Examination and Examination phases, which will require the Council to provide additional resources over and above their role as a statutory consultee and participant in the Examination process as expected by the Planning Inspectorate.
6. Accordingly, with effect from the Variation Date the Parties agree the following amendments to the Agreement (as amended):

a)	Clause 2	<p>This clause is amended to include the following:</p> <p>“Detailed Local Operating Agreement” means an agreement between the Parties setting out the roles and responsibilities for operational boundaries during construction of the Project.</p> <p>“Examination” means the examination of the DCO Application by the Planning Inspectorate under the Act and scheduled to commence on 20 June 2023 and conclude on 20 December 2023 (subject to change in the rule 8 letter).</p> <p>“Local Highways Side Agreement” means an agreement between the Parties on relevant issues relating to local highways as a result of the Project.</p> <p>“Local Impact Report” means a report prepared by the Council setting out the likely impact of the Project on the Council’s area.</p> <p>“Pre-Examination” means the period commencing 31 October 2022 and ending on 20 June 2023 (subject to change in eth rile 8 letter).</p> <p>“Principal Areas of Disagreement Summary” means the document to be agreed between National Highways and the Council recording principal issues of disagreement and to be updated throughout the Examination and submitted by the Council as per the Examination timetable.</p> <p>“Section 106 Agreement” means an agreement between the Parties pursuant to section 106 of the Town and Country Planning Act 1990.</p> <p>“Statement of Common Ground” means the document to be prepared jointly by National Highways and the Council setting out the areas on which both parties agree and to be updated throughout the Examination and submitted by the National Highways as per the Examination timetable.</p>
b)	Clause 4.5	<p>This clause is amended to read as follows:</p> <p>The use of Planning Performance Agreements by National Highways is considered on a project-by-project basis. National Highways and the Council have a duty to use public funds carefully and act lawfully, rationally and fairly in accordance with public law principles. National Highways will not therefore reimburse the Council for any activities that are statutory requirements. National Highways will reimburse the Council for activities carried out under this Agreement in accordance with a defined funding allocation that will be notified to the Council at the beginning of each financial year. Subject to the provision of Clause 9.2, the funding available under this Agreement for the Pre-Examination and Examination phases is as follows:</p>

		<p>a. For the period 1 January 2023 to 20 June 2023 the total funding is £706,250 (seven hundred and six thousand, two hundred and fifty pounds)</p> <p>b. For the period 21 June 2023 to the date the Examination concludes the total funding available is £1,250,000 (one million two hundred and fifty thousand pounds).</p> <p>For the avoidance of doubt, these sums may be varied with the written agreement of the Parties.</p>
c)	Clause 9.3A added	<p>This clause is inserted into the Agreement as follows:</p> <p>Where invoices are not raised and submitted to National Highways in accordance with clause 9.3, National Highways will convene a meeting to be attended by the named individuals under clause 20.2 to address the matter. If the invoice has not been submitted after 30 days of the date of the meeting, National Highways will refer the matter to dispute resolution pursuant to clause 20.3.</p>
d)	Clause 9.3 (e) added	<p>This clause is inserted into the Agreement as follows:</p> <p>Where National Highways has raised a query under sub-clause 9.3(d) the Council will respond within 14 days and subject to satisfactory resolution of the query, the invoice will be paid within 14 days</p>
e)	Clause 13.1	<p>This clause, as modified by the First Variation, is amended to read as follows:</p> <p>This Agreement will come into force on the date of this Agreement and shall remain in force until the earliest of:</p> <p>a. the date on which the DCO Examination concludes; or</p> <p>b. the date on which the DCO Application for the Project is withdrawn; or</p> <p>c. the date on which this Agreement is terminated in accordance with Clause 13.2</p>
f)	Clause 13.2	<p>This clause is amended to read as follows:</p> <p>If any Party commits any breach of its obligations under this Agreement and that breach is within the control of the Party in breach and is capable of being remedied; then the Party not in breach may notify the Party in breach of the breach and give the Party in breach not less than 5 working days from receipt of the notice to either remedy the breach or to agree with the Party not in breach a programme of actions to remedy the breach. Where the Party in breach does not remedy the breach with the period allowed in the notice served by the Party not in breach, or fails to carry out any programme of actions agreed in accordance with this clause, the Party not in breach may, at its sole discretion, terminate this Agreement by giving of a notice of termination to the Party in breach, which notice of termination will take effect on the next working day following the day of issue of the notice.</p>

g)	Clause 20.4 added	<p>This clause is inserted into the Agreement as follows:</p> <p>In the event that the Council is dissatisfied with any part of the responses provided by National Highways and escalation under clause 20.2 to the named individual has been carried out or is, in the view of the Council, inappropriate, the Council shall raise the concerns in writing addressed to National Highway's Eve Herrington, Project Manager who shall seek to resolve the issues and if the issues cannot be resolved then the Council shall use National Highway's internal complaints process.</p>
h)	Schedule 4 (as amended)	<p>In paragraph 1 of this Schedule the following is to be inserted after the words 'which will be capped and agreed in advance':</p> <p>Activity E - Examination meetings and negotiations</p> <p>With the exception of the activities listed in paragraphs (s) to (cc) below, activities that are not covered by this Agreement and in respect of which the Council's costs will not be reimbursed by National Highways include (but are not limited to) the following:</p> <ul style="list-style-type: none"> <li>• Activities that form part of the statutory function of the Council and/or part of the Council's role as a statutory consultee and participant in the DCO process as expected by the Planning Inspectorate unless explicitly agreed within this or another variation.</li> <li>• Any fees and costs associated with the procurement, instruction or advice received from external legal advisors, which for the avoidance of doubt includes King's Counsel and junior Counsel throughout the Pre-Examination and Examination phases except in support of item y (Negotiation of Land) and z (Review and comment on the draft DCO and any legal agreements that are supplementary to the DCO application).</li> <li>• Attendance and participation at the Examination, including the preparation of expert witness submissions and responding to written questions raised by the Examining Authority during the Examination, including the review of National Highway's response to any of the written questions.</li> </ul> <p>For the avoidance of doubt, National Highways has agreed to fund the following activities:</p> <p>s. Attendance at technical working groups, advisory and other Project Team meetings.</p> <p>t. Review and comment on meeting notes, following each agreed meeting.</p> <p>u. Engagement with other public bodies including neighbouring Councils and statutory bodies.</p>

		<p>v. Negotiation and agreement of a Statement of Common Ground – and at the direction of the Examining Authority, a Principal Areas of Disagreement Summary</p> <p>w. Review of the DCO application documentation.</p> <p>x. Preparation of the Council’s Local Impact Report.</p> <p>y. Negotiation of land access/acquisition by agreement, as necessary and as requested by National Highways.</p> <p>z. Review and comment on the draft DCO and any legal agreements that are supplementary to the DCO application, including but not limited to the Detailed Local Operating Agreement, Section 106 Agreement and Local Highways Side Agreement. Subject to Clause 9.4, specialist advice may be procured from external consultants to provide technical support as necessary.</p> <p>aa. Attendance at any stakeholder group that may have been established.</p> <p>bb. Engagement on any other issues raised by National Highways.</p> <p>cc. Subject to clause 9.5, procuring external consultants or specialist advice to inform the above activities.</p>																																									
i)	Schedule 4	<p>Paragraph 2 of this Schedule is amended as follows:</p> <p>The Parties have agreed the following hourly rates:</p> <p><b>Thurrock Officer Rates</b></p> <table border="1" data-bbox="518 1167 1066 1536"> <thead> <tr> <th>Grade</th> <th>Officer Level</th> <th>Per hour</th> </tr> </thead> <tbody> <tr> <td>E</td> <td>Assistant</td> <td>£ 30</td> </tr> <tr> <td>F</td> <td>Officer</td> <td>£ 42</td> </tr> <tr> <td>G</td> <td>Senior Officer</td> <td>£ 54</td> </tr> <tr> <td>H</td> <td>Principal Officer</td> <td>£ 72</td> </tr> <tr> <td>I</td> <td>Strategic Lead</td> <td>£ 120</td> </tr> <tr> <td>AD</td> <td>Assistant Director</td> <td>£ 141</td> </tr> <tr> <td>DIR</td> <td>Director</td> <td>£ 204</td> </tr> <tr> <td>CEO</td> <td>Chief Executive Officer</td> <td>£ 263</td> </tr> </tbody> </table> <p><b>CBRE</b></p> <table border="1" data-bbox="539 1615 1029 1924"> <thead> <tr> <th>Level</th> <th>Per hour</th> </tr> </thead> <tbody> <tr> <td>Senior Director</td> <td>£300</td> </tr> <tr> <td>Director</td> <td>£250</td> </tr> <tr> <td>Associate Director</td> <td>£215</td> </tr> <tr> <td>Senior Surveyor</td> <td>£185</td> </tr> <tr> <td>Surveyor</td> <td>£150</td> </tr> <tr> <td>Graduate/ Apprentice</td> <td>£90</td> </tr> </tbody> </table>	Grade	Officer Level	Per hour	E	Assistant	£ 30	F	Officer	£ 42	G	Senior Officer	£ 54	H	Principal Officer	£ 72	I	Strategic Lead	£ 120	AD	Assistant Director	£ 141	DIR	Director	£ 204	CEO	Chief Executive Officer	£ 263	Level	Per hour	Senior Director	£300	Director	£250	Associate Director	£215	Senior Surveyor	£185	Surveyor	£150	Graduate/ Apprentice	£90
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<b>Stantec Rates</b>		
<b>Level</b>	<b>Per hour</b>	
Partner	£	165
Managing Consultant	£	115
Principal Consultant	£	68.75
Senior Consultant	£	56.25
Consultant	£	50
Junior Consultant	£	45

<b>Browne Jacobson</b>		
<b>Level</b>	<b>Per hour</b>	
Partner	£	350
Senior solicitor	£	270
Solicitor	£	245
Junior solicitors	£	215
Trainee	£	160

<b>Other Consultants</b>		
<b>Organisation</b>	<b>Level</b>	<b>Per hour</b>
AECOM	Director	£ 176
Aether	Director	£ 165
Aether	Managing Consultant	£ 115
Aether	Consultant	£ 50
Aether	Director	£ 165
Essex County Council	Consultant	£ 49
Essex County Council	Managing Consultant	£ 133
Highbury Planning	Director	£ 150.94
KMC Planning Ltd	Managing Consultant	£ 115
Phil Goodwin	Managing Consultant	£ 115
University of Leeds	Director	£ 165
Wisher Consulting	Managing Consultant	£ 115

7. In this letter, expressions defined in the Agreement and used in this letter have the same meaning as set out in the Agreement.

8. Except as set out in paragraph 6, the Agreement shall continue in full force and effect.



- 9. Please sign and return the enclosed copy of this letter to acknowledge your agreement to the variation of the Agreement. We will then keep this with the original Agreement.

Yours sincerely

.....  
Signed for and on behalf of **NATIONAL HIGHWAYS LIMITED**

We agree to the variation of the Agreement with effect from the Variation Date on the terms set out above.

.....  
Signature  
For and on behalf of **NATIONAL HIGHWAYS LIMITED**

.....  
Print Name

.....  
Position

Signed for on behalf of **THURROCK COUNCIL**

.....  
Authorised Signatory

.....  
Print Name

.....  
Position

**Schedule 1 - Planning Performance Agreement dated 16 January 2019**

## **Planning Performance Agreement (PPA)**

**Relating to the Lower Thames Crossing Project**

**Development Consent Order Application**

This agreement is made on the

Between:

Highways England

and

Thurrock Council



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## 1. PARTIES

(1) **Highways England Company Limited** (No. 9346363) whose registered office is at Bridge House, 1 Walnut Tree Close, Guildford, GUI 4LZ ("**Highways England**")

(2) **Thurrock Council of Civic Offices, New Road, Grays, RM17 6SL ("the Council")**

each a "**Party**" and together "**the Parties**"

## 2. DEFINITIONS

"Act"	means the Planning Act 2008
"Agreement"	means this Planning Performance Agreement
"Council Project Team"	means the Council Project Team set out in Schedule 2 to this Agreement
"DCO Application"	means the development consent order application in respect to the Project to be submitted by Highways England
"Draft Estimate"	means a proposed and draft estimate not agreed between the Parties for a Work Package in accordance with the rates set out in Schedule 4
"Draft Work Package"	means the proposed work to be undertaken each calendar month comprising any of the activities in Schedule 4 not agreed by the Parties in advance of the activities being carried out
"EIRs"	means the Environmental Information Regulations 2004
"Estimate"	means an estimate agreed by the Parties in accordance with Clause 6.5(d) for a Work Package in accordance with the rates set out in Schedule 4
"Examination"	means the examination of the DCO Application by the Planning Inspectorate under the Act
"Excess"	means an amount in excess of an Estimate for works carried out by the Council in respect of a Work Package in accordance with the rates in Schedule 4
"FOIA"	means the Freedom of Information Act 2000 and any subordinate legislation made under that act, together with any guidance and/or codes of practice issued by the Information Commissioner or relevant body in relation to such legislation
"Highways England Project Team"	means the Highways Project Team set out in Schedule 1 to this Agreement
"Information"	means all information of whatever nature, however conveyed and in whatever form, including in writing, orally, by demonstration, electronically and in a tangible, visual or machine-readable medium (including CD-ROM, magnetic and

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	digital form)
"NSIP"	means a Nationally Significant Infrastructure Project
"Project"	means the project envisioned by Highways England in Section 3.1
"Project Milestones"	means the project milestones set out in Schedule 3 to this Agreement
"Project Programme"	means the project programme set out in Schedule 3 to this Agreement
"Reasonable Endeavours"	means all reasonable actions which can be taken and which are within the vires of the Party concerned and which do not involve the incurrence of disproportionate cost or the taking of actions which would not be commercially prudent if undertaken by an informed private entity acting reasonably
"Request for Information"	has the meaning set out in the FOIA or any apparent request for information under the FOIA or the EIRs
"Requirements"	means conditions which are imposed in the body of the development consent order in connection with the development for which it is granted
"Schedule of Works"	means the schedule of works and costs set out in Schedule 4 to this Agreement
"Stakeholder Advisory Panel"	means the working group comprising certain affected local authorities and other key stakeholders
"Time Sheet Report"	means the time sheet report provided at annex 1 to this Agreement
"Work Package"	means the work to be undertaken each calendar month comprising any of the activities in Schedule 4 agreed by the Parties in accordance with Clause 6.5(d) in advance of the activities being carried out. The Work Package will include the scope and duration of the work required
"Written"	means communications by email provided that these are sent to email addresses specified by the receiving party in Schedule 1 or Schedule 2 of this Agreement as appropriate

### 3. PROJECT DESCRIPTION

- 3.1 The Project is a highway construction NSIP which will create a new road and tunnel that would connect Kent, Thurrock and Essex.
- 3.2 The Project will be the subject of a development consent order application to be submitted by Highways England to the Planning Inspectorate.
- 3.3 The Council is the local authority for the area within which a significant part of the Project is situated.

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#### 4. BACKGROUND / INTRODUCTION

- 4.1 The Project is a NSIP for the purposes of the Act. The Act requires Highways England to submit an application for a development consent order to the Secretary of State for permission to construct the Project.
- 4.2 Whilst the Secretary of State is the main examining and decision-making authority, local authorities have an important role in the development of a development consent order application prior to its submission and determination. The Council is a statutory consultee in this process.
- 4.3 Highways England wishes to ensure the full and early participation of the Council in the DCO Application prior to submission of the DCO Application for Examination by the Secretary of State. The Council will undertake specific functions in the development of the DCO Application. These functions include (but are not limited or restricted to and may be amended from time to time with the agreement of the Parties in writing) the following:
- a. Engaging with Highways England during the pre-application stage to advise and comment on issues relating to the Project;
  - b. Advising on community consultation and assisting with the development of the Statement of Community Consultation, including responding to consultation on it;
  - c. Making representations to the Planning Inspectorate on the adequacy of consultation undertaken by Highways England;
  - d. Contributing to the preparation of a Statement of Common Ground with Highways England for submission to the Planning Inspectorate;
  - e. Producing a Local Impact Report.
- 4.4 Highways England recognises that the Project is a large and complex project raising significant planning, environmental and socio-economic challenges and opportunities. In order for the Council to properly assess the issues arising from the project application and to ensure that capacity is created and available within the Council to timeously input to the process, the Parties have agreed to enter into this Agreement whereby Highways England has agreed to reimburse the Council its costs for certain activities which require the Council to provide additional resources over and above their statutory requirements.
- 4.5 The use of Planning Performance Agreements by Highways England is considered on a project by project basis. Highways England and the Council have a duty to use public funds carefully and ensure they achieve best value. Highways England will therefore not reimburse the Council for any activities that are statutory requirements. Highways England will reimburse the Council for activities carried out under this Agreement in accordance with a defined funding allocation that will be notified to the Council at the beginning of each financial year. For the financial year ending 5 April 2019 the total funding available under this Agreement is £70,000.00 (seventy thousand pounds). For the avoidance of doubt, this sum may be varied with the written agreement of the Parties.
- 4.6 This Agreement provides the framework for agreeing funding to support input from the Council and also identifying the tasks that need completing along with agreed resources and a timetable to complete them.

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## **5. PURPOSE OF THE AGREEMENT**

- 5.1 The purpose of the Agreement is to enable Highways England to deliver a high quality DCO Application which has been informed by the Council's views as an affected local authority and local planning authority. This will be achieved by using this Agreement to:
- a. Provide a framework for the management of additional demands on Council resources which may result from the Project;
  - b. Agree and record the programme of works that are required to be completed;
  - c. Set out performance standards for both Parties;
  - d. Set governance arrangements for the management of this Agreement;
  - e. Allow for more efficient project management, including dealing with any disputes and working toward common programme objectives;
  - f. Facilitate effective ongoing engagement between Highways England and the Council;
  - g. Identify a stable team of suitably qualified and experienced representatives to provide the interface between Highways England and the Council in relation to the Project;
  - h. Secure a charging mechanism for the work undertaken by the Council in support of the DCO Application outside of their statutory duties and which will be reimbursed by Highways England; and
  - i. Secure appropriate specialist internal and where necessary external resources required by the Council within the required programme to provide input into the development proposals and documentation for the Project.
- 5.2 This Agreement does not cover the management of discharging of Requirements.

## **6. RESPONSIBILITIES AND OBLIGATIONS OF THE PARTIES**

- 6.1 The Parties shall act in good faith towards one another and shall seek to work jointly wherever appropriate to comply with this Agreement.
- 6.2 The Parties shall work collaboratively to ensure that the tasks required by the Schedule of Works are delivered in accordance with Schedule 4.
- 6.3 Both Parties undertake to meet and/or discuss matters by telephone or email in a spirit of cooperation and where necessary seek early resolution of any areas of misunderstanding or dispute.
- 6.4 Both Parties shall use Reasonable Endeavours to ensure that Parties meet the timetable and any deadlines in the Schedule of Works.
- 6.5 Both Parties shall carry out any action under this Agreement in accordance with the following agreed principles and objectives:
- a. To ensure robust, transparent and clear governance and project management arrangements are established to deliver the Schedule of Works and that these are maintained for the duration of the Agreement;

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- b. To work cooperatively and collaboratively to ensure timely and robust delivery of the Schedule of Works;
- c. To ensure that workable response times and deadline for comment and input are agreed in a timely manner;
- d. The Council will submit the Draft Work Package and Draft Estimate in respect of the work it intends to undertake at the beginning of each calendar month, following discussions with Highways England. Highways England will agree or provide reasons for not agreeing to the Draft Work Package and Draft Estimate within 5 working days of receipt. If the Draft Work Package and Draft Estimate is not agreed by Highways England, the Council will not commence work until the Work Package and Estimate has been agreed;
- e. To ensure appropriate consultation with stakeholders and communities;
- f. To discharge statutory duties and not prejudice or fetter powers, duties and responsibilities in respect of the Project;
- g. To keep each other informed of issues which may result in a change to the Schedule of Works and agree as soon as reasonably practicable any necessary revisions to that schedule; and
- h. To agree a collaborative approach to the agreement of methodologies for any specialist study area relevant to the scope of the activity.

6.6 Highways England responsibilities shall include (but are not limited to) the following:

- a. To reimburse the reasonably and properly incurred and invoiced costs of the Council in accordance with the terms of this Agreement;
- b. To provide the information and details required to allow the Council to respond as per the Schedule of Works;
- c. To respond substantively to all written communications including email, letters and reports and telephone calls with or from the Council within 10 working days from receipt or such other time as agreed;
- d. To provide not less than 10 working days notice of any meetings and a list of required attendees, wherever possible
- e. To circulate any documents and materials required for a meeting no less than 5 working days in advance of the meeting or such other time as agreed;
- f. To agree any actions arising from a meeting within 10 working days of the meeting or such other time as agreed; and
- g. To provide names, roles and contact details for the Highways England Project Team, identifying individuals and responsibilities and to keep these details up to date.

6.7 The Council responsibilities shall include (but are not limited to) the following:

- a. To ensure that the Council adopts a consistent, single approach to the Project across all Council disciplines;
- b. To set out how performance will be achieved through Council governance processes and confirm how items to be delivered in accordance with the Schedule of Works will be approved within the Council; to provide timescales and key dates for undertaking approval processes, including where relevant advising of committee and Council meeting dates; and ensuring appropriate delegations are in place to allow officers to agree

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amendments with Highways England prior to submission of the DCO Application to the Secretary of State for Examination;

- c. To support communities so they can understand how and when they can engage in the DCO Application process;
- d. To provide constructive input into pre-application discussions with Highways England;
- e. To provide appropriate input into any relevant environmental impact assessment discussions;
- f. To make best use of the resources and expertise available within the Council;
- g. Subject to the charging principles, to provide designated officers and provide other appropriate resources to carry out actions needed to secure proper consideration of the Schedule of Works;
- h. To agree in advance the procurement of any external resources required with the recognition of need for probity and independence of advice, and in compliance with best value processes;
- i. To notify Highways England as soon as it is reasonably aware that the Estimate of completing any item in the Work Package is likely to exceed the agreed expenditure for that item;
- j. To respond substantively to all written communications including email, letters and reports and telephone calls with or from Highways England within 10 working days from receipt or such other time as agreed;
- k. To circulate any documents and materials required for a meeting no less than 5 working days in advance of the meeting or such other time as agreed;
- l. To agree any actions arising from a meeting within 10 working days of the meeting or such other time as agreed; and
- m. To provide names, roles and contact details for the Council Project Team, identifying individuals and responsibilities and to these details up to date.

## **7. PROJECT TEAM**

- 7.1 The names and contact details for the members of the Highways England Project Team are set out in Schedule 1 to this Agreement.
- 7.2 The names and contact details for the members of the Council Project Team are set out in Schedule 2 to this Agreement.
- 7.3 In the event that membership of either the Highways England Project Team or the Council Project Team changes, the revised contact details shall be notified to the other Party as soon as practicable and the relevant Schedule of this Agreement updated at the earliest meeting where details of the change are known.

## **8. PROJECT PROGRAMME**

- 8.1 Schedule 3 provides the key Project Milestones and Project Programme for this Agreement.

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- 8.2 The Project Programme informs the Schedule of Works in Schedule 4 which will form the basis for the identification of tasks to be undertaken to achieve the required milestones associated with the Project.
- 8.3 Both Parties recognise that changes in circumstances and decisions taken by third parties may have an impact on the Project Programme. The Parties shall use all Reasonable Endeavours to ensure that the Project Milestones referred to in this Agreement are progressed in accordance with the Project Programme. However, should any delays be incurred, then the Parties shall meet and review the Project Programme to identify what Project Milestones and timescales may need to be changed.
- 8.4 The Project Programme will be reviewed at regular intervals (not less than quarterly) between both Parties and amended as necessary to take account of any relevant unforeseen matters that might arise.
- 8.5 Highways England and the Council agree that the technical meetings necessary to work through methodologies and assumptions in relation to specialist areas will take place between relevant parties as and when necessary outside of the normal project team meetings as set out in the Project Programme. Information shall be provided to Council to review not less than 5 working days in advance of meetings.
- 8.6 In some instances, it may be appropriate for Highways England to request from the Council written feedback on specific issues. In these circumstances, Highways England will submit to the Council a written request outlining the issues to be addressed together with sufficient plans and information to allow the Council to prepare a response. Where appropriate, and subject to resources/staff availability the Council will provide written feedback within 10 working days of receiving this written request, or shall advise Highways England when written feedback will be provided.

## 9. FEES AND CHARGES

- 9.1 Subject to Clause 9.2, in consideration of the undertaking by the Council of the work referred to in this Agreement, Highways England agrees to reimburse the Council's reasonable costs as approved in an Estimate or an approved Excess in accordance with Clause 9.2. This payment would cover the hourly costs (including overheads) of the Council's Project Team at the rates set out in Schedule 4 together with all disbursements reasonably incurred in connection with the completion of a Work Package.
- 9.2 If the Council consider that their undertaking of the Work Package is likely to exceed the Estimate and are able to evidence this, the Council will discuss with Highways England as soon as reasonably practicable the need to increase the said fee. Highways England, acting reasonably, will consider this Excess before it becomes payable provided these costs are reasonable and accord with the scope of the Work Package. Highways England will agree or provide reasons for not agreeing to the Excess within 5 working days of receipt of the Council's request.
- 9.3 The costs payable under Clause 9.1 shall be invoiced by the Council to Highways England monthly at the end of each calendar month. Each invoice shall:
- Be accompanied by a breakdown showing the time incurred, the work undertaken by each Council Project Team Member using the Time Sheet

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Report provided at Annex 1 of this Agreement and all disbursements reasonably incurred in connection with the Work Package;

- b. State the following reference numbers: ;
- c. Relate to a period of one calendar month and be raised within 10 working days of the end of the calendar month to which it relates; and
- d. Be formally queried by Highways England within 14 days of receipt or paid in full within 28 days of receipt.

- 9.4 In the event that the Council requires specialist advice from external consultants or specialists, it shall submit the anticipated scope, duration and costs of the required specialist advice for agreement with Highways England before appointing or instructing such external consultants. Once agreed, the costs of the additional external consultants shall then be met by Highways England, and shall be payable within 30 days of the date of receipt by Highways England of an invoice for the agreed costs.

#### **10. PAYMENT OF THE COUNCIL'S LEGAL COSTS**

- 10.1 Highways England shall on the date of this Agreement pay the Council's reasonable legal costs in connection with the preparation, negotiation and completion of this Agreement up to a limit of £3,000 (three thousand pounds) plus VAT.

#### **11. FREEDOM OF INFORMATION REQUEST / ENVIRONMENTAL INFORMATION REQUESTS**

- 11.1 The Parties acknowledge that as public bodies Highways England and the Council may be required under the FOIA or the EIRs to disclose information and agree to assist and cooperate with the other Party to enable the other Party to comply with its obligations under the FOIA and the EIRs.
- 11.2 Highways England acknowledges that the Council may be required under the FIOA or the EIRs to disclose information belonging to Highways England and provided to the Council under the terms of this Agreement. The Council agrees that it shall not disclose the information without notifying Highways England of a Request for Information (in accordance with the Secretary of State for Constitutional Affairs' Code of Practice on the Discharge of the Functions of Public Authorities under Part 1 of the FOIA) to the extent that it is permissible and reasonably practical for it to do so.
- 11.3 The Council acknowledges that Highways England may be required under the FIOA or the EIRs to disclose information belonging to the Council and provided to Highways England under the terms of this Agreement. Highways England agrees that it shall not disclose the information without notifying the Council of a Request for Information (in accordance with the Secretary of State for Constitutional Affairs' Code of Practice on the Discharge of the Functions of Public Authorities under Part 1 of the FOIA) to the extent that it is permissible and reasonably practical for it to do so.
- 11.4 Each Party shall have regard to any comments made by the other Party in respect of the disclosure of any information for the purposes of the FOIA or the EIRs.
- 11.5 The Parties acknowledge that they shall disclose information where required to do so by law and/or as directed by the Information Commissioner.

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## **12. REVIEW AND VARIATION OF THE AGREEMENT**

- 12.1 A performance review meeting will be held with both Parties every quarter to assess the performance under this Agreement.
- 12.2 The Parties may at any time, including at the quarterly performance review meeting, review this Agreement and may amend or vary its terms by agreement between the Parties. Any such amendment or variation must be in writing signed by an authorised representative of both Parties.
- 12.3 Amendment to the Agreement and revision of timescales within the Project Programme shall be subject to review as may be agreed between the Parties, acting reasonably to take account of any relevant unforeseen matters that might arise.
- 12.4 In the event of a delay in the Project Programme, the Parties will meet and discuss whether the programme is still realistic or whether the Project Programme will need to be revised.

## **13. TERM AND TERMINATION OF THIS AGREEMENT**

- 13.1 This Agreement will come into force on the date of this Agreement and shall remain in force until the earliest of:
- a. submission of the DCO Application to the Planning Inspectorate; or
  - b. the date on which the DCO Application for the Project is withdrawn; or
  - c. the date on which this Agreement is terminated in accordance with Clause 13.2
- 13.2 Either Party may, at its sole discretion, terminate this Agreement by giving notice of termination to the other Party, which notice of termination will take effect on the next working day following the day of issue of the notice.
- 13.3 Highways England's obligation to reimburse the Council will cease on the date of termination of this Agreement. The Council shall not be entitled to recover any costs incurred after the date on which the termination takes effect.
- 13.4 Following the service of a notice of termination under Clause 13.2 above the Council shall not act or make any commitment that would have the effect of incurring further costs to Highways England.
- 13.5 Following the service of a notice of termination by either Party, Highways England will reimburse all of the Council's reasonable costs in respect of activities approved in the Schedule of Works which have been incurred in accordance with the provisions of this Agreement before the date of termination.

## **14. NOTICES**

- 14.1 Notices for the attention of Highways England shall be sent to:  
Bridge House, 1 Walnut Tree Close, Guildford, Surrey, GU1  
4LZ  
Attention: Company Secretary
- 14.2 Notices for the attention of the Council shall be sent to:  
The Chief Executive, Civic Offices, New Road, Grays, RM17

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- 14.3 Notices for the attention of the Council's Assistant Director, Lower Thames Crossing under Clause 20.3 shall be sent to:

Civic Offices, New Road, Grays, RM17

#### **15. ENTIRE AGREEMENT**

- 15.1 This Agreement, including its Schedule, constitutes the entire agreement between and understanding of the Parties, and supersedes any previous agreement or understanding between them relating to the subject matter of this Agreement. Nothing in this Clause will operate to limit or exclude any liability for fraud.

#### **16. ACTING REASONABLY**

- 16.1 The Parties will at all times act reasonably and in particular (without prejudice to generality) where any approval or expression of satisfaction is required by this Agreement it will not be unreasonably withheld or delayed.

#### **17. COUNTERPARTS**

- 17.1 This Agreement may be executed in any number of counterparts, which shall each constitute an original and together constitute one Agreement.

#### **18. INTELLECTUAL PROPERTY**

- 18.1 All intellectual property created or generated by the Council or Highways England (including any of their consultants, employees or advisers) is to remain with the creator of the intellectual property.

#### **19. THIRD PARTIES**

- 19.1 The Contracts (Rights of Third Parties) Act 1999 shall not apply and no person other than the Parties (and any successors in title, assigns or successor bodies) shall have any rights under or be able to enforce the provisions of this Agreement.

#### **20. DISPUTES AND GOVERNANCE**

- 20.1 This Agreement will not fetter the Council in exercising its statutory duties powers or responsibilities as the local planning and highway authority and nothing in this Agreement or any written representation shall bind the Council to make any decision, take any action or otherwise pre-determine any future decision of the Council.
- 20.2 Each Party shall nominate one named individual within its Project Team to act as the key point of contact for the governance of this Agreement. The named individuals shall be responsible for ensuring compliance by their Project Team with this Agreement and shall raise any issue, concern or disputes with the other named individual in the first instance.

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- 20.3 In the event that Highways England is dissatisfied with any part of the responses or work provided by the Council and escalation under Clause 20.2 to the named individual has been carried out or is, in the view of Highways England, inappropriate, Highways England shall in raise the concerns in writing addressed to the Council's Corporate Director, Place who shall seek to resolve the issues and if the issues cannot be resolved then Highways England shall use the Council's internal complaints process.

## **21. GOVERNING LAW**

- 21.1 This Agreement and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the laws of England and Wales. The Parties irrevocably agree that the courts of England and Wales shall have exclusive jurisdiction to settle any dispute or claim that arises out of or in connection with this Agreement or its subject matter or formation (including non-contractual disputes or claims).

## SCHEDULE 1 – HIGHWAYS ENGLAND PROJECT TEAM AND CONTACTS

Project member	Team	Role	Contact details
Tim Jones		Project Director	Tel: 07860 406145 <a href="mailto:tim.jones@lowerthamescrossing.co.uk">tim.jones@lowerthamescrossing.co.uk</a>
David Manning		Development Director	Tel: 07714 292468 <a href="mailto:david.manning@lowerthamescrossing.co.uk">david.manning@lowerthamescrossing.co.uk</a>
Phil Stanier		Local Authority Lead	Tel: 07962 081913 <a href="mailto:phil.stanier@lowerthamescrossing.co.uk">phil.stanier@lowerthamescrossing.co.uk</a>
<b>Chris Stratford</b> <b>KEY CONTACT</b>		<b>Stakeholder Engagement Advisor</b>	<b>Tel: 07747 474337</b> <b><a href="mailto:chris.stratford@lowerthamescrossing.co.uk">chris.stratford@lowerthamescrossing.co.uk</a></b>
Helen Bowkett		Traffic and Economics Lead	<a href="mailto:helen.bowkett@lowerthamescrossing.co.uk">helen.bowkett@lowerthamescrossing.co.uk</a>
Malcolm Orford		Head of Consents	<a href="mailto:malcolm.orford@lowerthamescrossing.co.uk">malcolm.orford@lowerthamescrossing.co.uk</a>
Tim Wright		DCO and Planning Lead	<a href="mailto:tim.wright@lowerthamescrossing.co.uk">tim.wright@lowerthamescrossing.co.uk</a>
Gary Hodge		Technical Lead	<a href="mailto:gary.hodge@lowerthamescrossing.co.uk">gary.hodge@lowerthamescrossing.co.uk</a>
Emma Long		Deputy Environmental and Ecology Lead	<a href="mailto:emma.long@lowerthamescrossing.co.uk">emma.long@lowerthamescrossing.co.uk</a>
Ben Green		Construction Development & GI Lead	<a href="mailto:ben.green@lowerthamescrossing.co.uk">ben.green@lowerthamescrossing.co.uk</a>
Anne Richards		Land and Property Manager	<a href="mailto:anne.richards@lowerthamescrossing.co.uk">anne.richards@lowerthamescrossing.co.uk</a>
Bev Waugh		Delivery Director (including Procurement)	<a href="mailto:bev.waugh@lowerthamescrossing.co.uk">bev.waugh@lowerthamescrossing.co.uk</a>

All emails sent to Highways England by the Council should be copied to either Phil Stanier or Chris Stratford.

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**SCHEDULE 2 – THE COUNCIL PROJECT TEAM AND CONTACTS**

<b>Project Team member</b>	<b>Role</b>	<b>Contact details</b>
Steve Cox	Corporate Director, Place	<a href="mailto:scox@thurrock.gov.uk">scox@thurrock.gov.uk</a>
Anna Eastgate	Assistant Director, Lower Thames Crossing	Tel: 07864 969628 <a href="mailto:aeastgate@thurrock.gov.uk">aeastgate@thurrock.gov.uk</a>
Mat Kiely	Transport Development Manager	<a href="mailto:mkiely@thurrock.gov.uk">mkiely@thurrock.gov.uk</a>
Helen Forster	Strategic Lead- Place, Environment and Community Public Health, AHH2- Thurrock Public Health	<a href="mailto:hforster@thurrock.gov.uk">hforster@thurrock.gov.uk</a>
Paula Watts	Projects Leader – Public Rights of Way	<a href="mailto:pwatts@thurrock.gov.uk">pwatts@thurrock.gov.uk</a>
Andy Millard	Assistant Director, Planning Transportation and Public Protection	<a href="mailto:amilard@thurrock.gov.uk">amilard@thurrock.gov.uk</a>
Sean Nethercott	Strategic Lead, Strategic Services	<a href="mailto:snethercott@thurrock.gov.uk">snethercott@thurrock.gov.uk</a>
Matt Ford	Principal Engineer, Transport Development	<a href="mailto:mford@thurrock.gov.uk">mford@thurrock.gov.uk</a>
Steve Smith	Traveler Liaison Officer	<a href="mailto:ssmith@thurrock.gov.uk">ssmith@thurrock.gov.uk</a>
Mary Patricia Flynn	Strategic Lead, Communications	<a href="mailto:mpflynn@thurrock.gov.uk">mpflynn@thurrock.gov.uk</a>
Lucy Tricker	Democratic Services Officer	<a href="mailto:ltricker@thurrock.gov.uk">ltricker@thurrock.gov.uk</a>
Natalie Warren	Strategic Lead, Community Development and Equalities	<a href="mailto:nwarren@thurrock.gov.uk">nwarren@thurrock.gov.uk</a>
Luke Tyson	Directorate Business Manager	<a href="mailto:ltyson@thurrock.gov.uk">ltyson@thurrock.gov.uk</a>

All emails sent to the Council by Highways England should be copied to [ltcadmin@thurrock.gov.uk](mailto:ltcadmin@thurrock.gov.uk) and where possible [aeastgate@thurrock.gov.uk](mailto:aeastgate@thurrock.gov.uk)

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**SCHEDULE 3 – KEY PROJECT MILESTONES AND PROJECT PROGRAMME**

<b>Stage</b>	<b>Action</b>	<b>Start date / completion date</b>
Statutory Consultation	Highways England to hold pre-application consultation on Project proposals	10 October 2018 to 20 December 2018
Submission of DCO Application	Highways England to submit DCO Application to the Planning Inspectorate	Estimated autumn 2019
Examination of DCO Application		Estimated start early 2020 Estimated finish summer 2020
Secretary of State decision on DCO Application		Estimated decision early 2021

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## **SCHEDULE 4 – SCHEDULE OF WORKS**

1. A Work Package can comprise any of the following activities:

### **Activity A – meetings and negotiations**

- a. Attendance at technical working groups, advisory and other Project Team meetings, as requested by Highways England.
- b. Review and comments on meeting notes, following each agreed meeting.
- c. Engagement with other public bodies as requested by Highways England, including neighbouring councils and statutory bodies.
- d. Attendance at community engagement events that are not part of statutory consultation, as requested by Highways England.
- e. Negotiation and agreement of a Statement of Common Ground.
- f. Negotiation of land access/acquisition by agreement, as necessary and as requested by Highways England.
- g. Attendance at the Stakeholder Advisory Panel.

### **Activity B – technical reviews**

- h. Reviewing technical papers/reports where requested by Highways England, such as for open space and green infrastructure.
- i. Reviewing a draft of the development consent order where requested by Highways England.
- j. Reviewing draft DCO Application documents where requested by Highways England.
- k. Discussing Project design and various mitigation proposals following the commencement of statutory consultation.
- l. Discussing and providing data input into the traffic modelling process where requested by Highways England.
- m. Discussions, review and comments on construction compounds, construction traffic routes, excavated materials disposal and road, public rights of way and other route closures, diversions and alternative route proposals.
- n. Advising Highways England of any issue or concern, requesting any information required to resolve such issue or concern or meeting with Highways England to try to resolve any issue or concern.
- o. Use of technical consultants/specialists in accordance with Clause 9.4 of this Agreement.
- p. Assistance in identifying environmental, open space and other mitigation options for Highways England's consideration during Project and mitigation design.

### **Activity C – provision of information**

- q. Provision of data to inform the Environmental Statement (and its associated documents), traffic data and other DCO Application documentation, as requested by Highways England.

### **Activity D – project management of this Agreement**

- r. Overall project management costs associated with coordinated engagement under this Agreement, which will be capped and agreed in advance.

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2. The Parties have agreed the following hourly rates:

	Administrator/Junior	Senior	Principal	Team Leader	Assistant Director	Corporate Director	Chief Executive
Hourly rate (£) (exc VAT)	£21.50	£26.45	£32.50	48.65	£75.50	£96.88	£125.38

PBA	Technician	Graduate	Consultant	Senior	Principal	Director
Hourly rate (£) (exc VAT)	£43.75	£46.88	£56.25	£65.63	£84.38	£121.88

The specific charging schedule is for use in providing a form of estimate against the Project Programme (Schedule 3). Where work is to be carried out by consultants appointed by the Council under Clause 9.4 of this Agreement this should be included within the cost schedule, including any assumptions made by the consultant, the hourly rate and the estimated number of hours necessary for the tasks to be undertaken.

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## TIME SHEET REPORT

Time Spent (in hours)	Officer Name	Activity No.	Explanation of Activities undertaken	Officer Rate	Total Cost

Highways England and the Council hereby agree to the content of this Agreement.

Executed by HIGHWAYS ENGLAND acting by  
TIM JONES, a director, in the presence of:

  
SIGNATURE OF DIRECTOR

  
SIGNATURE OF WITNESS

C. STRATFORD  
NAME OF WITNESS

Beaufort House, 15 St. Botolph Street, London EC3A 7DT  
ADDRESS OF WITNESS

Signed:



on behalf of THURROCK COUNCIL

Date: 16 January 2019

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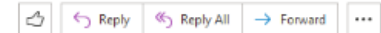
## Schedule 2 – First Variation email dated 1 December

LTC Update - Sharing DCO application documents



Poulomee Basu

To: Eastgate, Anna; Chris Stratford; Sorrin, Claire; Scanlon, Dermot; 'LTCAdmin'; LTC-Stantec  
Cc: LocalGov



Tue 01/12/2020 17:34

Hi Anna

Hope you are well. Please find a link to all our application documents which were submitted to the Planning Inspectorate as part of our DCO Application on the 23 October 2020.

<https://teams.microsoft.com/#/files/General?threadid=19%3Af00e9e4f172a493b9b3c6d27467badf5%40thread.tacv2&ctx=channel&context=General&rootfolder=%252Fsites%252FDCODocuments-ExternalStakeholders%252FShared%2520Documents%252FGeneral>

These documents are confidential.

Following the withdrawal of our application, and as we consider the Planning Inspectorate's feedback and prepare for our re-submission, we plan to make changes to some of the documents shared with you today. The extent of the changes will vary, but initially we shall of course plan to thoroughly review the documents and appendices that are particularly relevant to the Planning Inspectorate's feedback they provided to us in November, including:

- Application Document 4.2 Book of Reference – this will be updated with up to date Land Registry at the time of re-submission
- Application Document 6.1 Environmental Statement
- Application Document 6.5 Habitats Regulations Assessment
- Application Document 7.3 Summary of SoCG
- Application Documents 7.11 Code of Construction Practice

The above documents may be updated following our review. That is not to say the other documents in our application may not be updated but we wanted to highlight our current thinking to you as you start reviewing the application materials from the 23 October 2020.

We may also amend other submission documents following consideration of early comments from the Planning Inspectorate and will be in touch about this.

Some other points to note.

- Please note that generic accounts such as LTC Admin and LTC Stantec cannot be given access in teams, so I have kept it to the people in this email chain.
- We would appreciate receiving your comments on the application documents that have yet to be seen/reviewed (such as appendices to relevant ES chapters or the Transport Assessment)
- It would be preferred if comments on the Transport Assessment could be prioritised. If achievable, we request comments on the Transport Assessment to be provided by the 8<sup>th</sup> Jan 2021. We would appreciate comments on any other documents that you wish to review by the end of January 2021.
- We will also be in touch in the next couple of weeks with more details regarding future technical engagement including a 'Summary of Technical Engagement V5' (the last version, V4 was sent on the 31<sup>st</sup> July 2020). We hope this would be useful in planning your resources as we gear up for a re-submission.
- It should be noted that the PPA with Thurrock Council will remain valid till the re-submission of the DCO application and can be used to facilitate review of our documents and offer feedback.

Any questions, or issues with accessing these documents free to let me know

Regards

Poulomee

**Poulomee Basu MRTP**

Lower Thames Crossing – Stakeholder Engagement (Local Authorities)

Tel: +44 7824831311

<b>12 July 2023</b>	<b>ITEM: 12</b> <b>Decision: 110658</b>
<b>Cabinet</b>	
<b>Fees and Charges Review 2023/24</b>	
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Key
<b>Report of:</b> Councillor Graham Snell, Portfolio Holder for Finance	
<b>Accountable Assistant Director of Service:</b> Jonathan Wilson – Interim Director Finance and S151 Officer	
<b>Accountable Director:</b> Steven Mair - Interim Chief Financial Officer	
<b>This report is:</b> Public	

## Executive Summary

As is well known the Council faces unprecedented financial challenges and is reviewing and revising all of its financial plans as a consequence. One element of this is income from Fees and Charges. This report begins to address that by:

- designing and proposing the adoption of a new Fees and Charges policy
- undertaking stage 1 of a three-part review of Fees and Charges
- arising from that recommending several increases in charges/new charges, effective from 1 October, to potentially generate £114k increase in income in a full year
- noting that subsequent stages will take this work further

### 1. Recommendations:

- 1.1 That Cabinet agree the proposed Fees and Charges policy, Appendix 1, in particular agreeing the commitment to full cost recovery and annual CPI inflation increases as the default.
- 1.2 That Cabinet agree the proposed Fees and Charges increases for the material areas, Appendix 2.
- 1.3 That Cabinet consider the feedback & additional information from all Overview and Scrutiny Committee meetings and additional meetings held in relation to Fees and Charges, Appendix 4.
- 1.4 That Cabinet agree the proposed new Charges in section 8 of this report.
- 1.5 That Cabinet note the requirement for a further detailed review & analysis of remaining Fees and Charges by Quarter 4 2023/24.

## 2. Background

Thurrock's financial position is exceptionally challenging as 35.2% of its 2023/24 budget, £180m, is financed by an indicative capitalisation direction. A non-recurrent form of potential exceptional funding which must be replaced by asset or investment sales, reductions in the capital programme and revenue budget reductions (expenditure) or increases (income).

This report deals with the start of a Fees and Charges review which will assist in increasing the Council's income.

Due to the magnitude of the task, the review has been split into three Phases.

### ➤ Phase 1:

- create a new policy for Fees and Charges, enclosed as Appendix 1.
- begin the gathering of benchmarking data to start to enable Thurrock's charges to be compared against other local authorities, enclosed as Appendix 3a, 3b, 3c.
- identify material areas for Fees and Charges.
- analyse if inflation and/or other up-lifts have been applied to the Council's material income areas over the past 5 years to inform opportunities.
- investigate and propose immediate price increases for existing services.
- investigate any new charges which could be implemented by October 2023.
- explore the possibility of a semi-automated workflow process for Fees and Charges via Thurrock's embedded 4me system to add further transparency and improved reporting functionality to the process.

### ➤ Phase 2:

- review further Fees and Charges.
- analyse inflationary increases across all remaining Fees and Charges.
- begin implementation of the workflow system in 4me.
- further analysis of the benchmarking exercise to identify opportunities to expand Fees and Charges further, including any unique services Thurrock offer.
- support services to identify commercial opportunities.
- complete the annual Fees and Charges process with a paper to Cabinet in February 2024.
- implement increases for 1<sup>st</sup> April 2024.

### ➤ Phase 3:

- undertake a review of all service's financial recovery – identifying the cost recovery position, the financial opportunities, and the timescale to achieve completion of this.



### **3. Thurrock Fees and Charges Policy**

A revised policy for Fees and Charges has been prepared and is enclosed as Appendix 1.

The policy deals with the following:

- sets out the purpose of the policy
- highlights the financial context of the Council
- explains why the Council levies Fees and Charges and factors that must be considered
- proposes a default approach to charging of full cost recovery and annual minimum inflationary increases
- highlights the categories of charge and the legal basis
- sets out roles and responsibilities
- also, the category of charge and the Council's commercial and pricing principles
- advises on the timetable for reviews
- notes key administration issues and
- sets out the basis for charging and cost calculation and provides a structured framework for future work in this area

### **4. Benchmarking Data**

To enable a comparison of Thurrock's Fees and Charges against those of other boroughs initial data has been gathered. This requires much greater work including full reviews and business cases before any decisions are taken on the matters below, but it does provide a start for exploration. The high-level analysis indicates that:

- On average Thurrock have less Fees and Charges than those the Council benchmarked against as at 2022/23:
  - Thurrock - 1099
  - LBBD - 1209
  - Basildon - 1318
  - Havering - 1397
  - Medway - 1464
  - Southend - 1518Please see Appendix 3a, 3b, 3c.
- This indicates that Thurrock has the potential to expand its Fees and Charges offering with a view to increasing Thurrock's income. Noting as above the need for full reviews and business cases in all instances. In addition, during the initial work the following have been identified as areas for further review. At this stage these are simply areas to be considered in the future:
  - Culture parks and outdoor spaces
  - Events and hiring
  - Exhibition spaces an area which Thurrock's comparable authorities charge for which Thurrock do not
  - It is also known from previous benchmarking exercises that Thurrock's registrars' services could be expanded to generate more income subject to appropriate investment.

This also confirms that in some areas Thurrock's charges are significantly less than that of its neighbouring boroughs. For example, Thurrock have the lowest cost Resident Parking Permit Prices of its comparative boroughs, by way of example for the 1<sup>st</sup> Resident Permit Thurrock the charge is £15, whereas Maldon charge £54, Brentwood and Basildon charge £34, Table 1 below. This matter will be explored further in stage 2.

Table 1 – Resident Parking Permit Comparison

Residents Permits 22/23	1 <sup>st</sup>	2nd	3rd	Rank	% > TC
<b>Thurrock (Agreed 23/24)</b>	<b>£15</b>	£15	£15	<b>1st</b>	<b>0%</b>
<b>Southend</b>	£15	£25	£50	2nd	0%
<b>Chelmsford</b>	£26	£26	£26	3rd	73%
<b>Medway</b>	£31	£31	£31	4th	107%
<b>Basildon</b>	£34	£34	£34	5th	123%
<b>Brentwood</b>	£34	£34	£34	6th	123%
<b>Havering</b>	£35	£60	£85	7th	133%
<b>Rochford</b>	£50	£50	£50	8th	233%
<b>Castle Point</b>	£52	£52	£52	9th	247%
<b>Maldon</b>	£54	£54	£54	10th	260%
<i>Ranking based off 1st permit pricing</i>					

There are other examples which will also be explored further in stage 2 of the review.

## 5. Material Income Areas

Budgeted total income for 2023/24 is £51.805m as per the budget report presented to Full Council on 1st March 2023. Of this income, £7.462m is due to be generated through the levying of Fees and Charges for council services. The material areas identified within this are set to contribute £4.242m (57%) of the budgeted Fees and Charges revenue:

Table 2 – Material Income Areas

Key areas:	2023/24 Indicative budget £'000
<i>Planning</i>	(1,180)
<i>Parking</i>	(523)
<i>Street works</i>	(480)
<i>Environment Enforcement</i>	(317)
<i>Licensing</i>	(314)
<i>Burials &amp; Cemeteries</i>	(305)
<i>Registrar</i>	(303)
<i>Music Service</i>	(284)
<i>Theatre sales</i>	(269)
<i>Grangewaters Outdoor Education Centre</i>	(265)
<b>Total of key areas</b>	<b>(4,242)</b>
<b>% Of 23/24 F&amp;C budget</b>	<b>57%</b>

Please see link below for full details:

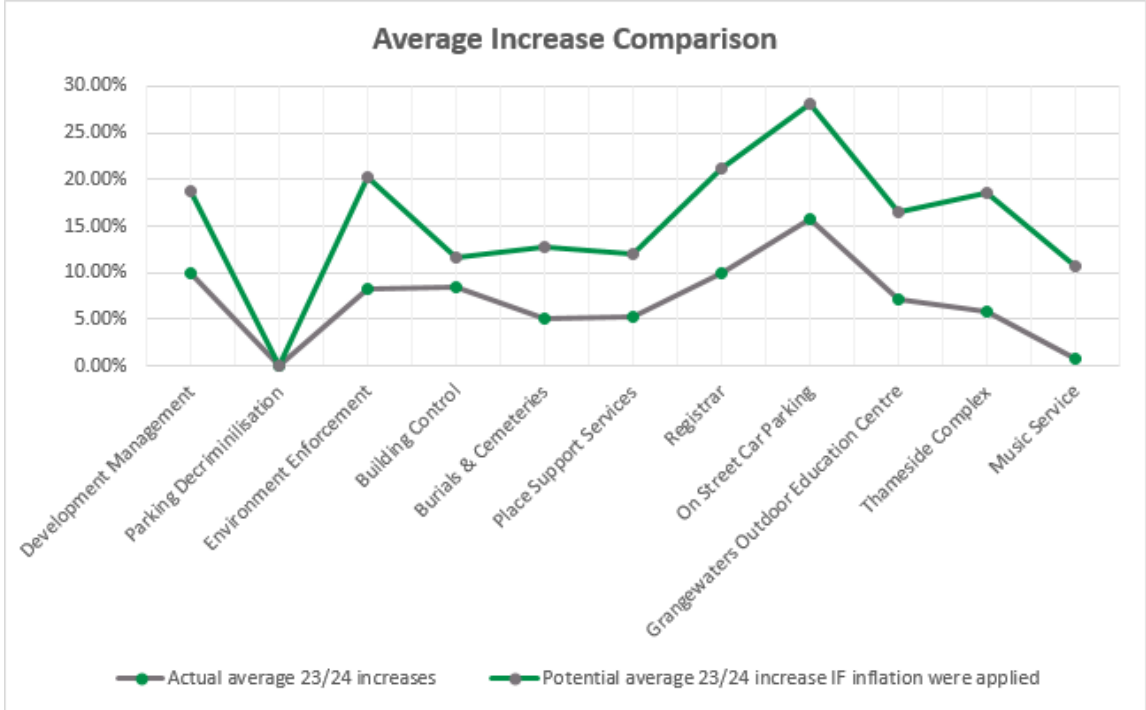
[\(Public Pack\)Item 16 - Appendix 2 - Budget Proposals 2023-24 Agenda Supplement for Council, 01/03/2023 19:00 \(moderngov.co.uk\)](#)

### 6. Inflation Comparator

After an assessment of the material areas over the past 5 years, it was identified that in some instances, the rate of inflation was not previously applied to each fee.

The review indicates that if these prices had increased at the rate of inflation over the past 5 years, income could potentially have increased for 9 out of the 10 areas (see graph 1 below) therefore potentially provided additional income. As a consequence of this, it is planned to address these issues further in the coming stage 2 of the review.

Graph 1 – Average Increase Comparison



### 7. Proposed Prices Increases

Using the above as a base, price increases are proposed in 8 of the 10 areas, via 153 fees which we are proposing to increase from 1st October. These increases range from £0.10p for additional parcels for personal searches, to £600 within pre-application fees. If demand remains unchanged, Thurrock services could potentially generate £37k for 2023/24, circa £74k full year effect.

The full list of suggested charges can be seen in Appendix 2.

## 8. Identifying Initial New Charges

As part of the review the following new fees were identified and are proposed to be implemented alongside the other increases:

- **Bikeability Level 3** – This will expand the service offering and promote the service beyond its current level, enabling schools to offer further development of skills, this can be advertised on Thurrock’s services to school’s website to encourage take up and could potentially generate income of £45 per pupil grant funding, plus £5 per pupil Thurrock charge. Currently it is estimated that 83 pupils can be trained in the next 6 months, providing an income generation of £4,150, however the more that are trained, the higher the yield; therefore, in future years the service will promote this in order to generate more income year on year.
- **Request for bus stop suspension** - This was previously capped at 2 days (£350), however whilst reviewing the fees, it was identified that in some instances bus stops were being decommissioned for 12+ months, it is now proposed that a monthly charge of £300 be applied. This should not only generate additional income but also incentivise third party utility companies to carry out the works in a timelier fashion, which will cause less disruption. A recent example of this is the latest suspension of Bus Stop 1 located at Grays station whereby C2C have requested to decommission Bus Stop 1 in order for them to carry out works to the station for approximately 14 months. This would equate to £4,200 of income compared to the previous capped charge of £350 giving us an increase of £3,850 for this one application.
- **Visitor Parking Vouchers** – Previously Thurrock gave the first 20x 5-hour visitor vouchers free of charge, this would equate to 100 hours of free parking, which is a value of £9 per household if charged at the existing 45p per 5 hours fee. As per previous years demand for visitor vouchers, the proposal is to no longer give the free 100 hours as this would generate additional income for the Council. This could potentially generate an additional £31,500 annually as previous year demand has shown a demand of 3,500 visitor vouchers.

In addition to the newly identified fees, other areas of potential opportunities and/or efficiencies will be explored subject to the preparation of full business cases/completion of ongoing work with other colleagues.

## 9. Continuous Improvement and Automation

The Business Development team have explored opportunities to improve the process of Fees and Charges and to date several improvements have been made which are:

- improved the calculations of the master data
- added change analysis
- identified statutory vs non-statutory and specifically those fees that can be increased.
- streamlined the communication process
- further engaged with services and finance officers
- raised the profile of Fees and Charges
- most importantly an increased understanding and in-depth knowledge of the complexities and legalities regarding Fees and Charges

The latest initiative is the implementation of a semi-automated workflow process for Fees and Charges via the Council's embedded 4me system. 4me is a CRM self-service change portal. This will enable the Council to attain further transparency, improve reporting functions and provide a superior audit trail whilst minimising the administration for Fees and Charges. This will allow for the automation of the approvals process and reduction in administrative duties when capturing updates from service areas within the annual process, via the use of an embedded approval hierarchy. The system will also capture any mid-year requests for amendments to fees and ensure they have gone through the correct approval process and generate reports and statistics whilst holding all this data securely in a central location minimising the risk of data corruption.

## **10. Conclusions:**

As a result of the Fees and Charges review – Phase 1, it has been identified that there is potential to generate in excess of £114k per annum, this was established by the proposed increases in the material areas and the identification of new charges. Given this additional income in the initial phase 1 of the review it is reasonable to conclude that there is potential to generate further income as part of Phase 2 by reviewing the remainder of the Fees and Charges and identifying further opportunities to expand Thurrock's fees and charges offering.

## **11. Reasons for Recommendations**

The setting of appropriate Fees and Charges will enable the Council to generate essential income for the funding of Council services. The approval of reviewed Fees and Charges will also ensure that the Council is competitive with other service providers and neighbouring councils. The ability to vary charges within financial year will enable services to more flexibly adapt to changing economic conditions.

The granting of delegated Director authority will only apply to legal or regulatory changes. If there is a need to alter fees during the financial year to enable the Council to better respond to commercial challenges, additional reports may be brought to Cabinet for approval.

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

Consultations will be progressed where there is a specific need. However, with regard to all other items, the proposals in this report do not affect any specific parts of the borough and have been seen via their retrospective Overview and Scrutiny committees and commentary is included within the Appendix of this report. Fees and Charges are known to customers before they make use of the services they are purchasing.

Cleaner, Greener and Safer Overview and Scrutiny Committee

The committee noted the following key points for consideration:

- The further rises will impact on residents alongside the recent 9.99% Council Tax rise
- Fees and Charges are cost recovering and hence the impact of any significant salary, agency or consultancy costs may be included.
- The impact of rises on the Thameside fees are significant as there has been no rise for the previous years and hence there is an inflationary impact

- The overall increases do make a contribution to the financial sustainability of the Council.
- There is a need to ensure there is effective enforcement of relevant fees and charges
- The level of inflation applied to fees and charges was a subject of discussion
- Parking permits for residents were a specific concern of a member of the committee

## Children's Services Overview and Scrutiny Committee

The committee noted the following key points for consideration:

- There was concern over fees and charges being increased twice in the same year
- It is expected that equality impact assessments may negatively impact children and young people
- The Council's financial position remains difficult and there is a need to increase income and reduce costs
- It was noted commissioners requested a further review and there are fees impacted by several years of inflationary impacts to ensure cost recovery is in place
- There were concerns raised over the equality impact of Grangewaters fees and charges
- Further work is being undertaken at Grangewaters to secure external income and generate further income
- Three Councillors did not agree the recommendation to increase fees and charges by an annual CPI to ensure cost recovery is maintained.
- Three Councillors did not agree with the proposed changes (recommendation 1.1). The other councillors supported recommendation 1.1
- All members agreed with recommendations 1.2 to 1.4
- Further detail was requested on the calculated increases to fees and charges.

Planning, Transport Regeneration and Corporate Overview and Scrutiny Committee meetings have yet to take place and a further update will be provided to Cabinet as part of the meeting.

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

The changes in these Fees and Charges may impact the community; however, it must be taken into consideration that these price rises include inflation, and no profit will be made on the running of these discretionary services.

## 14. Implications

### 14.1 Financial

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

Thurrock's challenging financial position is set out in the opening paragraph of this report.

Budgeted income from fees and charges for 2023/24 is £7.462m. The income from fees and charges helps to manage demand and cover costs for providing services. Changes proposed to fees and charges set out in this report are anticipated to deliver an additional £0.114m in a full year. The total amount of income generated through fees and charges will depend on price as well as volume/service take up. Any changes to service delivery or use of assets will also impact the ability to realise the £0.114m in full.

### 14.2 Legal

Implications verified by: **Kevin Molloy**  
**Principal Solicitor Contracts Team**

Section 93 of the Local Government Act 2003 ("LGA 2003") and guidance issued in 2003 pursuant to section 96(3) of the Act, empowers the Council to charge for discretionary services related to a Council function if the recipient of the service has agreed to its provision.

Discretionary services are those services authorised by statute that the Council is not required to provide but may do so voluntarily (section 93(1)(a), LGA 2003).

However, the Council cannot charge for mandatory services or services it has a duty to provide. Further, the section 93 charging power does not apply where there is a power to charge for a particular service elsewhere in other legislation (section 93(2)(a), LGA 2003).

The section 93 charging power cannot be used to charge for a service if other legislation expressly excludes an authority from charging (section 93(2)(b), LGA 2003). For example, the Education Act 1944 prohibits a local authority from charging for basic education; this prevents section 93 being used to circumvent a local authority's statutory duty to provide basic education for free.

The Council can set the level of charge for each discretionary service. However proposed charges must have regard to the 2003 statutory guidance. [General Power Best Value \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

Where the introduction of new fees and charges require consultation of affected service user this needs to be undertaken prior to the proposed changes taking effect and consultation responses considered as part of the decision-making process. Also, any

relevant statutory provisions must be complied with prior to the introduction of new fees and charges.

The Council is under a general duty to secure that, from one financial year to the next, the income from charges for services does not exceed the costs of provision (section 93(3), LGA 2003). This approach allows a local authority greater flexibility to balance their accounts over a period of time and recognises the practical difficulties for a local authority in estimating the charges for a discretionary service at the outset.

The Council must offset any surplus or deficit in income because of any over or under recovery of charges when setting future charges for the discretionary service. This ensures that over time the income generated by the discretionary service equates to the cost of providing the service.

However, the Council does not have to recover the full costs of providing the service if there are policy reasons for limiting the charges in relation to a particular user of the service e.g., to the disabled, the unemployed or those in receipt of benefit. It must be able to justify its reasons for doing so.

Alongside the section 93 charging power, the general power of competence for local authorities under section 1 of the Localism Act 2011 (LA 2011) also confers a power on the Council to charge individuals for discretionary services. The section 1 charging power has similar requirements of the Section 93 LGA 2003 charging power as referred to above.

These charging powers are not intended to provide a new income stream for the Council and cannot be used to generate a profit. It does enable the Council to recover the costs of providing services or improvements to services that it might not otherwise have been able to justify providing or been able to provide. These powers also enable the Council to spread the cost of providing an existing service or a new discretionary service,

Taking the decision set the fees and charges is an executive function of the Council. The report to Cabinet supporting the recommended course of action should contain all the necessary and relevant information to enable members to take an informed decision on the proposed scheme and to satisfy themselves that the proposed charges are fair and reasonable.

In reviewing and setting fees and charges, the Council will need to have due regard to the Public Sector Equality Duty as set out in the Equality Act 2010.

The issuing of a s114 Notice by the Council's Chief Finance Officer (s151 Officer) means by law the Council must stop all expenditure with the exception statutory services and pre-existing commitments. The recommendations set out in the report contribute to the financial recovery of the Council.



### 14.3 Diversity and Equality

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

The Council is responsible for promoting equality of opportunity in the provision of services and employment as set out in the Equality Act 2010 and Public Sector Equality Duty. Decisions on setting charges and fees are subject to Community Equality Impact Assessment process and the Council's wider decision-making structures to determine impact on protected groups and related concessions that may be available. A CEIA has been completed to assess the impact of the changes detailed within this report.

Council's pay and display charges have been benchmarked to ensure they are either below or in line with other local authorities and are applied fairly and consistently across all car parks in Thurrock that are the subject of pay and display measures.

Council's overarching Parking Policy and Strategy and Parking Enforcement Strategy was the subject of consultation in November 2020, and each are the subject of Community Equality Impact Assessment. Feedback from this consultation and other individual projects is used to support ongoing monitoring and review of CEIA and the implementation of the related policy and strategies.

14.4 Other implications (where significant) – i.e., Staff, Health, Sustainability, Crime and Disorder)

Not applicable

**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

### 15. Appendices to the report

- Appendix 1 – Fees and Charges – Policy.
- Appendix 2 – Fees and Charges - Schedule of Material Areas - Proposed charges.
- Appendix 3a – Additional Data - Benchmarking Summary.
- Appendix 3b – Additional Data - Resident Parking Permit Comparison.
- Appendix 3c – Additional Data - Building Control Comparison.
- Appendix 4 – Feedback from Overview and Scrutiny Committees & meetings.
- Appendix 5 – EIA (Equalities Impact Assessments) & Legal Commentary.

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# **Fees and Charges Policy**

POLICY AND FRAMEWORK FOR THE  
SETTING OF  
FEES AND CHARGES ACROSS  
THURROCK COUNCIL

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## **1 BACKGROUND**

### **Policy Purpose**

The purpose of this Policy is to:

- highlight the financial context of the Council
- explain why the Council levies fees and charges and factors that must be considered
- propose a default approach to charging
- highlight the categories of charging and the legal basis of charging
- set out roles and responsibilities
- clarify the Council's commercial and pricing principles
- advise on the timetable for reviews
- note key administration issues
- set out the basis for charging and cost calculation

### **Financial Context**

Thurrock's financial position is exceptionally challenging as can be seen from the table below which highlights that 35.2% of its 2023/24 budget is financed by an indicative capitalisation direction. A non recurrent form of potential exceptional funding which has to be replaced by asset or investment sales or revenue budget reductions (expenditure) or increase (income)

**Table 1 – Council Income 2023/24**

<b>Budget</b>	<b>£m</b>	<b>£m</b>	<b>%</b>
Local Income		181	35.4
Business Rates	47		
Income	52*		
Council Tax	82		
Capitalisation Direction		180	35.2
Specific Grants		132	25.8
Government Grants		11	2.2
Collection Funds		7	1.4
<b>Total</b>		<b>511</b>	<b>100.00</b>

### **Why the Council Charges for Services**

The level of funding Councils receive from Government through core grants has steadily declined and there is an increasing reliance on local income sources – council tax, business rates and other income being key in this.

Many Local Authorities have recognised the importance of income generation in addressing the financial challenges with which they are now faced. Fees and charges form one part of the other income, and while relatively small, are still a vital source of funding for Councils, enabling them to balance their budgets. and by doing so enable important local services to be sustained and provided. As can be seen from Table 1 this is especially the case for Thurrock with its current dependence on the capitalisation direction which must be resolved at the earliest opportunity.

- Of this £52m £7.5m comes from fees and charges

In addition fees and charges:

- are an important source of income providing vital funds to deliver essential public services
- assist in achieving the Council's objectives for better outcomes for residents
- can be used as a tool to manage demand or influence behaviour, through encouraging/discouraging the use of services and/or the patterns of use of services to help or benefit residents
- are an important driver of efficiency as an appropriate and strategic approach to fees and charges requires the Council to have a robust understanding of the costs of the services it provides, as well as local economic and market factors.
- ensure that users pay directly for some, or all of the costs as opposed to taxpayers in general subsidising individual users which can have consequences for the funding of services in general, and/or cause levels of taxation to be higher than they would otherwise be.

### **Factors to be Considered when Setting Fees and Charges**

The following considerations are to be observed by the Council in setting fees and charges for the services that it provides:

- some categories of income will be influenced by wider factors such as the general level of economic activity
- the level and structure of charges already being made by the Council may limit the potential to generate additional income
- increasing fees and charges may have a regressive effect
- public or commercial competitors may develop resentment if the Council has a monopoly on providing the service. Compliance with this policy will enable assurance to be provided that fees and charges have been properly calculated
- end users may feel as if they are being subjected to double taxation, namely through Council Tax (which is visibly high) and the additional charge in question. This is a not infrequent misconception and users can be advised more fully
- the risk to the Council of making a loss must be considered when deciding whether the service should be provided
- the long-term risk of not providing a service, especially if that service is a preventative service must be considered. For example, would this result in greater costs or increased risk in the medium to long term if we stopped providing this service? Or is there a greater risk of harm or reputational damage if the Council does not provide a service which later results in a more costly resolution.

### **Policy Proposal**

To ensure the best possible value for money and establish the fairest possible approach to charging and cost recovery, this Policy proposes that **charges for discretionary services will be set in order to fully recover their costs**, unless there is a specific decision on the part of the Cabinet to subsidise the service provision for policy reasons.

At the same time the Council will aim to support vulnerable groups as far as it can, encourage equal access and will for all charges give due consideration to Section 149 of the Equality Act 2010 by considering the impact on individuals/groups who share a protected characteristic.

## Categories of Charges that the Council May Apply

As with all Local Authorities Thurrock has different types of fees and charges:

- **Charges set by statute law which are fully outside the Council's control** - These are set by Government or in line with statutory guidance. These include planning and building control applications, some adult social care services, such as residential care.
- **Charges set by statute law where the amount charged must be within certain parameters** - These are set by Government or in line with statutory guidance.
- **Charges that are fully within the Council's control in determining the amount that should be charged** – These are Discretionary charges that are fully or partially within the Council's control in determining the amount that should be charged. These are services that the Council is not mandated or under a duty to provide but that instead chooses to provide for the benefit of the residents.

## Legal Basis

The Council will ensure that any charge that is implemented for the services that it provides will meet the current legal requirements.

As outlined above, the legal basis for implementing a fee or charge is arrived at either through a specific statutory legislation relating to the particular service, or through the employing of the Council's discretionary powers under the Localism Act 2011 or s93(1) Local Government Act 2003. Where a service specific legislation does not empower charging then the Council can rely on the above legislation to charge for discretionary services.

Additional guidance will be sought with regard to the specific requirements of the Localism Act 2011 and s93(1) Local Government Act 2003, and the following summarises the main limitations which will be taken into consideration before introducing or amending a charge when the Council employs its powers to charge for a discretionary service:

- there must not be a legal restriction on charging.
- the charging powers only apply to discretionary services against which there is no pre-existing power to charge
- if the power is to be used to operate a service commercially on a traded basis then it must be provided through a UK registered company or cooperative.
- charges for discretionary services not operated commercially must be set so that income does not exceed the cost of provision. This must be calculated, in taking one financial year with the next, the income from discretionary charges must not exceed the cost of provision. The intention of the power is not that local authorities make a profit, rather that they are able to recover their costs.
- in setting discretionary charges, the function may charge only some service users and may make different charges to different groups of service users, provided that the cost recovery limitation is observed.
- the service user must have agreed to the charge before it can be applied. Where charges are to be collected after services have been provided it is important that evidence of customer consent is obtained, otherwise any outstanding debt may be unenforceable. This can be done by the display of signs or through agreements.
- finally, an important point to note with regard to the powers to charge and trade is that whilst these are limited to discretionary services, where a service is being provided under statutorily defined limits, any enhanced provision beyond statutory requirements could be considered to be discretionary and can therefore be charged for in line with the requirements of this policy

This policy will be effective from July 2023 following approval from Cabinet

## **2. ROLES AND RESPONSIBILITIES**

Service managers are responsible for ensuring fees are set in accordance with this Policy. For reviews to be effective, managers will need to consider relevant market information e.g. changes in legislation, patterns of service use, benchmarking data, price sensitivity, or opportunities to introduce or extend charges. It is important that areas not currently charged for (but which could potentially be) are also considered.

Service managers must review all charges for which they are responsible for on at least an annual basis as part of the budget process. There must be continuous and full engagement with Finance and Business Development teams throughout this process.

Directors should ensure that their service area has completed this task prior to the completion of the Council's annual fees and charges setting process.

Directors should ensure that their service area has completed this task prior to the completion of the Council's annual fees and charges setting process:

- **Analyse** – service has reviewed and identified new charges and amended existing charges, including both commercial and statutory charges.
- **Engage** - engaged and sought support from key stakeholders for proposed changes.
- **Action** – incorporated the proposed charges into the planned budgets for the coming year and the fees and charges process.
- **Communicate** – communicated the proposals at the relevant Overview and Scrutiny meetings.
- **Approve** - Changes to be approved on an ongoing basis as necessary or as part of the budget setting process, then via all appropriate committees and boards as per the timeline in table 3, section 4.



### **3 CHARGES – CATEGORIES, COMMERCIAL AND PRICING PRINCIPLES**

#### **3.1 Charging Categories**

It is proposed that fees and charges for discretionary services as a default are set in order to **fully recover the cost of delivery**, unless there is a specific decision by Cabinet to subsidise the service provision for policy reasons.

All charges should be identified as belonging to one of the categories in Table 2 below. In determining the appropriate charging category proper consideration should be given to the wider equalities implications which may be involved affecting accessibility of all groups to Council services.

**Table 2 - Approaches to fees and charges and corresponding strategic objectives**

<b>Approach</b>	<b>Objective</b>
<b>1. Full cost recovery</b>	The Council wishes to make the service generally available, but there is no policy rationale for providing a subsidy from general taxation.  This Policy proposes that <b>full cost recovery is the default approach</b> to establishing fees and charges. Charging for discretionary services will fall into this category unless otherwise agreed.
<b>2. Full cost recovery with concessionary discounts</b>	The Council wishes to make the service generally available and is prepared to subsidise the service to ensure priority groups have access to the service, and/or other Council priority objectives are met
<b>3. Subsidised</b>	The Council wishes to make the service widely accessible and therefore provides a subsidy from general taxation, however users of the service are expected to make some contribution to the cost.
<b>4. Nominal</b>	The Council's Policy is to make the service fully available and "free at the point of delivery". The service is funded from general taxation
<b>5. Statutory</b>	Charges are set in line with legal obligations and appropriate legislation.

#### **3.2. Commercial Charging Principles**

The Commercial Charging Principles establish the Council's key philosophies in relation to charging, these principles should be adhered to by all. Any deviations from the charging principles set out will require appropriate approval. Such principles are reflected in any local, service-based charging policy. This policy sets out several principles that are considered to be those which are most relevant. It should be noted that these principles will generally apply to services for which the Council has discretion over the level of charging rather than services where charging is prevented or where charges are required to be set within statutory limits.

The standard principles that will be applied to all fees and charges set by the Council will be as follows:

- fees and charges will be set to recover the full cost and to maximise income streams, where this is likely to lead to a higher yield.
- costs of any subsidies provided for provision of services must be clearly identified and reviewed as part of the budget setting process and minimised.
- where possible payment will be sought in advance of the supply of goods or services using the most appropriate payment channels.
- any new charges must be developed in the context of the council's strategic agenda
- the impact of new charges must be worked through in sufficient detail prior to implementation
- the development of new charges must follow the council process set out in this Policy

- benchmarking will be undertaken to ensure that the proposed level of fees and charges can be justified against other, similar providers and/or Authorities.
- fees and charges will be subject to at least an annual review in accordance with the agreed corporate timeline and budget setting timetable.
- fees and charges will be subject to a local equalities impact assessments where appropriate.

If a local service seeks approval to deviate from these principles, a local policy statement will be prepared, setting out the basis and reason for any such variations. This will include an equalities impact assessment covering the fees and charges, the policy, in each local service area and the financial impact of the proposal. This will then allow the option to be fully considered.

### 3.3 Pricing Principles

Rather than a blanket increase across all service lines, when considering the pricing strategy some key questions must be considered:

- where can we apply a tiered/premium pricing structure
- how sensitive are customers to price (are there areas where a price freeze is relevant)
- what new charges might we want to introduce for this financial year
- how do our charges compare to neighbouring boroughs and private sector competitors (particularly in those instances where customers have choice)
- how can we influence channel shift
- can we set charges to recover costs
- what do our competitors charge
- how sensitive is demand to price
- statutory services may have discretionary elements that we can influence.
- do we take deposits, charge cancellation fees, and charge an admin fee for duplicate services (e.g., lost certificates)
- how do proposed price increase compare to inflation which must be the minimum starting point

### 3.4 Charging Exemptions

All services provided by the Council will be charged for unless prevented by statute, or detailed as exempt, evidence of this should be provided during the annual fees and charges process.

#### **4. Timetable**

The Council must keep its schedule of fees and charges under regular review to ensure the most appropriate fees and charges are applied.

All charges and the scope for charging will be reviewed at least annually within the service area, though charges within the same service area can be reviewed at additional times. All reviews will include those services which could be charged for, but which are currently provided free of charge and all reviews will be undertaken in accordance with the policy.

**Table 3 – Example of Committee and Board Timeline**

Committee	Meeting Date	Report Submission	O&S Imps Submission Deadline	ICB	ICB Report Submission	SLT	SLT report Submission	Commercial & Budget Sign Off
<b>Cabinet (February)</b>	08/02/23	<b>26/01/23</b>	N/A	20/01/23	15/01/23	11/01/23	<b>05/01/23</b>	02/01/23
Housing O&S	22/11/22	<b>09/11/22</b>	<b>01/11/22</b>			02/11/22	<b>27/10/22</b>	22/10/22
Cleaner, Greener, Safer O&S	08/11/22	<b>25/10/22</b>	<b>18/10/22</b>			19/10/22	<b>13/10/22</b>	07/10/22
Children's O&S	17/11/22	<b>03/11/22</b>	<b>27/10/22</b>			26/10/22	<b>20/10/22</b>	15/10/22
Health & Well-being O&S	03/11/22	<b>20/10/22</b>	<b>12/10/22</b>			12/10/22	<b>06/10/22</b>	02/10/22
Planning, Transport & Regen O&S	06/12/22	<b>21/11/22</b>	<b>10/11/22</b>			16/11/22	<b>10/11/22</b>	05/11/22
Corporate O&S	01/12/22	<b>17/11/22</b>	<b>07/11/22</b>			13/11/22	<b>07/11/22</b>	03/10/22

*\*Example 22/23 dates for illustrative purposes only – will be amended when 2023/24 timetable issued*

#### **5. Administration**

Charges should be simple to understand and to administer. They should be easily located by service users through the Council's website, through any other form of literature provided, or directly from Council services. Reasonable notice should be given to service users before any new or revised charges are implemented. Methods of payment should be flexible, convenient and consider the needs of those on low income and people's ability to pay. The easier it is to pay, the more likely it is that payment will be made. Consideration should be given to:

- payment in advance: which should be the preferred means of recovery if possible
- frequency of payment: having regard to the budgetary patterns of those reliant on benefits or low incomes
- format of payment: including alternatives to cash. The costs of collection should be evaluated. Potentially, they may make the charging proposal uneconomic or require charges to be raised further. Costs of collection must be identified and budgeted for
- the corporate charging policy will need to follow corporate and service policy and financial procedure rules regarding the collectability of the income and debt recovery strategy.

A schedule of all fees and charges is managed and supporting documentation is maintained by the Business Development Team. These schedules include, identified separately:

- any charges that are Statutory
- the increase/decrease from the previous year
- the charge categorisation of that fee
- which committee this fee relates to and
- the schedule records the date of the last review.

The date of any relevant political decision and the minutes of that Committee are also made available alongside the schedule.

## **6. CHARGING AND COST CALCULATION**

Adopting a method of full cost recovery means that the total cost of delivery, including the appropriate level of VAT, together with an apportionment of department and corporate overheads is calculated and charged to the service user. It involves analysing the whole process and ensuring that all the stages involved are considered

**Table 4: Costs of Provision to Inform Fees and Charges**

### 1. Employment costs

- Costs of staff who deliver the service
- Salary plus all other on-costs to employer (e.g. pension)
- Allocation of pension back-funding

### 2. Departmental costs

- Costs incurred by the Department to deliver the service, for example:
  - Travel and distribution costs incurred
  - Specialised equipment required
  - Administration and management at the Departmental level
  - Insurance costs paid at the Departmental level
  - Advertising and marketing costs paid at the Departmental level

### 3. Corporate costs and overheads

- Costs incurred by other corporate services to ensure the service is provided, including:
  - Accommodation, IT and Insurance
  - Back office support services such as Treasury and Finance, Human Resources, Legal, Business Operations (e.g. payroll, accounts payable)
  - Democratic costs (e.g. costs of democratic decision-making/governance processes relevant to the service, if and as appropriate)
  - Insurance costs paid corporately
  - Marketing and advertising costs paid at the corporate level

### 4. Financial costs

- Depreciation
- Costs of capital
- Interest on loans
- Costs of payment collection fees
- Debt collection and bad debt write-off

**Appendix 2 - Schedule of Material Areas - Proposed Charges**

Material areas	Name of Fee or Charge (Inceasable)	Inceasable	Mid Year Review Increases			
			Current 23/24 Charge	Proposed (MYR) Charge	Proposed Incr. £	Proposed Incr. %
* All amounts are rounded						
Development Management	Pre application fees - Householder - written only	Y	£ 69.50	£ 76.00	+ £6.50	+ 9.35%
Development Management	Pre application fees - Householder- written with 1/2 hour meeting	Y	£ 111.00	£ 120.00	+ £9.00	+ 8.11%
Development Management	Pre application fees - Householder- proposals in conservation areas/works to listed building inc. 1/2 hour meeting (with planning officer and conservation officer)	Y	£ 390.00	£ 420.00	+ £30.00	+ 7.69%
Development Management	Pre application fees - Householder- single dwelling (replacement and residential annexe) inc. 1/2 hour meeting	Y	£ 209.00	£ 225.00	+ £16.00	+ 7.66%
Development Management	Pre application fees - Householder - single dwelling (replacement or residential annexe) in conservation are or listed building, inc. 1/2 hour meeting (with planning officer and conservation officer)	Y	£ 489.00	£ 530.00	+ £41.00	+ 8.38%
Development Management	Pre application fees - Householder - Alterations to listed building (whether residential or commercial) inc/ 1/2 hour meeting, (with planning officer and conservation officer)	Y	£ 390.00	£ 420.00	+ £30.00	+ 7.69%
Development Management	Pre application fees - Minor development inc. 1 hour meeting	Y	£ 625.00	£ 645.00	+ £20.00	+ 3.20%
Development Management	Pre application fees - Major development - 10-49 Units	Y	£ 2,100.00	£ 2,300.00	+ £200.00	+ 9.52%
Development Management	Pre application fees - Major development - 50-99 Units	Y	£ 3,000.00	£ 3,300.00	+ £300.00	+ 10.00%
Development Management	Pre application fees - Major development - 100-499 Units	Y	£ 4,800.00	£ 5,300.00	+ £500.00	+ 10.42%
Development Management	Pre application fees - Major development - 500+ Units	Y	£ 6,000.00	£ 6,600.00	+ £600.00	+ 10.00%
Development Management	Pre application fees - Non-residential Major schemes based on floorspace - 1,000 to 4,999 sq.m	Y	£ 2,100.00	£ 2,300.00	+ £200.00	+ 9.52%
Development Management	Pre application fees - Non-residential Major schemes based on floorspace - 5,000 to 9,999 sq.m	Y	£ 3,000.00	£ 3,300.00	+ £300.00	+ 10.00%
Development Management	Pre application fees - Non-residential Major schemes based on floorspace - 10,000 to 29,999 sq.m	Y	£ 4,800.00	£ 5,300.00	+ £500.00	+ 10.42%
Development Management	Pre application fees - Non-residential Major schemes based on floorspace - 30,000+ sq.m	Y	£ 6,000.00	£ 6,600.00	+ £600.00	+ 10.00%
<b>Environment Enforcement</b>						
Environment Enforcement	Abandoned Vehicles - Administration charge for removal of vehicle from private property when directed by Management company or Private Landowner	Y	£ 100.00	£ 112.00	+ £12.00	+ 12.00%
<b>Burials &amp; Cemeteries</b>						
Burials & Cemeteries	<b>The following Burial charges are applicable to residents of the Borough of Thurrock. Non Residents are required to pay double the Burial fees set out below</b>					
Burials & Cemeteries	Burial Grounds - Part 1 Interment - Exclusive right of Burial - In a full size grave-Lawn Section	Y	£ 930.00	£ 990.00	+ £60.00	+ 6.45%
Burials & Cemeteries	Burial Grounds - Part 1 Interment - Exclusive right of Burial - In a full size grave-Traditional grave where available	Y	£ 1,900.00	£ 2,025.00	+ £125.00	+ 6.58%
Burials & Cemeteries	Burial Grounds - Part 1 Interment - In a grave - Person aged 16 year and over	Y	£ 755.00	£ 820.00	+ £65.00	+ 8.61%
Burials & Cemeteries	Burial Grounds - Part 1 Interment - In a grave - Cremated remains in full size grave	Y	£ 381.00	£ 408.00	+ £27.00	+ 7.09%
Burials & Cemeteries	Burial Grounds - Part 2 Memorial Gardens Section - Additional interment of ashes and replacement plaque for further 7 years where original subscription has: Less than 4 years to run	Y	£ 264.00	£ 282.00	+ £18.00	+ 6.82%
Burials & Cemeteries	Burial Grounds - Part 2 Memorial Gardens Section - Additional interment of ashes and replacement plaque for further 7 years where original subscription has: More than 4 years to run	Y	£ 187.00	£ 201.00	+ £14.00	+ 7.49%
Burials & Cemeteries	Burial Grounds - Part 2 Memorial Gardens Section - Cremated Remains Section - Exclusive Right of Burial for a forty year period	Y	£ 390.00	£ 420.00	+ £30.00	+ 7.69%
Burials & Cemeteries	Burial Grounds - Part 2 Memorial Gardens Section - Cremated Remains Section - Interment of Ashes	Y	£ 381.00	£ 414.00	+ £33.00	+ 8.66%
Burials & Cemeteries	Burial Grounds - Part 2 Memorial Gardens Section - Erection of memorial plaque only for 7 years (no ashes to inter)	Y	£ 225.00	£ 243.00	+ £18.00	+ 8.00%
Burials & Cemeteries	Burial Grounds - Part 2 Memorial Gardens Section - Includes plaque for 7 years & loose interment of ashes	Y	£ 291.00	£ 309.00	+ £18.00	+ 6.19%
Burials & Cemeteries	Burial Grounds - Part 2 Memorial Gardens Section - Renewal of 7 year subscription - With existing plaque	Y	£ 148.00	£ 160.00	+ £12.00	+ 8.11%
Burials & Cemeteries	Burial Grounds - Part 2 Memorial Gardens Section - Renewal of 7 year subscription - With replacement plaque	Y	£ 225.00	£ 243.00	+ £18.00	+ 8.00%
Burials & Cemeteries	Burial Grounds - Part 2 - Kerb Plaque - replacement	Y	£ 87.00	£ 95.00	+ £8.00	+ 9.20%
Burials & Cemeteries	Burial Grounds - Part 3 Monuments, Gravestones, Tablets & Monumental Inscriptions - For the right to erect or place on a grave in respect of which an exclusive right of burial has not been granted: a tablet not exceeding 20' x 18' x 6' base	Y	£ 187.00	£ 201.00	+ £14.00	+ 7.49%
Burials & Cemeteries	Burial Grounds - Part 3 Monuments, Gravestones, Tablets & Monumental Inscriptions - The fees indicated for Part 3 include the first inscription, for each inscription after the first	Y	£ 93.00	£ 100.00	+ £7.00	+ 7.53%
Burials & Cemeteries	Burial Grounds - Part 3 Monuments, Gravestones, Tablets & Monumental Inscriptions - Permit for Lawn Grave Memorial	Y	£ 216.00	£ 231.00	+ £15.00	+ 6.94%
Burials & Cemeteries	Burial Grounds - Part 3 Monuments, Gravestones, Tablets & Monumental Inscriptions - Permit for Traditional Grave Memorial	Y	£ 264.00	£ 282.00	+ £18.00	+ 6.82%
Burials & Cemeteries	Burial Grounds - Part 3 Other Burial Fees - Permit to Work on a Headstone	Y	£ 89.00	£ 96.00	+ £7.00	+ 7.87%
Burials & Cemeteries	Burial Grounds - Part 5 Other Burial Fees - Additional Plaque	Y	£ 206.00	£ 225.00	+ £19.00	+ 9.22%
Burials & Cemeteries	Burial Grounds - Part 5 Other Burial Fees - Memorial bench	Y	£ 1,970.00	£ 2,150.00	+ £180.00	+ 9.14%

Burials & Cemeteries	Burial Grounds - Part 5 Other Burial Fees - Memorial tree (New trees no longer available) Interment of second set of ashes for existing memorial trees only	Y	£ 381.00	£ 408.00	+ £27.00	+ 7.09%
Burials & Cemeteries	Burial Grounds - Part 4 Other Burial Fees - Transfer of grant of exclusive right of burial fee for registering the transfer and endorsing the deed	Y	£ 89.00	£ 96.00	+ £7.00	+ 7.87%
Burials & Cemeteries	Burial Grounds - Part 4 Other Burial Fees - Transfer of grant of exclusive burial where a Statutory Declaration is required	Y	£ 120.00	£ 129.00	+ £9.00	+ 7.50%
Burials & Cemeteries	Burial Grounds - Part 4 Other Burial Fees - Search Fees for Historical records	Y	£ 28.50	£ 32.00	+ £3.50	+ 12.28%
Burials & Cemeteries	Burial Grounds - Part 1 Interment - Exclusive right of Burial - In a full size grave-Muslim grave where available	Y	£ 1,900.00	£ 2,025.00	+ £125.00	+ 6.58%
<b>Place Support Services</b>						
Place Support Services	Local Land Charges - Additional parcel - commercial	Y	£ 55.00	£ 58.50	+ £3.50	+ 6.36%
Place Support Services	Local Land Charges - Additional parcel - personal search	Y	£ 10.00	£ 10.10	+ £0.10	+ 1.00%
Place Support Services	Local Land Charges - Additional parcel - residential	Y	£ 42.00	£ 45.00	+ £3.00	+ 7.14%
Place Support Services	Local Land Charges - Cancellation fee for Con29 search	Y	£ 29.00	£ 30.00	+ £1.00	+ 3.45%
Place Support Services	Local Land Charges - Charges for a copy of the local land charges search	Y	£ 23.00	£ 25.00	+ £2.00	+ 8.70%
Place Support Services	Local Land Charges - Con290 - Per question	Y	£ 41.00	£ 44.00	+ £3.00	+ 7.32%
Place Support Services	Local Land Charges - Copy of building regulation decision notice	Y	£ 16.00	£ 18.40	+ £2.40	+ 15.00%
Place Support Services	Local Land Charges - Electronic Format - Con29R Search - commercial	Y	£ 216.00	£ 231.00	+ £15.00	+ 6.94%
Place Support Services	Local Land Charges - Electronic Format - Con29R Search - residential	Y	£ 159.00	£ 170.00	+ £11.00	+ 6.92%
Place Support Services	Local Land Charges - Form LLC1 Only	Y	£ 46.00	£ 48.50	+ £2.50	+ 5.43%
Place Support Services	Local Land Charges - Assisted Personal Search (ranged based on no. questions)	Y	£33 - £44	£40 - £50	+ £6-7	+ 16.88%*
Place Support Services	Local Land Charges - Expedited Search	Y	£ 82.00	£ 87.00	+ £5.00	+ 6.10%
Place Support Services	Local Land Charges - Expedited Residential search including Con 29 (Cannot include extra CON290 questions)	Y	£ 285.00	£ 303.00	+ £18.00	+ 6.32%
<b>Registrar</b>						
Registrar	Residents Services - Registration - Deposit for all ceremonies at Approved premises	Y	£ 110.00	£ 124.00	+ £14.00	+ 12.73%
Registrar	Residents Services - Registration - Re-Schedule of Appointment/ Ceremony	Y	£ 40.00	£ 43.50	+ £3.50	+ 8.75%
Registrar	Residents Services - Registration -Fees for superintendent Registrar attendance at approved premises for Marriage/Civil Partnership (Monday to Friday)	Y	£ 590.00	£ 610.00	+ £20.00	+ 3.39%
Registrar	Residents Services - Registration -Fees for superintendent Registrar attendance at approved premises for Marriage/Civil Partnership (Saturday)	Y	£ 645.00	£ 665.00	+ £20.00	+ 3.10%
Registrar	Residents Services - Registration -Fees for superintendent Registrar attendance at approved premises for Marriage/Civil Partnership (Sunday, Bank or Public Holiday)	Y	£ 700.00	£ 760.00	+ £60.00	+ 8.57%
Registrar	Residents Services - Registration -Fees for superintendent Registrar attendance at Register Office for Naming Ceremonies/ Renewal of Vows/Commitment Ceremony (Civil Ceremonies Ltd Partnership) Saturday	Y	£ 390.00	£ 430.00	+ £40.00	+ 10.26%
Registrar	Residents Services - Fees for Superintendent Registrar attendance at Approved Premise for Naming Ceremonies/Renewal of Vows/Commitment Ceremony (Civil Ceremonies Ltd Partnership) (Monday to Friday)	Y	£ 355.00	£ 384.00	+ £29.00	+ 8.17%
Registrar	Residents Services - Fees for Superintendent Registrar attendance at Approved Premise for Naming Ceremonies/Renewal of Vows/Commitment Ceremony (Civil Ceremonies Ltd Partnership) (Saturday)	Y	£ 410.00	£ 445.00	+ £35.00	+ 8.54%
Registrar	Residents Services - Fees for Superintendent Registrar attendance at Approved Premise for Naming Ceremonies/Renewal of Vows/Commitment Ceremony (Civil Ceremonies Ltd Partnership) (Sunday)	Y	£ 465.00	£ 470.00	+ £5.00	+ 1.08%
Registrar	Residents Services - Registration - Postage and Packing Charge (1st Class Recorded)	Y	£ 3.60	£ 4.40	+ £0.80	+ 22.22%
Registrar	Residents Services - Registration - Private Citizenship Ceremony (Monday to Saturday)	Y	£ 200.00	£ 216.00	+ £16.00	+ 8.00%
Registrar	Resident Services - Registration - Postage and Packing Charge (Special Delivery 24hr Guaranteed)	Y	£ 10.00	£ 11.60	+ £1.60	+ 16.00%
Registrar	Administration Charge to complete PD2 / Proof of Life Confirmation forms	Y	£ 40.00	£ 44.50	+ £4.50	+ 11.25%
<b>On Street Car Parking</b>						
On Street Car Parking	Parking Permits - Business Permits - Per Month thereof	Y	£ 45.00	£ 50.00	+ £5.00	+ 11.11%
On Street Car Parking	Parking Permits - Business Permits - Per year	Y	£ 400.00	£ 450.00	+ £50.00	+ 12.50%
On Street Car Parking	Parking Permits - Business Permits - for 6 months	Y	£ 230.00	£ 249.00	+ £19.00	+ 8.26%
On Street Car Parking	Parking Permits - NHS Permits	Y	£ 120.00	£ 151.00	+ £31.00	+ 25.83%
On Street Car Parking	Parking Permits - Non Commuter Car Parks / On Street Long Stay Only	Y	£ 500.00	£ 635.00	+ £135.00	+ 27.00%
On Street Car Parking	Parking permits - Contractor permits - Annual	Y	£ 200.00	£ 207.00	+ £7.00	+ 3.50%
On Street Car Parking	Parking permits - Contractor permits - 6 month	Y	£ 100.00	£ 110.00	+ £10.00	+ 10.00%
On Street Car Parking	Parking permits - Contractor permits - 3 month	Y	£ 70.00	£ 77.00	+ £7.00	+ 10.00%
On Street Car Parking	Parking permits - Contractor permits - 1 month	Y	£ 50.00	£ 55.00	+ £5.00	+ 10.00%

On Street Car Parking	Parking Permits - Operational Permits	Y	£ 130.00	£ 149.00	+ £19.00	+ 14.62%
On Street Car Parking	Tempory Permit	Y	£ 13.00	£ 13.40	+ £0.40	+ 3.08%
<b>Grangewaters Outdoor Education Centre</b>						
Grangewaters Outdoor Education Centre	Learning and Universal Outcomes - Grangewaters - Club Use of Site - Grangewaters Working Newfoundlands (Per dog, per visit)	Y	£ 6.50	£ 6.80	+ £0.30	+ 4.62%
Grangewaters Outdoor Education Centre	Learning and Universal Outcomes - Grangewaters VIP offer - Up to 2 adults and 2 children (Full day, 4 sessions)	Y	£ 346.00	£ 381.00	+ £35.00	+ 10.12%
Grangewaters Outdoor Education Centre	Learning and Universal Outcomes - Grangewaters VIP offer- Up to 2 adults and 2 children (Half day, 2 sessions)	Y	£ 197.00	£ 217.00	+ £20.00	+ 10.15%
Grangewaters Outdoor Education Centre	Learning and Universal Outcomes - Grangewaters - VIP offer - Up to 2 adults and 4 children (Full day, 4 sessions)	Y	£ 359.00	£ 396.00	+ £37.00	+ 10.31%
Grangewaters Outdoor Education Centre	Learning and Universal Outcomes - Grangewaters VIP offer - Up to 2 adults and 4 children (Half day, 2 sessions)	Y	£ 215.00	£ 237.00	+ £22.00	+ 10.23%
Grangewaters Outdoor Education Centre	Learning and Universal Outcomes - Grangewaters VIP offer - Up to 2 adults and 4 children (Single session)	Y	£ 122.00	£ 134.00	+ £12.00	+ 9.84%
Grangewaters Outdoor Education Centre	Learning and Universal Outcomes - Grangewaters - School Holiday Periods Only - Activity Sessions (per session per person charge)	Y	£ 10.00	£ 11.00	+ £1.00	+ 10.00%
Grangewaters Outdoor Education Centre	Learning and Universal Outcomes - Grangewaters Outdoor Education Centre - Accommodation only (per person per night)	Y	£ 20.00	£ 22.50	+ £2.50	+ 12.50%
Grangewaters Outdoor Education Centre	Learning and Universal Outcomes - Grangewaters Outdoor Education Centre - Training Lodge / Dining Cabins - Full Day Charge	Y	£ 89.00	£ 92.00	+ £3.00	+ 3.37%
Grangewaters Outdoor Education Centre	Learning and Universal Outcomes - Grangewaters Outdoor Education Centre - Training Lodge / Dining Cabins - Half Day Charge	Y	£ 49.00	£ 50.00	+ £1.00	+ 2.04%
Grangewaters Outdoor Education Centre	Learning and Universal Outcomes - Grangewaters Outdoor Education Centre - Celebration Groups up to 10 people - Single Activity	Y	£ 175.00	£ 189.00	+ £14.00	+ 8.00%
Grangewaters Outdoor Education Centre	Learning and Universal Outcomes - Grangewaters Outdoor Education Centre - Celebration Groups up to 10 people - Double Activity	Y	£ 310.00	£ 336.00	+ £26.00	+ 8.39%
Grangewaters Outdoor Education Centre	Learning and Universal Outcomes - Grangewaters Outdoor Education Centre - Private Tuition - First Person - 1.5 Hour Session	Y	£ 58.00	£ 62.50	+ £4.50	+ 7.76%
Grangewaters Outdoor Education Centre	Learning and Universal Outcomes - Grangewaters Outdoor Education Centre - Private Tuition - First Person - 3 Hour Session	Y	£ 100.00	£ 107.00	+ £7.00	+ 7.00%
Grangewaters Outdoor Education Centre	Learning and Universal Outcomes - Grangewaters Outdoor Education Centre - Private Tuition - First Person - 4.5 Hour Session	Y	£ 126.00	£ 140.00	+ £14.00	+ 11.11%
Grangewaters Outdoor Education Centre	Learning and Universal Outcomes - Grangewaters Outdoor Education Centre - Private Tuition - Additional Person - 1.5 Hour Session	Y	£ 31.50	£ 34.00	+ £2.50	+ 7.94%
Grangewaters Outdoor Education Centre	Learning and Universal Outcomes - Grangewaters Outdoor Education Centre - Private Tuition - Additional Person - 3 Hour Session	Y	£ 50.50	£ 56.00	+ £5.50	+ 10.89%
Grangewaters Outdoor Education Centre	Learning and Universal Outcomes - Grangewaters Outdoor Education Centre - Private Tuition - Additional Person - 4.5 Hour Session	Y	£ 68.50	£ 76.00	+ £7.50	+ 10.95%
<b>Thameside Complex</b>						
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Performance Surcharge	Y	£ 205.00	£ 243.00	+ £38.00	+ 18.53%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Room Hire - Third Floor Foyer Monday to Saturday only	Y	£ 20.00	£ 22.00	+ £2.00	+ 10.00%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Gallery Booking Deposit	Y	£ 25.50	£ 30.50	+ £5.00	+ 19.61%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Surcharge for staff and bar with Foyer booking	Y	£ 55.00	£ 61.00	+ £6.00	+ 10.92%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Extra Staff - For technical or Front of house work. Charged per hour.	Y	£ 24.00	£ 26.00	+ £2.00	+ 8.33%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Radio Microphone System Price per 4 microphones	Y	£ 31.00	£ 35.00	+ £4.00	+ 12.90%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Museum as additional dressing rooms - Only available after museum closing times 5pm-11pm	Y	£ 74.00	£ 82.00	+ £8.00	+ 10.81%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Digital Cinema Projector	Y	£ 71.00	£ 80.00	+ £9.00	+ 12.68%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Set up and Remove Stage in Foyer	Y	£ 71.00	£ 80.00	+ £9.00	+ 12.68%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Off Peak Tariff - Commercial Organisations Mondays and Tuesdays in January, February and August only. Standard block 18:00 to 23:00	Y	£ 81.50	£ 87.00	+ £5.50	+ 6.75%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Off Peak Tariff - Commercial Organisations Mondays and Tuesdays in January, February and August only. Standard Fee per hour between 09:00 to 18:00	Y	£ 351.00	£ 396.00	+ £45.00	+ 12.82%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Off Peak Tariff - Commercial Organisations Mondays and Tuesdays in January, February and August only. Additional hour after 23:00	Y	£ 186.00	£ 210.00	+ £24.00	+ 12.90%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 1 - Thurrock based non profit organisations, members of Thurrock Arts Council and Thurrock Schools and Colleges - Additional hours after 23.00 - Fridays - <b>1) Thurrock Council services and DFE funded schools and academies</b>	Y	£ 193.00	£ 219.00	+ £26.00	+ 13.47%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 1 - Thurrock based non profit organisations, members of Thurrock Arts Council and Thurrock Schools and Colleges - Additional hours after 23.00 - Fridays - <b>2) Thurrock based non-profit organisations and members of Thurrock Arts Council</b>	Y	£ 232.00	£ 261.00	+ £29.00	+ 12.50%

Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 1 - Thurrock based non profit organisations, members of Thurrock Arts Council and Thurrock Schools and Colleges - Additional hours after 23.00 - Saturday - <b>1) Thurrock Council services and DFE funded schools and academies</b>	Y	£ 282.00	£ 318.00	+ £36.00	+ 12.77%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 1 - Thurrock based non profit organisations, members of Thurrock Arts Council and Thurrock Schools and Colleges - Additional hours after 23.00 - Saturday - <b>2) Thurrock based non-profit organisations and members of Thurrock Arts Council</b>	Y	£ 339.00	£ 381.00	+ £42.00	+ 12.39%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 1 - Thurrock based non profit organisations, members of Thurrock Arts Council and Thurrock Schools and Colleges - Additional hours after 23.00 - Sundays - <b>1) Thurrock Council services and DFE funded schools and academies</b>	Y	£ 282.00	£ 318.00	+ £36.00	+ 12.77%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 1 - Thurrock based non profit organisations, members of Thurrock Arts Council and Thurrock Schools and Colleges - Additional hours after 23.00 - Sundays - <b>2) Thurrock based non-profit organisations and members of Thurrock Arts Council</b>	Y	£ 339.00	£ 381.00	+ £42.00	+ 12.39%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 1 - Thurrock based non profit organisations, members of Thurrock Arts Council and Thurrock Schools and Colleges - Standard fee per hour 09.00 to 18.00 - Friday - <b>1) Thurrock Council services and DFE funded schools and academies</b>	Y	£ 87.00	£ 98.00	+ £11.00	+ 12.64%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 1 - Thurrock based non profit organisations, members of Thurrock Arts Council and Thurrock Schools and Colleges - Standard fee per hour 09.00 to 18.00 - Friday - <b>2) Thurrock based non-profit organisations and members of Thurrock Arts Council</b>	Y	£ 105.00	£ 118.00	+ £13.00	+ 12.38%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 1 - Thurrock based non profit organisations, members of Thurrock Arts Council and Thurrock Schools and Colleges - Standard fee per hour 09.00 to 18.00 - Monday to Thursday - <b>1) Thurrock Council services and DFE funded schools and academies</b>	Y	£ 67.50	£ 76.00	+ £8.50	+ 12.59%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 1 - Thurrock based non profit organisations, members of Thurrock Arts Council and Thurrock Schools and Colleges - Standard fee per hour 09.00 to 18.00 - Monday to Thursday - <b>2) Thurrock based non-profit organisations and members of Thurrock Arts Council</b>	Y	£ 81.50	£ 92.00	+ £10.50	+ 12.88%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 1 - Thurrock based non profit organisations, members of Thurrock Arts Council and Thurrock Schools and Colleges - Standard fee per hour 09.00 to 23.00 - Sunday - <b>1) Thurrock Council services and DFE funded schools and academies</b>	Y	£ 139.00	£ 156.00	+ £17.00	+ 12.23%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 1 - Thurrock based non profit organisations, members of Thurrock Arts Council and Thurrock Schools and Colleges - Standard fee per hour 09.00 to 23.00 - Sunday - <b>2) Thurrock based non-profit organisations and members of Thurrock Arts Council</b>	Y	£ 166.00	£ 187.00	+ £21.00	+ 12.65%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 1 - Thurrock based non profit organisations, members of Thurrock Arts Council and Thurrock Schools and Colleges - Standard fee Period 18.00 to 23.00 - Friday - <b>1) Thurrock Council services and DFE funded schools and academies</b>	Y	£ 540.00	£ 605.00	+ £65.00	+ 12.04%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 1 - Thurrock based non profit organisations, members of Thurrock Arts Council and Thurrock Schools and Colleges - Standard fee Period 18.00 to 23.00 - Friday - <b>2) Thurrock based non-profit organisations and members of Thurrock Arts Council</b>	Y	£ 645.00	£ 725.00	+ £80.00	+ 12.40%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 1 - Thurrock based non profit organisations, members of Thurrock Arts Council and Thurrock Schools and Colleges - Standard fee Period 18.00 to 23.00 - Monday to Thursday - <b>1) Thurrock Council services and DFE funded schools and academies</b>	Y	£ 291.00	£ 330.00	+ £39.00	+ 13.40%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 1 - Thurrock based non profit organisations, members of Thurrock Arts Council and Thurrock Schools and Colleges - Standard fee Period 18.00 to 23.00 - Monday to Thursday - <b>2) Thurrock based non-profit organisations and members of Thurrock Arts Council</b>	Y	£ 351.00	£ 396.00	+ £45.00	+ 12.82%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 1 - Thurrock based non profit organisations, members of Thurrock Arts Council and Thurrock Schools and Colleges - Standard fee Period 18.00 to 23.00 - Saturday - <b>1) Thurrock Council services and DFE funded schools and academies</b>	Y	£ 705.00	£ 800.00	+ £95.00	+ 13.48%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 1 - Thurrock based non profit organisations, members of Thurrock Arts Council and Thurrock Schools and Colleges - Standard fee Period 18.00 to 23.00 - Saturday - <b>2) Thurrock based non-profit organisations and members of Thurrock Arts Council</b>	Y	£ 845.00	£ 950.00	+ £105.00	+ 12.43%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 1 - Thurrock based non profit organisations, members of Thurrock Arts Council and Thurrock Schools and Colleges - Standard fee Period per additional hour after 11pm Mon-Thurs - <b>1) Thurrock Council services and DFE funded schools and academies</b>	Y	£ 155.00	£ 174.00	+ £19.00	+ 12.26%



Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 1 - Thurrock based non profit organisations, members of Thurrock Arts Council and Thurrock Schools and Colleges - Standard fee Period per additional hour after 11pm Mon-Thurs - <b>2) Thurrock based non-profit organisations and members of Thurrock Arts Council</b>	Y	£ 186.00	£ 210.00	+ £24.00	+ 12.90%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 1 - Thurrock based non profit organisations, members of Thurrock Arts Council and Thurrock Schools and Colleges -Standard fee per hour 08.00 to 18.00 - Saturday - <b>1) Thurrock Council services and DFE funded schools and academies</b>	Y	£ 110.00	£ 124.00	+ £14.00	+ 12.73%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 1 - Thurrock based non profit organisations, members of Thurrock Arts Council and Thurrock Schools and Colleges -Standard fee per hour 08.00 to 18.00 - Saturday - <b>2) Thurrock based non-profit organisations and members of Thurrock Arts Council</b>	Y	£ 131.00	£ 148.00	+ £17.00	+ 12.98%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 3 - Commercial organisations - Additional hours after 23.00 - Monday to Thursday	Y	£ 270.00	£ 303.00	+ £33.00	+ 12.22%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 3 - Commercial organisations - Additional hours after 23.00 - Saturday	Y	£ 441.00	£ 495.00	+ £54.00	+ 12.24%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 3 - Commercial organisations - Friday per hour 08.00 to 18.00	Y	£ 206.00	£ 231.00	+ £25.00	+ 12.14%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 3 - Commercial organisations - Monday to Thursday per hour 08.00 to 18.00	Y	£ 198.00	£ 225.00	+ £27.00	+ 13.64%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 3 - Commercial organisations - Saturday per hour 08.00 to 18.00	Y	£ 226.00	£ 255.00	+ £29.00	+ 12.83%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 3 - Commercial organisations - Standard Fee per period - 18.00 to 23.00 - Friday	Y	£ 1,160.00	£ 1,310.00	+ £150.00	+ 12.93%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 3 - Commercial organisations - Standard Fee per period - 18.00 to 23.00 - Saturday	Y	£ 1,580.00	£ 1,780.00	+ £200.00	+ 12.66%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 3 - Commercial organisations - Additional hours after 23.00 - Friday	Y	£ 297.00	£ 336.00	+ £39.00	+ 13.13%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 3 - Commercial organisations - Additional hours after 23.00 - Sunday	Y	£ 441.00	£ 495.00	+ £54.00	+ 12.24%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 3 - Commercial organisations - Standard Fee per period - 18.00 to 23.00 - Monday to Thursday	Y	£ 725.00	£ 820.00	+ £95.00	+ 13.10%
Thameside Complex	Cultural Services - Thameside Theatre and Central Complex - Tariff 3 - Commercial organisations - Sunday per hour 09.00 to 23.00	Y	£ 267.00	£ 300.00	+ £33.00	+ 12.36%
Thameside Complex	Cultural Service - Thameside Theatre - Bronze Technical Package	Y	£ 107.00	£ 121.00	+ £14.00	+ 13.08%
Thameside Complex	Cultural Service - Thameside Theatre - Silver Technical Package	Y	£ 150.00	£ 169.00	+ £19.00	+ 12.67%
Thameside Complex	Cultural Service - Thameside Theatre - Gold Technical Package	Y	£ 172.00	£ 194.00	+ £22.00	+ 12.79%
Thameside Complex	Cultural Service - Thameside Theatre - Platinum Technical Package	Y	£ 321.00	£ 363.00	+ £42.00	+ 13.08%
Thameside Complex	Cultural Service - Thameside Theatre - Foyer Party Package	Y	£ 321.00	£ 363.00	+ £42.00	+ 13.08%
Thameside Complex	Cultural Service - Thameside Theatre - Outdoor events Package	Y	£ 1,030.00	£ 1,160.00	+ £130.00	+ 12.62%
Thameside Complex	Cultural Service - Thameside Theatre - Indoor Events Package	Y	£ 1,030.00	£ 1,160.00	+ £130.00	+ 12.62%

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F&C 22/23 - Benchmarking	Thurrock	Havering	Southend	Basildon	LBB	Medway
	Fees	Fees	Fees	Fees	Fees	Fees
<b>Service Categories</b>	<b>1,099</b>	<b>1,397</b>	<b>1,518</b>	<b>1,318</b>	<b>1,209</b>	<b>1,464</b>
Advertising	1	4	-	-	-	-
Bereavement Services	28	214	218	51	61	220
Commercial Matters/ Properties	12	-	-	-	-	-
<b>Culture, Parks &amp; Outdoor Spaces</b>	<b>224</b>	<b>260</b>	<b>283</b>	<b>512</b>	<b>364</b>	<b>315</b>
Allotments	2	1	8	8	2	5
Events/ Hiring	5	164	64	185	99	100
Grounds Maintenance	1	16	-	10	4	1
Heritage	8	-	-	-	124	51
Library Services	81	58	57	-	44	19
Parks	20	4	22	109	44	-
Sports & Leisure	44	17	132	69	47	65
Theatre	63	-	-	131	-	74
<b>Environmental Health</b>	<b>115</b>	<b>119</b>	<b>5</b>	<b>9</b>	<b>46</b>	<b>20</b>
Catering	1	4	-	-	-	-
Environmental Enforcement	36	38	-	-	14	-
Environmental Protection	78	77	5	9	32	20
Highways	63	21	126	-	50	46
<b>Housing</b>	<b>68</b>	<b>13</b>	<b>24</b>	<b>9</b>	<b>41</b>	<b>36</b>
General Housing	21	1	-	-	34	-
HMO	24	9	-	7	7	-
Housing Offences	9	-	-	2	-	-
Private Housing	13	3	24	-	-	36
Sheltered Housing	1	-	-	-	-	-
Legal Services	75	53	-	86	-	-
<b>Regulatory</b>	<b>410</b>	<b>616</b>	<b>690</b>	<b>628</b>	<b>583</b>	<b>529</b>
Building Control	1	27	135	110	26	-
Licensing	191	211	266	241	177	180
Local Land Charges	22	48	8	20	12	73
Planning	59	44	32	152	40	85
Parking	38	108	157	40	299	84
Public Protection	51	112	25	10	4	79
Registrars	48	66	67	55	25	28
<b>Services for Adults</b>	<b>46</b>	<b>28</b>	<b>9</b>	<b>-</b>	<b>17</b>	<b>44</b>
Adult Education	17	-	-	-	-	44
Adult Social Care	20	19	9	-	6	-
Court Protection	9	9	-	-	11	-
<b>Services for Children</b>	<b>22</b>	<b>41</b>	<b>-</b>	<b>-</b>	<b>5</b>	<b>-</b>
Childcare	19	-	-	-	5	-
Music Services	3	41	-	-	-	-
Transport	30	-	15	-	16	69
Waste	5	28	12	8	26	6
<b>Unique Service Categories (Aggregated into service areas)</b>			<b>136</b>	<b>15</b>	<b>-</b>	<b>179</b>
Archives	-	-	-	-	-	31
Exhibition Spaces	-	-	47	-	-	-
Interpretation Services	-	-	-	-	-	118
Photography/ Filming	-	-	11	15	-	-
Pier & Foreshore	-	-	66	-	-	30
Education	-	-	12	-	-	-

Sources shown in 'Summaries' tab

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Residents Permits 22/23	1st	2nd	3rd	Rank	% > TC
<b>Thurrock (Agreed 23/24)</b>	<b>£15</b>	£15	£15	<b>1st</b>	<b>0%</b>
<b>Southend</b>	£15	£25	£50	2nd	0%
<b>Chelmsford</b>	£26	£26	£26	3rd	73%
<b>Medway</b>	£31	£31	£31	4th	107%
<b>Basildon</b>	£34	£34	£34	5th	123%
<b>Brentwood</b>	£34	£34	£34	6th	123%
<b>Havering</b>	£35	£60	£85	7th	133%
<b>Rochford</b>	£50	£50	£50	8th	233%
<b>Castle Point</b>	£52	£52	£52	9th	247%
<b>Maldon</b>	£54	£54	£54	10th	260%
<i>Ranking based off 1st permit pricing</i>					

Residents Permits	1st	2nd	3rd	4th	5th+
<b>Barking &amp; Dagenham</b>	<b>Table - Emissions (CO2) g/km</b>				
<b>Band 1: 0 to 50*</b>	£0 - Up to 2		£45	£45	£45
<b>Band 2: 50 to 100</b>	£18 - Up to 2		£45	£45	£45
<b>Band 3: 101 to 140</b>	£36 - Up to 2		£45	£54	£63
<b>Band 4: 141 to 160</b>	£45 - Up to 2		£56.25	£67.50	£78.75
<b>Band 5: 161 to 180</b>	£51 - Up to 2		£63.75	£76.50	£89.25
<b>Band 6: 181 to 255</b>	£80 - Up to 2		£100	£120	£140
<b>Band 7: Over 256</b>	£140 - Up to 2		£175	£210	£245
<i>* Hybrid or Electric vehicle</i>					

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Fee Comparison Full Plans 2023/24	< 30sqm	2 Storey	Loft ext.	Rank
Castle Point	£656	£754 (£806 between 40 and 100sqm)	£718	1st
Brentwood	£667	£778 (£865 between 40 and 100sqm)	£643	2nd
Thurrock	<b>£694</b>	<b>£815</b>	<b>£676</b>	<b>3rd</b>
Colchester	£737	£760 (£1003 between 40 and 100sqm)	£832	4th
Southend	£745	£902 (£980 between 30 and 100sqm)	£824	5th
Epping	£745	£745 (£1170 between 40 and 100sqm)	£790	6th
Havering	£754	£1,039	£754	7th
<i>Ranking based off cheapest &lt; 30sqm cost</i>				

Fee Comparison Building Notice 2023/24	< 30sqm	2 Storey	Loft ext.	Rank
Castle Point	£720	£804 (£828 between 40 and 100sqm)	£758	1st
Thurrock	<b>£729</b>	<b>£885</b>	<b>£729</b>	<b>2nd</b>
Brentwood	£735	£855 (£951 between 40 and 100sqm)	£707	3rd
Epping	£745	£745 (£1170 between 40 and 100sqm)	£790	4th
Havering	£754	£1,039	£754	5th
Colchester	£767	£813 (1034 between 40 and 100sqm)	£882	6th
Southend	£785	£941 (£1020 between 40 and 100sqm)	£863	7th
<i>Ranking based off cheapest &lt; 30sqm cost</i>				

<b>% &gt; TC</b>
-5%
-4%
<b>0%</b>
6%
7%
7%
9%

<b>% &gt; TC</b>
-1%
<b>0%</b>
1%
2%
3%
5%
8%



## Appendix 4 – Minutes from Overview and Scrutiny Committees

Children's Services Overview and Scrutiny Committee held on 15 June 2023 at 7.00 pm

### **Fees and Charges Review 2023/24**

The Chair agreed to hear item 9 next.

The Interim Chief Financial Officer introduced the report and commented that the Council needs to do what it can to put it back into a sustainable financial position. The Council has begun a three-part review of fees and charges. The first stage is to examine benchmarking and some price reviews. In the second stage there will be further price reviews. The third stage will be a longer-term piece of work which normally takes around 2-3 years and this will look at the profitability of all services and that the Council is actually charging what it can charge for. The recommended price reviews are contained within the appendix to the report.

During the discussion the following was acknowledged/ confirmed / highlighted:

- The Vice-Chair commented that she did not find it acceptable to raise fees and charges twice in the same financial year and for the raises to be above inflation
- The Vice-Chair noted in the Equality Impact Assessment the charges will negatively affect children and young people in the borough and they are not responsible in any way for the financial situation the Council finds itself in.
- The Council's financial position is extremely challenging, there is a need to reduce expenditure and increase income. The Commissioners have specifically requested that fees and charges are reviewed. An exercise has been completed where they have looked at whether in the previous 5 years fees and charges have kept pace with inflation. If a charge hasn't been increased in the last 4 years, it will see a much larger increase in its 5<sup>th</sup> year. Councils cannot make a profit but they can fully recover their costs.
- The Vice-Chair noted the negative impacts in relation to Grangewaters recorded in the equality impact assessment and that the increase in charges is still being proposed
- Market testing has been completed in relation to Grangewaters and a central Government funded Holiday Activity Programme is available for vulnerable children to ensure they have access to similar activities. There are also other programmes for children with Special Educational Needs. Work is also being completed to identify external funding and officers are always looking at ways to generate income on the Grangewaters site.
- The Assistant Director for Education invited the Committee to put forward any suggestions they may have on how to generate income from the site and involve businesses. The Chair suggested the site could be used for advertising space.

Councillor Muldowney, Councillor Green and Councillor Panjala did not agree to recommendation 1.1 and the commitment to full cost recovery and annual CPI

inflation increases as the default. Councillor Muldowney also commented that although it is not a recommendation that the Committee is being asked to agree the changes to the fees and charges being proposed, she wanted it noted that she does not agree to them. Councillor Green and Councillor Panjala agreed with Councillor Muldowney's comments. The Chair, Councillor Pearce and Councillor Abbas agreed with recommendation 1.1

All Committee members agreed with recommendations 1.2, 1.3 and 1.4.

**ACTION 2:** Councillor Muldowney requested a more detailed breakdown of the working out to explain the percentage increases in fees and charges proposed.

**RESOLVED:**

- 1.1 That Children's Overview and Scrutiny Committee note the proposed Fees and Charges policy, Appendix 1, in particular agreeing the commitment to full cost recovery and annual CPI inflation increases as the default.**
- 1.2 That Children's Overview and Scrutiny Committee note the proposed Fees and Charges increases for the material areas, Appendix 2.**
- 1.3 That Children's Overview and Scrutiny Committee note the proposed new Charges in section 8 of this report.**
- 1.4 That Children's Overview and Scrutiny Committee note the requirement for a further detailed review & analysis of remaining Fees and Charges by Quarter 4 2023/24.**

Cleaner, Greener and Safer Overview and Scrutiny Committee held on 13 June 2023 at 7.00 pm

**Fees and Charges Review 2023/24**

The Interim Chief Financial officer explained that the Fees and Charges report will be going to Cabinet next month and will report on the comments made by the Overview and Scrutiny Committees. In the budget report in March of this year the Commissioners commented that further financial work was needed to improve sustainability of the Council and a full review of fees and charges would need to be completed by the end of quarter 1. The Council has begun a three-part review of fees and charges. The first stage is to examine benchmarking and some price reviews. In the second stage there will be further price reviews. The third stage will be a longer-term piece of work which normally takes around 2-3 years and this will look at the profitability of all services and that the Council is actually charging what it can charge for. The policy recommends full cost recovery.

Following the update from the Chief Financial Officer, members were invited to ask questions. Key points raised included:

- The Committee raised the impact it could have on residents who have already had a 10% rise in Council Tax and charges increased from the 1<sup>st</sup> April 2023. The report talks about full cost recovery however the full cost of services and outturn over the last 3 years would have given a clearer picture as due to covid some of that period has not been real.
- The Chair noted that staffing costs also come under full cost recovery and commented on some of the high salaries and fees paid to consultants over recent years and queried why residents should be paying for this where consultants haven't done an effective and value-for-money role.
- The Chair raised that the 14% rise in charges at Thameside could force it to close. It was clarified that the Thameside prices have not increased in line with inflation over the last 5 years.
- The increase in charges is to get the Council in a sustainable financial position to allow it to deliver services in the future.
- The CPI was taken at the point in time as it does fluctuate.
- The Chair requested for a pay journey to be considered over a period of time for charges where the increase is a particularly high percentage
- The Chair raised that more should be done with enforcement as there is a lack of consequences for unacceptable behaviour
- The Chair requested for a pay journey to be considered over a period of time for charges where the increase is a particularly high percentage

Councillor Anderson commented that although he is not happy with some of these increases, especially charging people to park outside their homes through the use of

permits however, he understands why the Council is adopting this policy and confirmed that he will be voting in favour of the recommendations tonight.

The Chair highlighted that she would like the Committee's comments on full cost recovery, profitability and looking at CPI going forward not just taking April's CPI as it is normally higher to be taken into account by Cabinet.

**RESOLVED:**

- 1.1 That Cleaner, Greener and Safer Overview and Scrutiny Committee note the proposed Fees and Charges policy, Appendix 1, in particular agreeing the commitment to full cost recovery and annual CPI inflation increases as the default.**
- 1.2 That Cleaner, Greener and Safer Overview and Scrutiny Committee note the proposed Fees and Charges increases for the material areas, Appendix 2.**
- 1.3 That Cleaner, Greener and Safer Overview and Scrutiny Committee note the proposed new Charges in section 8 of this report.**
- 1.4 That Cleaner, Greener and Safer Overview and Scrutiny Committee note the requirement for a further detailed review & analysis of remaining Fees and Charges by Quarter 4 2023/24.**

Feedback from the Planning, Transportation and Regeneration Overview and Scrutiny Committee (scheduled for 4 July 2023) and the Corporate Overview and Scrutiny Committee (scheduled for 11 July 2023) will be provided to Cabinet as soon as practicable.

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## Grangewaters – EIA

### Community Equality Impact Assessment

The Equality Act 2010 states that public bodies must have “due regard” to a variety of Equalities objectives (Equality Act 2010, Section 149) and consequently, Equality Analysis must be carried out to demonstrate that decision-makers are fully aware of the impact that changes may have on stakeholders.

The concept of ‘due regard’ was reinforced in 2012 during the review of the Public Sector Equality Duty (PSED) which “requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities”

‘Due regard’ is dependent on the relevance and potential impact of the decision being considered. The greater the relevance and impact, the higher the regard due.

As an authority, we have made a commitment to apply a systematic screening process to new policy, strategy, functions or service development including reviews or changes to existing policy, strategy, functions or services.

This is to determine whether the proposals are likely to have a significant impact on different groups within our community.

This process has been developed, together with [full guidance](#), to support officers in meeting our duties under the:

- Equality Act 2010
- Public Sector Equality Duty
- The Best Value Guidance
- The Public Service (Social Value) 2012 Act

In addition, the guidance supports officers to consider our commitments set out in the [Thurrock Joint Compact](#) with the voluntary sector.

As well as supporting you to look at whether there is, or will be, a significant impact, the guidance will also consider ways in which you might mitigate this in the future.

**About the service and reason for the development or review process**

Name of service	Children’s Services – Mid Year Fee Increase Grangewaters
Lead Officer	Michele Lucas
Contact Details	mlucas@thurrock.gov.uk

**Why is this policy, strategy, function or service development/review needed?**

The current financial position of the council has meant we have to give consideration to an in-year price increase linked to our current fee and charges. Grangewaters is an outdoor education centre which covers its running costs year and year and has over the past two years made a profit, Grangewaters offers the local communities of Thurrock the opportunity to participate in outdoor learning programmes. Its unique selling point is the work it undertakes with children and young people who have special education needs and this attracts customers from both within and outside of Thurrock. It is one of the key providers for the governments national holiday activities programmes.

**1. Community impact (this can also be used to assess impact on staff although a cumulative impact should be considered)**

1.1 What impacts will this policy, strategy, function or service development/review have on communities and workforce?  
 Look at what you know? What does your research tell you?

*Consider:*

- National and local data sets – please see guidance
- Complaints
- Consultation and service monitoring information
- Voluntary and community organisations
- The Equality Act places a specific duty on people with ‘protected characteristics. The table below details these groups and helps you to consider the impact on these groups.

	Positive	Neutral	Negative	What are the positive and negative impacts?	How will benefits be enhanced and negative impacts minimised or eliminated?
<b>Local communities in general</b>		x	x	The price increases are in line with the increased running costs.	The in-year increases and been considered in line with the local competitors and we do not believe they will have a negative impact on the bookings for a proportion of our local residents

Appendix 5 – EIA (Equalities Impact Assessments) & Legal Commentary

					Some of our local residents will struggle to pay any in year price increase due to the current rate of inflation – we will continue to seek external funding to ensure vulnerable children are not disadvantaged due to the in-year price increases.
<b>Age</b>			x	The new price increases directly impact on children and young.	This in year price increases will be monitored and considers – external funding will be sought to mitigate the price increase.
<b>Disability</b>			x	Grangewaters offers a range of programmes specifically targeting children and young people with disability any increase in costs will place additional challenge on parents/carers.	Holiday Activities programme supported children and young people on free school meals we will undertake further targeted information to families with children with a disability.
<b>Gender reassignment</b>				N/A	N/A
<b>Marriage and civil partnership</b>				N/A	N/A
<b>Pregnancy and maternity</b>				N/A	N/A
<b>Race (including Gypsies, Roma and Travellers)</b>			x	Please refer to above due to vulnerability of children and young people related to cost increases.	Please refer to above further external funding to be sought.
<b>Religion or belief</b>				N/A	
<b>Sex</b>				N/A	
<b>Sexual orientation</b>				N/A	

Appendix 5 – EIA (Equalities Impact Assessments) & Legal Commentary

<p><b>Any community issues identified for this location?</b>  <i>See above link to ward profiles.</i>                  If the project is based in a specific location please state where, or whether Borough wide. Please include any detail of relevance – for example, is it an area with high unemployment, or public transport limited?</p>			<p>The in-year price increase will impact on all areas on communities within Thurrock</p>	<p>All work within the Children’s Services is monitored via our Brighter Futures Strategy which is focussed on outcomes for children and young people.</p>
<p><b>Workforce</b></p>		<p>x</p>	<p>The current workforce are trained to deliver high quality outdoor learning activities</p>	<p>We appoint a number of apprentices into the team to ensure that we are growing our workforce and supporting both young people and adults with apprenticeship roles in outdoor learning</p>

## 2. Consultation, data and intelligence

2.1 Please highlight the steps you have taken, or plan to take, to consult the whole community or specific groups affected by the policy, strategy, function or service development/review e.g., on-line consultation, focus groups, consultation with representative groups? For further guidance please contact: [consultations@thurrock.gov.uk](mailto:consultations@thurrock.gov.uk)  
***This is a vital step***

The new in year increases will cause some concern re local residents however we have undertaken some market testing and feel they can be increased from October 2023. A further review of all fees and charges will be undertaken over the summer to ensure that we can increase fees from April 1<sup>st</sup> 2024.

2.2 Please also provide details on the sources of data or intelligence you have used to inform your assessment of impact and how they have helped you to understand those that will be affected by the policy, strategy, function or service development/review outlined?

Grangewaters continually looks at what other local outdoor learning sites are charging for similar programmes – we have had to ensure that we remain competitive as this is cost neutral to the council and provides much needed activities for families across Thurrock and SEND children and young people. We will undertake further investigations over the summer to enable to consider price increases from April 2024. As outlined in the document we do believe we can increase some of the charges from October 2023 this are outlined document that was sent across.

## 3. Monitoring and Review

3.1 How will you review community and equality impact once the policy, strategy, function or service has been implemented?  
*These actions should be developed using the information gathered in **Section 1 and 2** and should be picked up in your departmental/service business plans.*

<p>Action</p>	<p>Page 102</p>	<p>By when?</p>	<p>By who?</p>
---------------	-----------------	-----------------	----------------



**3.1 How will you review community and equality impact once the policy, strategy, function or service has been implemented?**

*These actions should be developed using the information gathered in **Section 1 and 2** and should be picked up in your departmental/service business plans.*

Children’s O&S approve the in-year increase of charges	June 2023	TBC
Communication sent to all current customers to inform them of the price increase from October 2023.	1 <sup>st</sup> August 2023	
The new fee structure will be in place from October 2023.	1 <sup>st</sup> October 2023	

**4. Next steps**

It is important to ensure that the information gathered is used to inform any council reports that are presented to Cabinet or Overview and Scrutiny committees. This will allow members to be furnished with all the facts in relation to the impact their decisions will have on different equality groups and the community as a whole.

Take some time to précis your findings below. This can then be added to your report template and the Equality and Diversity Implications section for sign off by the Community Development and Equalities team at the consultation stage of the report cycle.

Implications/ Customer Impact
We will continue to monitor the impact from October to April re the price increases we are looking to introduce from October 2023, and this will enable us to have a secure picture of the price increases from April 1 <sup>st</sup> 2024. We will continue to identify external funding opportunities to support families who would not be able to afford any price increase and use our funded places to support disadvantaged children and young people.

**5. Sign off**

The information contained in this template should be authorised by the relevant project sponsor or Head of Service who will be responsible for the accuracy of the information now provided and delivery of actions detailed.

Name	Role – for example, project sponsor, head of service)	Date
Michele Lucas	Assistant Director	10 <sup>th</sup> May 2023

## Parking and Enforcement – EIA

### Community Equality Impact Assessment

The Equality Act 2010 states that public bodies must have “due regard” to a variety of Equalities objectives (Equality Act 2010, Section 149) and consequently, Equality Analysis must be carried out to demonstrate that decision-makers are fully aware of the impact that changes may have on stakeholders.

The concept of ‘due regard’ was reinforced in 2012 during the review of the Public Sector Equality Duty (PSED) which “requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities”

‘Due regard’ is dependent on the relevance and potential impact of the decision being considered. The greater the relevance and impact, the higher the regard due.

As an authority, we have made a commitment to apply a systematic screening process to new policy, strategy, functions or service development including reviews or changes to existing policy, strategy, functions or services.

This is to determine whether the proposals are likely to have a significant impact on different groups within our community.

This process has been developed, together with [full guidance](#), to support officers in meeting our duties under the:

- Equality Act 2010
- Public Sector Equality Duty
- The Best Value Guidance
- The Public Service (Social Value) 2012 Act

In addition, the guidance supports officers to consider our commitments set out in the [Thurrock Joint Compact](#) with the voluntary sector.

As well as supporting you to look at whether there is, or will be, a significant impact, the guidance will also consider ways in which you might mitigate this in the future.

**About the service and reason for the development or review process**

Name of service	Parking services and Environmental Enforcement
Lead Officer	Phil Carver
Contact Details	<a href="mailto:Pcarver@thurrock.gov.uk">Pcarver@thurrock.gov.uk</a>

Why is this policy, strategy, function or service development/review needed?
Proposed increase in Fees & Charges

**1. Consultation, data and intelligence**

<p>1.1 Please highlight the steps you have taken, or plan to take, to consult the whole community or specific groups affected by the policy, strategy, function or service development/review e.g. on-line consultation, focus groups, consultation with representative groups? For further guidance please contact: <a href="mailto:consultations@thurrock.gov.uk">consultations@thurrock.gov.uk</a></p> <p><b><i>This is a vital step</i></b></p> <p>We also have completed notices regarding car park charges.                  We also plan to use the council website and use comms.                  This is also published within the annual Fees &amp; Charges report which is uploaded online</p>
--

<p>1.2 Please also provide details on the sources of data or intelligence you have used to inform your assessment of impact and how they have helped you to understand those that will be affected by the policy, strategy, function or service development/review outlined?</p>
<p>No data exists or gathered. However, this will form part of the action plan</p>

## 2. Community and workforce impact

1.1 What impacts will this policy, strategy, function or service development/review have on communities, workforce and the health and wellbeing of local residents?  
Look at what you know? What does your research tell you?

*Consider:*

- National and local data sets – please see guidance
- Complaints
- Consultation and service monitoring information
- Voluntary and community organisations
- The Equality Act places a specific duty on people with ‘protected characteristics’. The table below details these groups and helps you to consider the impact on these groups.

	Positive	Neutral	Negative	What are the positive and negative impacts?	How will benefits be enhanced and negative impacts minimised or eliminated?
<b>Local communities in general</b>	x			This will allow the upkeep of maintenance such as lines, signs and resurfacing	We have a robust approach to monitoring as it is a part of officers duty to review the standards of locations. Inflation has been considered in the Increases
<b>Age</b>	x			the impact applies to all regardless of protected characteristics	the same applies as detailed in ‘local communities in general’ above.
<b>Disability</b>	x			the impact applies to all regardless of protected characteristics	the same applies as detailed in ‘local communities in general’ above.
<b>Gender reassignment</b>	x			the impact applies to all regardless of protected characteristics	the same applies as detailed in ‘local communities in general’ above.
<b>Marriage and civil partnership</b>	x			the impact applies to all regardless of protected characteristics	the same applies as detailed in ‘local communities in general’ above.
<b>Pregnancy and maternity</b>	x			the impact applies to all regardless of protected characteristics	the same applies as detailed in ‘local communities in general’ above.
<b>Race (including Gypsies, Roma and Travellers)</b>	x			the impact applies to all regardless of protected characteristics	the same applies as detailed in ‘local communities in general’ above.

Appendix 5 – EIA (Equalities Impact Assessments) & Legal Commentary

<b>Religion or belief</b>	x			the impact applies to all regardless of protected characteristics	the same applies as detailed in 'local communities in general' above.
<b>Sex</b>	x			the impact applies to all regardless of protected characteristics	the same applies as detailed in 'local communities in general' above.
<b>Sexual orientation</b>	x			the impact applies to all regardless of protected characteristics	the same applies as detailed in 'local communities in general' above.
<b>Any other community issues identified for this location?</b> If the project is based in a specific location please state where, or whether Borough wide. Please include any detail of relevance – for example, is it an area with high unemployment, or public transport limited?				This is borough wide, paying fair rates for the upkeep as detailed in the Local communities in general above	
<b>Workforce of Thurrock Council</b> (e.g. in the case of service change/s)	x				
<b>Health and wellbeing of residents</b> Please see guidance.			x	This may have a negative impact on the health & Wellbeing of residents as they may not be able to afford to pay which in turn may cause stress and upset as well as not being able to access facilities due to increased charges that aid in health and wellbeing e.g. parks and open spaces,	
<b>Socio-economic outcomes</b> Please see guidance.			X	Those living on a low income may have their ability to access services and amenities reduced or restricted.	
<b>Veterans and serving members of the armed forces</b> Please see guidance.	x			paying fair rates for the upkeep as detailed in the Local communities in general above	

### 3. Monitoring and Review

<p>3.1 How will you review community and equality impact once the policy, strategy, function or service has been implemented?  <i>These actions should be developed using the information gathered in <b>Section 1 and 2</b> and should be picked up in your departmental/service business plans.</i></p>		
Action	By when?	By who?
To undertake regular quality monitoring visits during officers patrols ensuring quality standards at locations	Patrolled daily	CEOs & EEOs
To carry out consultation with residents and other stakeholders to gather intelligence to further inform this CEIA and assess if the assumed impacts are accurate or need amending.		

### 4. Next steps

It is important to ensure that the information gathered is used to inform any council reports that are presented to Cabinet or Overview and Scrutiny committees. This will allow members to be furnished with all the facts in relation to the impact their decisions will have on different equality groups and the community as a whole. Take some time to précis your findings below. This can then be added to your report template and the Equality and Diversity Implications section for sign off by the Community Development and Equalities team at the consultation stage of the report cycle.

Implications/ Customer Impact
Paying fair rates for the upkeep will allow quality standards of maintenance such as lines, signs and resurfacing. Quality standards prevent trips and falls, less damage to vehicle and public confidence to pay and use locations

### 5. Sign off

The information contained in this template should be authorised by the relevant project sponsor or Strategic Lead who will be responsible for the accuracy of the information now provided and delivery of actions detailed.

Name	Role – for example, project sponsor, head of service)	Date
Phil Carver	Strategic Lead	5 <sup>th</sup> May 2023

## Registrars- EIA

### Community Equality Impact Assessment

The Equality Act 2010 states that public bodies must have “due regard” to a variety of Equalities objectives (Equality Act 2010, Section 149) and consequently, Equality Analysis must be carried out to demonstrate that decision-makers are fully aware of the impact that changes may have on stakeholders.

The concept of ‘due regard’ was reinforced in 2012 during the review of the Public Sector Equality Duty (PSED) which “requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities”

‘Due regard’ is dependent on the relevance and potential impact of the decision being considered. The greater the relevance and impact, the higher the regard due.

As an authority, we have made a commitment to apply a systematic screening process to new policy, strategy, functions or service development including reviews or changes to existing policy, strategy, functions or services.

This is to determine whether the proposals are likely to have a significant impact on different groups within our community.

This process has been developed, together with [full guidance](#), to support officers in meeting our duties under the:

- Equality Act 2010
- Public Sector Equality Duty
- The Best Value Guidance
- The Public Service (Social Value) 2012 Act

In addition, the guidance supports officers to consider our commitments set out in the [Thurrock Joint Compact](#) with the voluntary sector.

As well as supporting you to look at whether there is, or will be, a significant impact, the guidance will also consider ways in which you might mitigate this in the future.

**About the service and reason for the development or review process**

Name of service	Registrars
Lead Officer	Tracie Heiser
Contact Details	07766 206658

Why is this policy, strategy, function or service development/review needed?
<p>Following the mid year review of fees and charges for the following;</p> <ul style="list-style-type: none"> <li>• Registrar attendance at approved premises for Marriage/Civil Partnership</li> <li>• Registrar attendance at Register Office for Naming Ceremonies/ Renewal of Vows/Commitment Ceremony (Civil Ceremonies Ltd Partnership)</li> <li>• Registrar attendance at Approved Premise for Naming Ceremonies/Renewal of Vows/Commitment Ceremony (Civil Ceremonies Ltd Partnership)</li> <li>• Ceremonies held in Thameside Theatre</li> <li>• Postage and Packing Charge (1st Class Recorded)</li> <li>• Private Citizenship Ceremony</li> <li>• Postage and Packing Charge (Special Delivery 24hr Guaranteed)</li> </ul>

**1. Consultation, data and intelligence**

1.1 Please highlight the steps you have taken, or plan to take, to consult the whole community or specific groups affected by the policy, strategy, function or service development/review e.g. on-line consultation, focus groups, consultation with representative groups? For further guidance please contact: <a href="mailto:consultations@thurrock.gov.uk">consultations@thurrock.gov.uk</a> <b><i>This is a vital step</i></b>
<p>None as these are optional services.</p>



1.2 Please also provide details on the sources of data or intelligence you have used to inform your assessment of impact and how they have helped you to understand those that will be affected by the policy, strategy, function or service development/review outlined?

Benchmarking exercise has been carried out to compare with other local authorities.

## 2. Community and workforce impact

1.1 What impacts will this policy, strategy, function or service development/review have on communities, workforce and the health and wellbeing of local residents?

Look at what you know? What does your research tell you?

*Consider:*

- National and local data sets – please see guidance
- Complaints
- Consultation and service monitoring information
- Voluntary and community organisations
- The Equality Act places a specific duty on people with ‘protected characteristics’. The table below details these groups and helps you to consider the impact on these groups.

	Positive	Neutral	Negative	What are the positive and negative impacts?	How will benefits be enhanced and negative impacts minimised or eliminated?
<b>Local communities in general</b>		*			
<b>Age</b>		*			
<b>Disability</b>		*			
<b>Gender reassignment</b>		*			
<b>Marriage and civil partnership</b>			*	Negative – higher costs	
<b>Pregnancy and maternity</b>		*			

Appendix 5 – EIA (Equalities Impact Assessments) & Legal Commentary

<b>Race (including Gypsies, Roma and Travellers)</b>		*			
<b>Religion or belief</b>		*			
<b>Sex</b>		*			
<b>Sexual orientation</b>		*			
<b>Any other community issues identified for this location?</b> If the project is based in a specific location please state where, or whether Borough wide. Please include any detail of relevance – for example, is it an area with high unemployment, or public transport limited?			*	New citizens who would like a private citizenship may not be able to afford this due to the increase.	Group citizenship ceremonies are available free of charge as the cost is in the Home Office application fee.
<b>Workforce of Thurrock Council</b> (e.g. in the case of service change/s)		*			
<b>Health and wellbeing of residents</b> Please see guidance.		*			
<b>Socio-economic outcomes</b> Please see guidance.		*			
<b>Veterans and serving members of the armed forces</b> Please see guidance.		*			

### 3. Monitoring and Review

<p>3.1 How will you review community and equality impact once the policy, strategy, function or service has been implemented?  <i>These actions should be developed using the information gathered in Section 1 and 2 and should be picked up in your departmental/service business plans.</i></p>		
<b>Action</b>	<b>By when?</b>	<b>By who?</b>
Monitoring customer feedback	March 2024	Jenny Osborne
Review of income to see if customers continue to use these services with us or book elsewhere.	March 2024	Tracie Heiser and Jenny Osborne

## 4. Next steps

It is important to ensure that the information gathered is used to inform any council reports that are presented to Cabinet or Overview and Scrutiny committees. This will allow members to be furnished with all the facts in relation to the impact their decisions will have on different equality groups and the community as a whole.

Take some time to précis your findings below. This can then be added to your report template and the Equality and Diversity Implications section for sign off by the Community Development and Equalities team at the consultation stage of the report cycle.

Implications/ Customer Impact
<p>These fee increases relate to services which are optional to our residents, there are alternatives available.</p> <p>The impact would be that residents may choose to use services outside of Thurrock.</p>

## 5. Sign off

The information contained in this template should be authorised by the relevant project sponsor or Strategic Lead who will be responsible for the accuracy of the information now provided and delivery of actions detailed.

Name	Role – for example, project sponsor, head of service)	Date

## Land Charges – EIA

### Community Equality Impact Assessment

The Equality Act 2010 states that public bodies must have “due regard” to a variety of Equalities objectives (Equality Act 2010, Section 149) and consequently, Equality Analysis must be carried out to demonstrate that decision-makers are fully aware of the impact that changes may have on stakeholders.

The concept of ‘due regard’ was reinforced in 2012 during the review of the Public Sector Equality Duty (PSED) which “requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities”

‘Due regard’ is dependent on the relevance and potential impact of the decision being considered. The greater the relevance and impact, the higher the regard due.

As an authority, we have made a commitment to apply a systematic screening process to new policy, strategy, functions or service development including reviews or changes to existing policy, strategy, functions or services.

This is to determine whether the proposals are likely to have a significant impact on different groups within our community.

This process has been developed, together with [full guidance](#), to support officers in meeting our duties under the:

- Equality Act 2010
- Public Sector Equality Duty
- The Best Value Guidance
- The Public Service (Social Value) 2012 Act

In addition, the guidance supports officers to consider our commitments set out in the [Thurrock Joint Compact](#) with the voluntary sector.

As well as supporting you to look at whether there is, or will be, a significant impact, the guidance will also consider ways in which you might mitigate this in the future.

**About the service and reason for the development or review process**

Name of service	Land Charges
Lead Officer	Anthony Fletcher
Contact Details	A.FLETCHER@THURROCK.GOV.UK

Why is this policy, strategy, function or service development/review needed?
A corporate decision has been made to review all material fees and where possible increase them mid-year (October 2023). Land charge fees fit into this category

**1. Consultation, data and intelligence**

<p>1.1 Please highlight the steps you have taken, or plan to take, to consult the whole community or specific groups affected by the policy, strategy, function or service development/review e.g. on-line consultation, focus groups, consultation with representative groups? For further guidance please contact: <a href="mailto:consultations@thurrock.gov.uk">consultations@thurrock.gov.uk</a>  <b><i>This is a vital step</i></b></p>
<p>Benchmarking is regularly completed against other local authorities and national unitary authorities and the fees increases still keep us in line. Our searches are submitted by search agents (The same 10 – 15) who we will discuss the changes with for comment via individual consultation</p>

1.2 Please also provide details on the sources of data or intelligence you have used to inform your assessment of impact and how they have helped you to understand those that will be affected by the policy, strategy, function or service development/review outlined?

Benchmarking among other local and unitary authorities

## 2. Community and workforce impact

1.1 What impacts will this policy, strategy, function or service development/review have on communities, workforce and the health and wellbeing of local residents? Look at what you know? What does your research tell you?

*Consider:*

- National and local data sets – please see guidance
- Complaints
- Consultation and service monitoring information
- Voluntary and community organisations
- The Equality Act places a specific duty on people with ‘protected characteristics’. The table below details these groups and helps you to consider the impact on these groups.

	Positive	Neutral	Negative	What are the positive and negative impacts?	How will benefits be enhanced and negative impacts minimised or eliminated?
<b>Local communities in general</b>		X			
<b>Age</b>		X			
<b>Disability</b>		X			
<b>Gender reassignment</b>		X			
<b>Marriage and civil partnership</b>		X			
<b>Pregnancy and maternity</b>		X			

Appendix 5 – EIA (Equalities Impact Assessments) & Legal Commentary

<b>Race (including Gypsies, Roma and Travellers)</b>		X		
<b>Religion or belief</b>		X		
<b>Sex</b>		X		
<b>Sexual orientation</b>		X		
<b>Any other community issues identified for this location?</b> If the project is based in a specific location please state where, or whether Borough wide. Please include any detail of relevance – for example, is it an area with high unemployment, or public transport limited?		X		
<b>Workforce of Thurrock Council</b> (e.g. in the case of service change/s)		X		
<b>Health and wellbeing of residents</b> Please see guidance.		X		
<b>Socio-economic outcomes</b> Please see guidance.		X		
<b>Veterans and serving members of the armed forces</b> Please see guidance.		X		

### 3. Monitoring and Review

<p>3.1 How will you review community and equality impact once the policy, strategy, function or service has been implemented?  <i>These actions should be developed using the information gathered in <b>Section 1 and 2</b> and should be picked up in your departmental/service business plans.</i></p>		
<b>Action</b>	<b>By when?</b>	<b>By who?</b>
Land Searches are completed during the process of a house sale, to understand the history of the land to inform the buyer before purchase. There will be no impact on community or equality as a result of the fee change.	N/A	N/A

3.1 How will you review community and equality impact once the policy, strategy, function or service has been implemented?

*These actions should be developed using the information gathered in **Section 1 and 2** and should be picked up in your departmental/service business plans.*


#### 4. Next steps

It is important to ensure that the information gathered is used to inform any council reports that are presented to Cabinet or Overview and Scrutiny committees. This will allow members to be furnished with all the facts in relation to the impact their decisions will have on different equality groups and the community as a whole.

Take some time to précis your findings below. This can then be added to your report template and the Equality and Diversity Implications section for sign off by the Community Development and Equalities team at the consultation stage of the report cycle.

#### Implications/ Customer Impact

The increase in fee is still in line with what is charged at neighbouring authorities and unitary authorities. Our searches have a statutory target of 20 working days, Thurrock average 7.2 working days so the service is high. The average house price in Thurrock is £479,231. Our fees are as a % the least costly part of the whole process, but the accurate information provided is incredibly important.

#### 5. Sign off

The information contained in this template should be authorised by the relevant project sponsor or Strategic Lead who will be responsible for the accuracy of the information now provided and delivery of actions detailed.

Name	Role – for example, project sponsor, head of service)	Date
A.FLETCHER	Head of service	09.05.2023



## Development Management – EIA

### Thurrock Council

#### Community Equality Impact Assessment

Service area and lead officer

<b>Name of service</b>	Development Management
<b>Lead officer name</b>	Leigh Nicholson completing on behalf of Louise Reid (Strategic Lead)
<b>Lead officer job title</b>	Assistant Director, Planning, Transport and Public Protection
<b>Lead officer email address</b>	lnicholson@thurrock.gov.uk

Subject of this assessment

<b>What specific policy, strategy, function or service is the subject of this assessment?</b>
Development Management pre-application fees and charges
<b>Borough-wide or location-specific?</b>
<input checked="" type="checkbox"/> Borough-wide <input type="checkbox"/> Location-specific – please state locations below.
Click or tap here to enter text.
<b>Why is this policy, strategy, function or service development or review needed?</b>
The Council is seeking to increase fees and charges across all services.

#### 1. Consultation and supporting information

- 1.1. What steps you have taken, or do you plan to take, to consult or engage the whole community or specific groups affected by this development or review? **This is a vital step.**

<b>Steps you have taken, or plan to take, to consult or engage</b>
There is a corporate expectation that fees and charges will be increased in 23/24. No consultation has been carried out with customer groups, though previous benchmarking has found that Thurrock’s fees are within the upper / lower limits of those set by other LPAs in Essex.

- 1.2. What data or intelligence sources have you used to inform your assessment of the impact? How have these helped you understand who will be affected by the development or review?

<b>Sources of data or intelligence, and how they have been used</b>
See above.

#### 2. Community and workforce impact

- 2.1. What impacts will this development or review have on communities, workforce and the health and wellbeing of local residents?

Appendix 5 – EIA (Equalities Impact Assessments) & Legal Commentary

Communities and groups	Positive	Neutral	Negative	Summary of positive and negative impacts	How will positives be maximised, and negatives minimised or eliminated?
<b>Local communities in general</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
<b>Age</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Increased pre-application fees could deter residents with fixed incomes from engaging in the pre-application process.	Not possible to address this issue if fees are to be increased. It should be noted that pre-app is a discretionary service.
<b>Disability</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Increased pre-application fees could deter residents with fixed incomes from engaging in the pre-application process.	Not possible to address this issue if fees are to be increased. It should be noted that pre-app is a discretionary service.
<b>Gender reassignment</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Not relevant / applicable	Click or tap here to enter text.
<b>Marriage and civil partnership</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Not relevant / applicable	Click or tap here to enter text.
<b>Pregnancy and maternity</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Not relevant / applicable	Click or tap here to enter text.
<b>Race</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Not relevant / applicable	Click or tap here to enter text.
<b>Religion or belief</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Not relevant / applicable	Click or tap here to enter text.
<b>Sex</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Not relevant / applicable	Click or tap here to enter text.
<b>Sexual orientation</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Not relevant / applicable	Click or tap here to enter text.
<b>Location-specific impact, if any</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Not relevant / applicable	Click or tap here to enter text.

Communities and groups	Positive	Neutral	Negative	Summary of positive and negative impacts	How will positives be maximised, and negatives minimised or eliminated?
<b>Health and wellbeing of residents</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The pre-application process tends to make the planning process smoother, with better designed built development at the end of the process. Increasing fees for pre-app could discourage residents from seeking advice, resulting in avoidable refusals. +	Click or tap here to enter text.
<b>Socio-economic outcomes</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
<b>Veterans and serving members of the armed forces</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Not relevant / applicable	Click or tap here to enter text.

### 3. Monitoring and review

- 3.1. How will you review community and equality impact once the policy, strategy, function or service has been implemented? These actions should be developed using the information gathered in sections 1 and 2 and included in your service area's business plans.

Action	By when	By who
To review the number of pre-application submissions made	This data is collating on a rolling monthly basis	Business Improvement team – PTPP.

### 4. Next steps

- 4.1. The information gathered must be used to inform reports presented to Cabinet or overview and scrutiny committees. This will give members a necessary understanding of the impact their decisions will have on different groups and the whole community.

Summarise the implications and customer impact below. This summary should be added to the committee reports template in the Diversity and Equality Implications section for review and sign-off at the consultation stage of the report preparation cycle.

**Summary of implications and customer impact**

The pre-application process is provided to help residents / applicants shape development proposals before making a formal application. It allows residents to ‘dry run’ their proposals through the relevant teams to ensure the scheme stands the best chance of approval and is the best design to suit their needs and the location.

Previous benchmarking has indicated that Thurrock’s pre-app charges fall within the upper / lower limits of other LPA’s in Essex. Nonetheless, residents in Thurrock are facing increased Council tax charges and other pressures. Increasing fees for pre-app at this time runs the risk of deterring residents from engaging in the process. This could result in applications being refused with the time and costs of re-submissions (which are free to the applicant) and potential costly appeals.

If increased, the number of pre-application submission received would be monitored.

## 5. Sign off

5.1. This Community Equality Impact Assessment must be authorised by the relevant project sponsor, strategic lead, or assistant director. Officers authorising this assessment are responsible for:

- the accuracy of the information
- making sure actions are undertaken

Name	Role	Date
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

## Thameside Theatre – EIA

### Thurrock Council

#### Community Equality Impact Assessment

Service area and lead officer

<b>Name of service</b>	Thameside Theatre
<b>Lead officer name</b>	Dianna Ferry
<b>Lead officer job title</b>	Theatre Manager
<b>Lead officer email address</b>	dferry@thurrock.gov.uk

Subject of this assessment

<b>What specific policy, strategy, function or service is the subject of this assessment?</b>
<b>Thameside Theatre – Fees and Charges Policy</b>
<b>Borough-wide or location-specific?</b>
<input type="checkbox"/> Borough-wide <input checked="" type="checkbox"/> Location-specific – please state locations below.
<b>Thameside Complex, Grays</b>
<b>Why is this policy, strategy, function or service development or review needed?</b>
<p><b>As a result of the S114 notice and financial position of the Council all services have been asked to review fees and charges with a view to increasing them to, as a minimum, reflect the cost of inflation over the past 5 years.</b></p> <p><b>The Thameside Theatre is one of the services that charges for services. In general fees and charges have increased in line with inflation except during the pandemic years. There is no legal reason why they should not be increased in line with inflation.</b></p> <p><b>On that basis an in year review of fees and charges has taken place in line with the corporate approach.</b></p>

## 1. Consultation and supporting information

- 1.1. What steps you have taken, or do you plan to take, to consult or engage the whole community or specific groups affected by this development or review? **This is a vital step.**

### Steps you have taken, or plan to take, to consult or engage

All fees and charges will be considered by Members through relevant overview and scrutiny committee(s) prior to final decision. A final decision will be taken by Members through Cabinet / Council (Kelly to confirm).

The information provided to hirers and promoters will clearly explain the costs associated with use of the venue and the services it provides.

The decision to increase fees and charges has been taken corporately as a result of the S114 notice.

- 1.2. What data or intelligence sources have you used to inform your assessment of the impact? How have these helped you understand who will be affected by the development or review?

### Sources of data or intelligence, and how they have been used

The decision to increase fees and charges in line with inflation has been taken corporately as a result of the S114 notice.

An increase in line with inflation will result in fees and charges that are in real terms the same as those charged five years ago. Some of the increases appear higher than others because charges were not increased through the COVID pandemic.

Data including bookings from previous years and anecdotal information from hirers suggests there will be an impact on hirers and promoters hoping to use the theatre as charges will be higher than previously expected. This may have an impact on the number and type of bookings.

The area we expect to be most affected will be the subsidised hire costs available to schools and community groups already struggling financially.

Given decisions taken on the Thameside Complex and the possibility it will close it is unclear whether the theatre will be able to continue to trade in the medium / longer term.

## 2. Community and workforce impact

1.3. What impacts will this development or review have on communities, workforce and the health and wellbeing of local residents?

Communities and groups	Positive	Neutral	Negative	Summary of positive and negative impacts	How will positives be maximised, and negatives minimised or eliminated?
Local communities in general	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Increased hire charges will mean costs are passed on to performers and customers which may reduce the number and type of activities at the theatre and therefore reduce income.</p> <p>However increased fees and charge may help address the Council's financial position.</p>	The Theatre will work with hirers and promoters to market shows and demonstrate value for money.
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The theatre hosts smaller events for groups with disabilities. These groups are stretched financially and may no longer be able to afford the cost of using theatre space and services.	Wherever possible the theatre will work with groups to try to reduce their costs or increase income to offset the additional charges.
Gender reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
Marriage and civil partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
Pregnancy and maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.

Communities and groups	Positive	Neutral	Negative	Summary of positive and negative impacts	How will positives be maximised, and negatives minimised or eliminated?
<b>Sexual orientation</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	LGBT+ group meets regularly at the theatre. They have secured funding for the short term but an increase in costs may impact on their use of the theatre space once external funding ceases.	Click or tap here to enter text.
<b>Location-specific impact, if any</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
<b>Health and wellbeing of residents</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Residents may be unable to afford tickets if prices increase. There is a wealth of evidence demonstrating how engagement with cultural activity improves health and wellbeing.	Click or tap here to enter text.
<b>Socio-economic outcomes</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Local dance schools hire the theatre as an affordable space for their shows. Any increase in price could result in dance schools being unable to afford hire which will have an impact on their businesses.	Click or tap here to enter text.
<b>Veterans and serving members of the armed forces</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.

### 3. Monitoring and review

1.4. How will you review community and equality impact once the policy, strategy, function or service has been implemented? These actions should be developed using the information gathered in sections 1 and 2 and included in your service area's business plans.

Action	By when	By who
Monitor impact on number and type of bookings and compare to previous years	Ongoing	Theatre Manager



## Appendix 5 – EIA (Equalities Impact Assessments) & Legal Commentary

Gather anecdotal evidence from hirers and promoters	Ongoing	Theatre Manager
Monitor income and compare to previous years	Ongoing	Theatre Manager
Gather evidence from other local venues to ensure the theatre is competitive in the local market	Sept to January 2024 when prices are set for the next financial year	Theatre Manager
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

### 2. Next steps

- 2.1. The information gathered must be used to inform reports presented to Cabinet or overview and scrutiny committees. This will give members a necessary understanding of the impact their decisions will have on different groups and the whole community.

Summarise the implications and customer impact below. This summary should be added to the committee reports template in the Diversity and Equality Implications section for review and sign-off at the consultation stage of the report preparation cycle.

Summary of implications and customer impact
<p>An increase in fees and charges could impact on the number and type of bookings received from hirers and promoters. There may be particular impact on organisations already struggling with cost of living and reductions in funding such as schools and community groups. Impact will be monitored and, if appropriate, recommendations made when fees and charges are reviewed for the next financial year.</p> <p>Thurrock has a low participation rate in cultural activity compared to other local authorities across the country. The increased fees and charges are likely to result in increases to ticket prices which could reduce numbers using the theatre. As a result numbers participating in cultural activity could fall. Again impact will be monitored and, if appropriate, recommendations made to amend fees and charges to maximise income and audience numbers.</p>

### 3. Sign off

- 3.1. This Community Equality Impact Assessment must be authorised by the relevant project sponsor, strategic lead, or assistant director. Officers authorising this assessment are responsible for:
- the accuracy of the information
  - making sure actions are undertaken

Name	Role	Date
Dianna Ferry	Theatre Manager	10/05/2023
Stephen Taylor	Strategic Lead – Economic Development	10/05/2023
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

## Burials – EIA

### Thurrock Council Community Equality Impact Assessment

Service area and lead officer

<b>Name of service</b>	Clean and Green – Burials
<b>Lead officer name</b>	Vincent Taylor
<b>Lead officer job title</b>	Strategic Lead – Clean and Green
<b>Lead officer email address</b>	vtaylor@thurrock.gov.uk

Subject of this assessment

<b>What specific policy, strategy, function or service is the subject of this assessment?</b>
<b>Fees and Charges for Burial Services</b>
<b>Borough-wide or location-specific?</b>
<input checked="" type="checkbox"/> Borough-wide <input type="checkbox"/> Location-specific – please state locations below.
Click or tap here to enter text.
<b>Why is this policy, strategy, function or service development or review needed?</b>
<b>There is an annual review of fees and charges in this service area, this CEIA review is needed as an additional review of the fees and charges is being conducted.</b>

## 1. Consultation and supporting information

### 1.1. What steps you have taken, or do you plan to take, to consult or engage the whole community or specific groups affected by this development or review? This is a vital step.

Steps you have taken, or plan to take, to consult or engage
There are no specific groups affected by this change. The fees and charges are in line with other local authorities

### 1.2. What data or intelligence sources have you used to inform your assessment of the impact? How have these helped you understand who will be affected by the development or review?

Sources of data or intelligence, and how they have been used
The registrar of burials conducted a recent benchmarking exercise looking at the fees charged by neighbouring local authorities for these services and ensured that those charges by Thurrock are comparable to others.

## 2. Community and workforce impact

### 2.1. What impacts will this development or review have on communities, workforce and the health and wellbeing of local residents?

Communities and groups	Positive	Neutral	Negative	Summary of positive and negative impacts	How will positives be maximised, and negatives minimised or eliminated?
Local communities in general	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
Gender reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
Marriage and civil partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
Pregnancy and maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.

Communities and groups	Positive	Neutral	Negative	Summary of positive and negative impacts	How will positives be maximised, and negatives minimised or eliminated?
<b>Religion or belief</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
<b>Sex</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
<b>Sexual orientation</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
<b>Location-specific impact, if any</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
<b>Health and wellbeing of residents</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
<b>Socio-economic outcomes</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
<b>Veterans and serving members of the armed forces</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.

### 3. Monitoring and review

3.1. How will you review community and equality impact once the policy, strategy, function or service has been implemented? These actions should be developed using the information gathered in sections 1 and 2 and included in your service area's business plans.

Action	By when	By who
To monitor the uptake in the services offered by the council and to see if there is an increase in complaints	January 2024	Sue Newton – Registrar of Burials
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

### 4. Next steps

4.1. The information gathered must be used to inform reports presented to Cabinet or overview and scrutiny committees. This will give members a necessary understanding of the impact their decisions will have on different groups and the whole community.

## Appendix 5 – EIA (Equalities Impact Assessments) & Legal Commentary

Summarise the implications and customer impact below. This summary should be added to the committee reports template in the Diversity and Equality Implications section for review and sign-off at the consultation stage of the report preparation cycle.

### Summary of implications and customer impact

The charge for these services are in line with those offered elsewhere, our core burial services are only being increased in line with inflation, and those that are at the discretion of the service user are able to be increased in line with commercial demand.

## 5. Sign off

5.1. This Community Equality Impact Assessment must be authorised by the relevant project sponsor, strategic lead, or assistant director. Officers authorising this assessment are responsible for:

- the accuracy of the information
- making sure actions are undertaken

Name	Role	Date
Vincent Taylor	Strategic Lead – Clean and Green	10/05/23
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

## Abandoned Trolleys – EIA

### Thurrock Council Community Equality Impact Assessment

Service area and lead officer

<b>Name of service</b>	Clean and Green – Abandoned Trolleys
<b>Lead officer name</b>	Vincent Taylor
<b>Lead officer job title</b>	Strategic Lead – Clean and Green
<b>Lead officer email address</b>	vtaylor@thurrock.gov.uk

Subject of this assessment

<b>What specific policy, strategy, function or service is the subject of this assessment?</b>
<b>Fees and Charges for Abandoned Trolleys</b>
<b>Borough-wide or location-specific?</b>
<input checked="" type="checkbox"/> Borough-wide <input type="checkbox"/> Location-specific – please state locations below.
Click or tap here to enter text.
<b>Why is this policy, strategy, function or service development or review needed?</b>
<b>There is an annual review of fees and charges in this service area, this CEIA review is needed as an additional review of the fees and charges is being conducted. In addition this is a new charge following a Cabinet Decision to adopt the Abandoned Trolley Cost Recovery Policy</b>

## 1. Consultation and supporting information

### 1.1. What steps you have taken, or do you plan to take, to consult or engage the whole community or specific groups affected by this development or review? This is a vital step.

#### Steps you have taken, or plan to take, to consult or engage

There are no specific groups affected by this change. This charge will be on the Supermarkets that allow their trollies to be abandoned and blight the environment

This has gone through Overview and Scrutiny, Cabinet and has had a public consultation that was overwhelmingly positive

### 1.2. What data or intelligence sources have you used to inform your assessment of the impact? How have these helped you understand who will be affected by the development or review?

#### Sources of data or intelligence, and how they have been used

The policy was written looking at the charging made by other Local Authorities and taking into consideration what was needed for cost recovery.

## 2. Community and workforce impact

2.1. What impacts will this development or review have on communities, workforce and the health and wellbeing of local residents?

Communities and groups	Positive	Neutral	Negative	Summary of positive and negative impacts	How will positives be maximised, and negatives minimised or eliminated?
<b>Local communities in general</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
<b>Age</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
<b>Disability</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
<b>Gender reassignment</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
<b>Marriage and civil partnership</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
<b>Pregnancy and maternity</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
<b>Race</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
<b>Religion or belief</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
<b>Sex</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
<b>Sexual orientation</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
<b>Location-specific impact, if any</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
<b>Health and wellbeing of residents</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
<b>Socio-economic outcomes</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.
<b>Veterans and serving members of the armed forces</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.



### 3. Monitoring and review

3.1. How will you review community and equality impact once the policy, strategy, function or service has been implemented? These actions should be developed using the information gathered in sections 1 and 2 and included in your service area's business plans.

Action	By when	By who
To monitor the number of trollies where fees for abandonment was needed and the uptake in the service offered by the authority to take back trollies to the stores, and to see if there is an increase in complaints	January 2024	Vincent Taylor – Strategic Lead Clean and Green
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

### 4. Next steps

4.1. The information gathered must be used to inform reports presented to Cabinet or overview and scrutiny committees. This will give members a necessary understanding of the impact their decisions will have on different groups and the whole community.

Summarise the implications and customer impact below. This summary should be added to the committee reports template in the Diversity and Equality Implications section for review and sign-off at the consultation stage of the report preparation cycle.

Summary of implications and customer impact
This charge will be on the supermarkets, and will not have an impact on equalities / communities.

### 5. Sign off

5.1. This Community Equality Impact Assessment must be authorised by the relevant project sponsor, strategic lead, or assistant director. Officers authorising this assessment are responsible for:

- the accuracy of the information
- making sure actions are undertaken

Name	Role	Date
Vincent Taylor	Strategic Lead – Clean and Green	10/05/23
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Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

## Overarching Parking Strategy – EIA

### Thurrock Council Community Equality Impact Assessment

Service area and lead officer

<b>Name of service</b>	Planning, Transportation and Public Protection
<b>Lead officer name</b>	Navtej Tung
<b>Lead officer job title</b>	Strategic Transport Manager
<b>Lead officer email address</b>	ntung@thurrock.gov.uk

Subject of this assessment

<b>What specific policy, strategy, function or service is the subject of this assessment?</b>
<p><b>Parking Policy and Strategy;</b></p> <p><b>Parking Design and Development Standards</b></p> <p><b>Parking Enforcement Strategy</b></p>
<b>Borough-wide or location-specific?</b>
<input checked="" type="checkbox"/> Borough-wide <input type="checkbox"/> Location-specific – please state locations below.
Click or tap here to enter text.
<b>Why is this policy, strategy, function or service development or review needed?</b>

It is important to ensure that the Council’s approach to vehicle parking is in accordance with national and local policy and objectives. As part of the new Local Plan, it is necessary to develop an up-to-date Parking Policy and Strategy document and new Parking Standards to respond to current transport trends and demands and also to positively shape new development proposals, ensuring homes and businesses are supported by the right level of parking provision.

The Parking Policy and Strategy document has been developed to assist the Council to oversee the provision of parking across the borough now and in the future, as the borough looks to accommodate growth and to incorporate emerging vehicle technologies and infrastructure (namely electric vehicles and charging requirements). It includes a number of overarching objectives and principles covering how the Council will manage parking demand in the future and how decisions on parking arrangements can be taken across Thurrock.

The Parking Design & Development Standards document has been developed to clearly set out the parking requirements for new developments. It provides detail on the design and standards that will be applicable throughout the Borough. This includes details such as the number, size and location of parking stock for all types of vehicles. This will also become an important tool for Officers to use when discussing development proposals with developers.

The Parking Enforcement Strategy document has been developed to set out the processes and procedures for undertaking enforcement of inappropriate and illegal parking across on roads under the responsibility of the Council across the borough.

## 1. Consultation and supporting information

- 1.1. What steps you have taken, or do you plan to take, to consult or engage the whole community or specific groups affected by this development or review? **This is a vital step.**

**Steps you have taken, or plan to take, to consult or engage**

The Parking Policy and Strategy, Parking Design & Development Standards and Parking Enforcement Strategy have been developed as a result of community and stakeholder engagement with relevant parties and stakeholders.

A six week public consultation programme was undertaken between 2 November 2020 and 14 December 2020 to enable local residents, businesses, interest groups and key stakeholders to provide input and comment to shape the documents. The consultation was undertaken via the Thurrock Council consultation portal, with the published page and supporting documents available to view on the following web address - <https://consult.thurrock.gov.uk/parking-strategy-2020>.

In total, there were 358 visits to the Parking Strategy consultation page, which resulted in 31 individuals responding to the page via the survey. The survey consisted of 18 questions, with a mix of pre-populated (e.g. yes/no) and open ended/free choice questions.

Based on the responses received, where questions asked whether respondents supported or opposed the documents, they were generally in favour of the documents.

When reviewing the open text questions, there was, as expected, a wide variety of answers and priorities for respondents. The mix of responses do not sway support for nor against the policies and documents. However, there is a predominant ask for a greater level of enforcement against poor parking, parking on verges and the blocking of footpaths, as well as more enforcement within residential areas and those areas outside town centres. Additionally, the emotive nature of parking has resulted in some responses identifying factors outside the remit of the strategy and policy documents, such as routing of traffic and learner HGV routes. This is being addressed through an increase in the number of Civil Enforcement Officers deployed by the council, with the recruitment of an additional ten officers.

Following the completion of the consultation, there has been no identified changes to the policies or standards themselves, but it has been necessary to amend the structure and information within the documents. The changes are not material to the nature or purpose of the documents and would not invalidate the outcome of the public consultation, but they are considered necessary to make the documents more easily accessible.

- 1.2. What data or intelligence sources have you used to inform your assessment of the impact? How have these helped you understand who will be affected by the development or review?

#### **Sources of data or intelligence, and how they have been used**

The development of the parking strategy undertook a review of existing data sources and includes a key summary of the existing picture within the borough related to parking. No specific external sources have been consulted to further inform the EQIA, though feedback from the consultation has helped to identify key themes which were identified, along with the details within the policies.

2. Community and workforce impact

- 2.1. What impacts will this development or review have on communities, workforce and the health and wellbeing of local residents?

Appendix 5 – EIA (Equalities Impact Assessments) & Legal Commentary

Communities and groups	Positive	Neutral	Negative	Summary of positive and negative impacts	How will positives be maximised, and negatives minimised or eliminated?
<b>Local communities in general</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appropriate parking policies will help control how vehicles are parked across the borough, within designated areas. Haphazard parking, or a lack of control creates dangers for all road users, and impacts users in need of parking controls – such as blue badge holders, the most.	By providing appropriate parking mechanisms, with appropriate provisions and backed up by enforcement, all members of the community are able to best enjoy the built environment, whether vehicle users or not.
<b>Age</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	N/A
<b>Disability</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The policies specifically focus on disabled persons with blue badge parking provision with specifications for parking provision for blue badge holders and sizing specification for spaces within new developments. Policies TPP 10, 11 and 12 are specific to support disabled people entitled to a Blue Badge to have accessible parking in key locations and destinations. Blue badge parking provisions are generally identified through national guidance and legislation.	New developments are required to show and commit to disabled parking provision through the Development Management Process and the standards in this policy set a minimum level of provision. Enforcement of these are undertaken on the public highway by the council's team of enforcement officers in line with legal provisions.
<b>Gender reassignment</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	N/A
<b>Marriage and civil partnership</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	N/A
<b>Pregnancy and maternity</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	N/A
<b>Race</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	N/A
<b>Religion or belief</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	N/A
<b>Sex</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	N/A
<b>Sexual orientation</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	N/A

Appendix 5 – EIA (Equalities Impact Assessments) & Legal Commentary

Communities and groups	Positive	Neutral	Negative	Summary of positive and negative impacts	How will positives be maximised, and negatives minimised or eliminated?
<b>Location-specific impact, if any</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The suite of policies are borough wide, and not specific to any one community. However some parts of the borough are more likely to be impacted than others, such as locations where there is a high demand for destination parking – such as town centres or near transport hubs.	Controls of parking are best managed by the council’s enforcement team, to ensure the best balance between quality of life for residents and access to parking.
<b>Workforce</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The strategies identify measures to restrict free parking across all parts of the public highway. Typically, where there is a high demand for parking by workers, such as town centres or near railway stations, there is likely a need to balance the need for residents to have parking near their properties against access to parking for all.	Enforcement by CEO’s allows for the right people to have access to the right parking zones. Enforcement ensures that where applicable, permit areas are adhered to as well as P&D Zones that are implemented

Appendix 5 – EIA (Equalities Impact Assessments) & Legal Commentary

Communities and groups	Positive	Neutral	Negative	Summary of positive and negative impacts	How will positives be maximised, and negatives minimised or eliminated?
<b>Health and wellbeing of residents</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The parking strategy suite of documents is produced to support the provision of parking to create fairness and a balance for all users. While many residents will be car owners, not all residents have a private space to keep their vehicle, and when in using their vehicles will need somewhere to park when away from home. Conversely the public highway need to be passible, and inappropriate parking and levels need to be managed, so that the highway and footways remain accessible, and provision for blue badge holders can be maintained.	N/A
<b>Socio-economic outcomes</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There is an economic impact of parking and the management of parking, though effective land provision and management. There are also charges associated with parking, such as for parking permits, or for charged parking at key destinations and locations or in off-street parking at popular destinations.	N/A
<b>Veterans and serving members of the armed forces</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	N/A

## Appendix 5 – EIA (Equalities Impact Assessments) & Legal Commentary

### 3. Monitoring and review

- 3.1. How will you review community and equality impact once the policy, strategy, function or service has been implemented? These actions should be developed using the information gathered in sections 1 and 2 and included in your service area's business plans.

Action	By when	By who
Review the Parking Strategy suite of papers every 3 years or in extraordinary circumstances, ensuring data and strategy comply with legislation and current work trends, feeding a review of the CEIA	3 years or in extraordinary circumstances	Transport Development
Reporting and escalate any concerns with street furniture, to ensure community impacts are low	constant action	Parking Enforcement
Review of best practise guidance for parking enforcement	3 years or in extraordinary circumstances	Parking Enforcement
Continue to review restrictions to further inform this CEIA and assess if the assumed impacts are accurate or need amending	3 years	Parking Enforcement
To consider any alternative parking solutions that are available	Yearly	Transport and Development
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

### 4. Next steps

- 4.1. The information gathered must be used to inform reports presented to Cabinet or overview and scrutiny committees. This will give members a necessary understanding of the impact their decisions will have on different groups and the whole community.

Summarise the implications and customer impact below. This summary should be added to the committee reports template in the Diversity and Equality Implications section for review and sign-off at the consultation stage of the report preparation cycle.

#### Summary of implications and customer impact



## Appendix 5 – EIA (Equalities Impact Assessments) & Legal Commentary

The report was presented to Planning, Transportation and Regeneration Overview and Scrutiny Committee in July 2021 and again in February 2022, before being presented for adoption to Cabinet in March 2022.

The key implications of the policies, and standards identifies that disabled persons are directly identified within the policy to be supported with parking provision to help meet their needs, in line with national guidance and policy. The policy identifies minimum parking requirements for new developments off the public highway, and where blue badge holders can and cannot park on the public highway. The policy identifies how these users can also access a disabled bay within an appropriate distance from their home.

Other persons with protected characteristics are not directly impacted specifically due to their protected characteristics. However, the policy does identify the opportunity to impose restrictions in key locations which may not currently exist. These new restrictions would not exclude disabled persons from accessing the appropriate provisions as provided in the policy.

### 5. Sign off

5.1. This Community Equality Impact Assessment must be authorised by the relevant project sponsor, strategic lead, or assistant director. Officers authorising this assessment are responsible for:

- the accuracy of the information
- making sure actions are undertaken

Name	Role	Date
Navtej Tung	Strategic Transport Manager	19/05/2023
Mat Kiely	Strategic Lead for Transportation Services	19/05/2023
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
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Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

## **Legal Commentary**

It was lovely meeting with you both this afternoon and I appreciate the time that you spent in reiterating your instructions and providing myself and Kevin with context regarding the same.

In the meeting this afternoon we discussed the basis in which the Council is able to increase the fees and charges for some of the services that it provides in line with carrying out its functions. I advised that it is standard practice for fees and charges to be subject to an annual inflation uplift but the Council may deviate from this having provided reason. Ultimately the Council is to decide whether the inflation uplift is appropriate in each circumstance when reaching a decision to increase a charge.

You mentioned that at this stage in particular your focus is with a segment of the services that are provided by the Council that arise from the Council's discretionary powers to increase fees and charges. I advised that where a discretionary power exists (under the Local Government Act 2003, Localism Act 2011) the Council is to ensure that the charge that it decides to set is reasonable and in any event is a fee that does not exceed the costs of the provision of the service.

I will undertake the required work on the draft policy and return to you as soon as possible.

<b>12 July 2023</b>	<b>ITEM: 13</b> <b>Decision: 110659</b>
<b>Cabinet</b>	
<b>Tender of the Council’s Insurance and Associated Services</b>	
<b>Wards and communities affected:</b> N/A	<b>Key Decision:</b> Key
<b>Report of:</b> Cllr Graham Snell, Portfolio Holder of Finance	
<b>Accountable Assistant Director:</b> N/A	
<b>Accountable Director:</b> Jonathan Wilson – Interim Director of Finance & Section 151 Officer	
<b>This report is Public</b>	

## Executive Summary

In readiness for the expiry of the current Insurance and Associated Services contract on 31 March 2024 and to ensure compliance with the Public Contract Regulations and the Council’s Constitution, it is proposed that a tender will be undertaken to procure the services. There is a limited market for the provision of insurance services for the public sector with the majority of insurers only dealing via an Insurance Broker Intermediary. A procurement exercise was undertaken earlier this year and an Insurance Broker appointed. The Insurance Broker will be used to manage the tender and ensure the widest possible selection of insurance companies are engaged in the exercise.

A review of the insurance programme design will be undertaken as part of the exercise and relevant design alternatives considered to establish the most appropriate programme (including such components as extent of cover, level of deductibles, etc). A comprehensive evaluation of tender submissions will be undertaken and the insurer or insurance providers appointed, will have to prove they offer the best value for money solution for the Council.

### 1. Recommendation(s)

- 1.1 **Agree and support the proposal to commission a tender exercise in accordance with the Public Contracts Regulations 2015 for the supply of Insurance and Associated Services; and**

**1.2 Approve delegation to the Section 151 Officer to enter into and award the necessary contracts following the procurement process, in consultation with the Portfolio Holder of Finance.**

## **2. Introduction and Background**

2.1 The existing contract for the Council's insurance programme is with Zurich Municipal and expires on 31 March 2024. Zurich Municipal was appointed as the Council's Insurer after a tender process in line with European Procurement Directives in 2018.

2.2 The contract was for 3 years with an option for a further 2 years. This option was exercised as it was felt to be in the best value interest of the Council, given the state of the insurance market at the time. The Council now has to tender to procure the service as the current contract is coming to the end of its term.

2.3.0 The Council's current cost per annum for Insurance and Associated Services is circa £1.2M. The existing insurance contract provides a range of cover and services, including:

- Public Liability;
- Employers Liability;
- Claims Handling – Employers and Public Liability;
- Property;
- Motor and;
- Engineering Insurance and Inspections

2.3.1 The current levels of self-insurance (deductibles) carried by the Council for the main types of insurance are:

- £240,000 in respect of Liability Claims (e.g. Public Liability, Employers Liability)
- £25,000 in respect of Property Claims (e.g. General Properties, Education Properties)

2.3.2 The council maintains insurance funds to ensure that the financial costs for claims below the deductible will not impact on budgets. An actuarial review of the insurance funds will be undertaken as part of the tender exercise and this along with the programme design review will inform any potential cost effective changes to the self or externally insured arrangements.

2.4 The proposed procurement is forecast to exceed the UK Public Procurement Regulations financial threshold and a formal open tender is proposed to be undertaken in accordance with the Council's Constitution and Public Contract Regulations 2015. The Procurement Stage 1 – Approval to Proceed to Tender form is included under Appendix 1.

2.5 On the 2 September 2022 DLUHC announced directions to implement an intervention package at the Council. The Secretary of State exercised his powers under section 15(11) of the Local Government Act 1999 to give a

Direction without complying with the requirement at section 15(9) to give Thurrock an opportunity to make representations about the Directions, as he considered the failures of the Council's compliance with its Best Value duty in respect of the functions specified in the Directions sufficiently urgent. This was because of the following:

- the scale of the financial and commercial risks potentially facing the Authority, which were compounded by the Authority's approach to financial management and the seriousness of the allegations that were made by third parties about the processes applied to the operation of the Authority's commercial strategy, and;
- the failure of the Authority to provide assurance to Ministers and the Department on the adequacy of the actions that they were taking to address the issues, taking account of the scale and pace of the response required.

The Secretary of State nominated Essex County Council to the role of Commissioner

- 2.6 The Council has subsequently worked with the Commissioners and the Department of Levelling Up, Housing & Communities (DLUHC) to develop an Improvement & Recovery Plan (I&RP) in response to the directions.
- 2.7 On the 19 December 2022 the Council's Acting Director of Finance & Section 151 Officer issued a report under Section 114 of the Local Government Finance Act 1988, which highlighted the extremely serious nature of the financial situation facing the Council.
- 2.8 On the 23 December 2022, the Acting Chief Executive issued a public response to acknowledge the scale of the financial challenge, the action needed to put the Council on a secure long term financial footing, the levers available to mitigate the gaps and the exceptional financial support required from government to support the budget position.
- 2.9 The Council continues to work with the Commissioners and DLHUC to address the financial position and deliver/update the I&RP to manage the situation.
- 2.10 The insurance and associated services arrangements include a combination of statutory covers and other insurance covers which provide levels of financial protection to the Council and/or service budgets. Having adequate external insurance in place is essential, as this allows the Council to transfer its insurable risks to the Insurer; providing the Council with financial protection from insured losses that may arise from the delivery of services.
- 2.11 Carrying out a procurement exercise of the insurance and associated services will allow the Council to explore all available market options and obtain the best value solution for the Council in the current market conditions.

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

- 3.1 Since the tender in 2018, pressure on the insurance industry has increased, e.g. global catastrophic events including floods and fires, economic uncertainty, increased claims and reinsurance costs, effects of business interruption, travel and emerging liability claims relating to COVID-19 and impact of inflation, this has resulted in a continued hard and harsh market.
- 3.2 The public sector insurance market is limited and a specialist area with the majority of insurers only dealing via an Insurance Broker Intermediary. The Council has recently appointed an Insurance Broker Intermediary, Arthur J. Gallagher, to manage the tender and to ensure the widest possible selection of insurance companies are engaged in the process, to achieve best value.
- 3.3 A review of the insurance programme design will also be undertaken as part of the exercise and the relevant design alternatives considered to establish the most appropriate programme for the Council (including such components as extent of cover, level of deductibles, etc).
- 3.4 In view of the limited market for insurance services for the public sector, Officers consider that the most appropriate procurement route under the Public Contract Regulations 2015 is the Open Tender procedure.
- 3.5 The proposed contract length is for three years with potential to extend for a further two year period, making a possible total of five years and is subject to the Public Contracts Regulations 2015.

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

- 4.1 The decision to undertake a tender of the Council's insurance programme in readiness for the expiry of the current contract on 31 March 2024, will ensure best value is achieved under the current insurance market conditions.

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

- 5.1 Procurement, Legal and Finance have been consulted for the approval to proceed to the tender stage of the procurement process and the report to tender the Council's Insurance and Associated Services was presented to the Senior Leadership Team on 10 May 2023.

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

- 6.1 The tender of the Council's insurance programme will enable the Council to obtain insurance on the best terms available in the current market conditions.

### **7. Implications**

## 7.1 Financial

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

As stated within the report, the current cost of the Council's insurance programme is circa £1.2M per annum and the tender process will enable the Council to obtain insurance on the best terms available in the current market conditions. The current insurance contract is managed within existing budgets. There remains the risk that the cost of the new contract may exceed existing budgets and this will remain under consideration as the process develops.

The services listed in the contract are a statutory requirement and hence meet the requirements of the Section 114 notice in place.

## 7.2 Legal

Implications verified by: **Kevin Molloy**  
**Principal Solicitor Contracts Team**

The services required under the contract listed above are required as a statutory duty. Following issue by the Council of a s114 notice the Council must ensure that its resources are not used for non essential spending. I am satisfied that the contract at issue here is essential and the provision of it a statutory duty.

This report is seeking approval from Cabinet to tender the contract noted in the report. The proposed procurement being considered is estimated at above the UK Public Procurement Regulations financial threshold for contracts of this type, and this means that there is a legal requirement to competitively tender the contract via the Find a Tender Service. Legal Services note that this tender will be conducted in accordance with the Public Contract Regulations 2015 ("the Regulations).

Taking the above into account, on the basis of the information in this report, the proposed procurement strategy should comply with the Regulations and Council's Contract Rules.

The report author and responsible directorate are advised to keep Legal Services fully informed at every stage of the proposed tender exercise. Legal Services are on hand and available to assist and answer any questions that may arise.

The value of this contract for insurance services requires full compliance with the UK Public Procurement Process and therefore a tender will be advertised via the Find a Tender Service and follow the established timescales.

### 7.3 **Diversity and Equality**

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

There are no equality or diversity implications noted in this report.

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

None.

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

- Insurance Tender exercise and related papers retained by the Insurance Team, Corporate Finance, Resource & Place Delivery.

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

- Appendix 1 – The Procurement Stage 1, Approval to Proceed to Tender Form

### **Report Author:**

Andy Owen  
Corporate Risk and Insurance Manager  
Resource & Place Delivery



## STAGE 1 FORM - APPROVAL TO PROCEED TO TENDER

Following the introduction of new Spend Control Processes, this form must be completed for all procurements above £25,000. If contract value is over Cabinet approval threshold (£500,000) this form shall be appended to the Cabinet report - this form will be "open" for publication.

Once completed, this form must be sent to the relevant Category Manager.

<b>1.</b>	<b>CONTRACT DETAILS</b>		
1.1	Contract title	Tender of Insurance and Associated Services	
1.2	Reference number	PS-2023-066	
1.3	Responsible Officer	Andy Owen – Corporate Risk & Insurance Manager	
1.4	Directorate	Resource & Place Delivery	
1.5	Contract description	Tender for the Council's Insurance program as the current contract is due to end on 31/03/2024.	
1.6	Applicability of off payroll working (IR35) rules*	Is this an applicable contract?	No
		Employment status for tax**	N/A
1.7	Proposed contract start	01/04/2024	
1.8	Proposed contract end	31/03/2027	
1.9	Proposed extension options	3 year initial period (2024/25 to 2026/27) plus option for a further 2 year period (2027/28 & 2028/29)	
1.10	Estimated contract value	Excluding VAT	£ 6,000,000
		Including VAT <sup>1</sup>	£ 6,020,000

<b>2.</b>	<b>BUSINESS CASE</b>		
2.1	Business case	<p>The current Insurance Contract is due to end on 31/03/2024.</p> <p>The Public Sector insurance market is a specialist area and the majority of Insurers will only deal via an Insurance Broker Intermediary. A tender was recently carried out for an Insurance Broker Intermediary (Reference Number: PS-2023-004), a Broker has been appointed and will assist the Council with the exercise and ensure that the widest possible selection of providers are engaged in the Insurance and Associated Services tender.</p> <p>The insurance program provides levels of financial protection to the Council and/or service budgets.</p>	
2.2	Expenditure control criteria	The spend is for essential statutory services, goods and/or works	
2.3	Expenditure control justification	Insurance is a mix of statutory cover and other policies which are arranged to provide levels of financial protection to the Council and/or service budgets.	

<sup>1</sup> Required solely to determine whether the contract value exceeds the UK public procurement threshold (which includes VAT)

2.4	Award criteria	Quality 60% Price 40%
2.5	Social Value	The Public Sector Insurance Market is a specialist area and is unlikely to influence the economic, social or environmental wellbeing of the area, however a question regarding contribution to Social Value will be included within the quality element of the tender.
2.6	Previous contract	Current Contract Reference: PS/2018/123 Current Contract Dates: 01/04/2019 to 31/03/2024

<b>3.</b>	<b>FINANCIAL CONSIDERATIONS</b>	
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3.1	Previous contract spend	£6M over a 5 year period (2019/20 to 2023/24)
3.2	Scope of changes	The base of information on which the insurance is arranged, will change over the period of the contract (e.g. inflation on property sums insured, changes to wages/salary costs, significant changes to claims position etc.
3.3	Budget considerations	The budget for corporate insurance covers (e.g. Liability) are managed by the Insurance Team and the budgets for other insurance premiums /fees (e.g. Property & Motor) are held across the council within individual service areas.
3.4	Expenditure type	Revenue
3.5	Cost centre	Corporate insurance covers (DA061 & DA065). Various budget codes across the authority for the other insurance covers (e.g. Property & Motor).
3.6	Anticipated savings	No savings are anticipated for this tender.

<b>4.</b>	<b>PROCUREMENT ROUTE</b>	
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4.1	Procurement route	Open tender
4.2	Rationale	To Ensure compliance with procurement directives and regulations a tender exercise will be carried out to procure the services. The Council recently appointed an Insurance Broker and the Broker will be used to manage the exercise to ensure the widest possible section of insurance companies are engaged in the tender.

<b>5.</b>	<b>PROPOSED PROCUREMENT TIMETABLE</b>		
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5.1	Procurement timetable	Publish Contract Notice	02/10/2023
		Selection Questionnaire return	N/A
		Invitation to Tender issue	02/10/2023
		Tender return	20/11/2023
		Notification of result	01/02/2024
		Standstill period	02/02/2024
		Expected award	13/02/2024
		Contract commencement	01/04/2024

6. RISKS, CONSULTATION AND MANAGEMENT		
6.1	Risk management	<p>Risks – 1. Capacity to undertake/manage the tender could lead to non compliance with time frames and/or directives or regulations, 2. Hard &amp; Specialist Market for Public Sector Insurance could lead to increased premiums/fees, excess/stop loss limits and self funding levels and/or limited response from the market. 3. Financial Health of Prospective Providers of Insurance &amp; Related Services inadequate leading to unsustainable services or provisions</p> <p>Mitigating Actions – 1. Insurance broker to support &amp; manage the tender, outline project plan &amp; timetable drafted and resource identified. 2. Insurance broker to support &amp; manage the tender, review the insurance programme design and ensure the widest possible selection of insurance providers are involved in the tender. 3. Insurance broker to support/manage the tender and regular review/monitoring of the PS insurance market and credit ratings, financial health &amp; performance of potential providers</p>
6.2	Contingency	If any significant delays or issues are encountered with the exercise or procurement and it was established that cover would not be in place for 01/04/2024 the council would look to extend the current insurance arrangements with the existing provider for an appropriate period (e.g. 1 year).
6.3	Consultation	Procurement and Interim Director of Finance consulted on options and way forward. Procurement, Legal & Finance consultation and report to Cabinet, via Senior Leadership Team under the Approval to Tender process. Interim Director of Finance and Departments consultation for the Review of the Insurance Programme Design. Report to Interim Director of Finance, Portfolio Holder and Cabinet, (via Senior Leadership Team) as appropriate on proposals to enter into and award contracts following the procurement process.
6.4	Data Protection**	Personal data will not be processed for the Insurance Tender exercise. Personal Data will be processed under parts of the insurance service (e.g. Claims Handling) and appropriate Data Protection Impact Assessment to be completed for review by Information Governance following the award of the contract
6.5	Project and contract management <sup>2</sup>	Tier 2 - Medium Level Contract Management
		Project plan & timetable drafted and resource identified. Insurance Broker to be engaged to manage/support the exercise and to ensure the widest possible selection of insurance providers are engaged in the tender. Corporate Risk & Insurance Manager and Insurance Team Manager to support/manage the project. Procurement to work with the Insurance Team and Insurance Broker to ensure a thorough and commercially robust procurement process applied. Open Procedure for the Tender of Insurance and Related Services will deliver sufficient flexibility for the Council's requirements. Regular monitoring & reporting of project progress and developments to Interim Director of Finance, Senior Leadership Team and Members as appropriate. Service standards incorporated in tender and regular contract monitoring and review arrangements for underwriting and claims handling services to be established with provider(s) following award of contract.
6.6	Will TUPE apply to the proposed contract?	No
		N/A

<sup>2</sup> Refer to the contract management framework or your category manager for guidance

6.7	Community and Equalities Impact Assessment****	N/A
6.8	Exit strategy	Under Insurance contract if the Insurer breaks the terms (e.g. increase in premiums due to significant change in claims experience or insurance market conditions) then the Council has the option to exit the arrangement and approach the insurance market for the cover. Exit strategy arrangements to be covered in the Invitation to Tender and prospective suppliers bid submissions.
6.9	Collaboration	Insurance contract covers the whole of the council's requirements and Departments to be consulted as part of the Insurance Programme Review Design process.

<b>7.</b>	<b>PROCUREMENT IMPLICATIONS</b>	
7.1	Category Manager comments	Tender to be undertaken by the Insurance Broker, however the documents and responses will be managed via In-tend, the Council's e-tendering portal. Procurement will be involved to ensure correct process is followed.

<b>8.</b>	<b>APPROVALS</b>		
8.1	Authorised Signatory	In accordance with the Contract Procedure Rules, I confirm the accuracy of the information contained within this form and authorise this request to proceed to tender.	
		Comments	
		Delegation level	Cabinet delegated authority to Corporate Director in consultation with the Portfolio Holder (over £500,000)
		Name	Jonathan Wilson
		Signed	<u><i>JDWilson</i></u> JDWilson (Jun 21, 2023 16:32 GMT+1)
		Date	
8.2	Strategic Approval Panel	Decision	ECP
		Panel members	Jo Freeman, Gary Clifford, Vicky MacKenzie
		Date of decision	26/6/23
		Comments	
		Decision sent by	<u><i>Marie Ogles</i></u> Marie Ogles (Jun 26, 2023 14:00 GMT+1)
8.3	Procurement	I confirm that I have been consulted and agree with the information contained in this report in so far as it relates to Procurement implications	
		Name	Vanessa John
		Signed	<u><i>Vanessa John</i></u> Vanessa John (Jun 30, 2023 09:45 GMT+1)
		Date	
8.4	Legal (only required if spend is above £75k)	I confirm that I have been consulted and agree with the information contained in this report in so far as it relates to Legal implications	
		Name	Kevin Molloy
		Signed	<u><i>Kevin Molloy</i></u> Kevin Molloy (Jun 30, 2023 15:04 GMT+1)

		Date	
8.5	Finance (only required if spend is above £75k)	I confirm that I have been consulted and agree with the information contained in this report in so far as it relates to Financial implications	
		Name	Rosie Hurst
		Signed	<u>Rosie Hurst</u> <small>Rosie Hurst (Jun 30, 2023 15:08 GMT+1)</small>
		Date	
8.6	Responsible Officer	I confirm that this procurement will be carried out in accordance with Rule 5 of the Council's Contract Procedure Rules (Chapter 9, Part 2 of the Constitution).	
		Name	Andy Owen
		Signed	<u>AOwen</u> <small>AOwen (Jun 30, 2023 15:46 GMT+1)</small>
		Date	
8.7	Cabinet (only applicable if £500k or over)	Minute number	Enter approval / delegation minute reference
		Date	<a href="#">Click here to enter a date.</a>

\*Guidance on the rules surrounding contractor employment status for tax can be found on the below link:  
<https://www.gov.uk/guidance/understanding-off-payroll-working-ir35>

\*\*The Check Employment Status for Tax (CEST) tool can be found on the below link:  
<https://www.gov.uk/guidance/check-employment-status-for-tax>

\*\*\*Information on Data Protection and the DPIA form can be found on the following link:  
<https://intranet.thurrock.gov.uk/services/information-management/data-protection/>

\*\*\*\*You can search for Community and Equalities Impact Assessment guidance using the following link:  
<https://intranet.thurrock.gov.uk/document-store/>

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<b>12 July 2023</b>	<b>ITEM: 14</b> <b>Decision: 110660</b>
<b>Cabinet</b>	
<b>Provisional Financial Outturn 2022/23 report</b>	
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Key
<b>Report of:</b> Councillor Graham Snell, Cabinet Member for Finance, HR, and Payroll	
<b>Accountable Assistant Director:</b> N/A	
<b>Accountable Director:</b> Jonathan Wilson, Acting Director of Finance & S151 Officer /Steve Mair – Chief Financial Officer	
<b>This report is</b> Public - Appendix 7 is exempt	

## Executive Summary

The purpose of this report is to set out the provisional outturn position for the financial year 2022/23, prior to the formal closure of accounts.

The report also sets out the key movements between the quarter 3 forecast outturn position (presented to Cabinet on 15 March 2023) and the provisional full year position.

The report confirms the council could not fund its 2022/23 expenditure without exceptional financial support from Government. A request to the Secretary of State (SoS) for exceptional financial support (EFS) for 2022/23 was made and a response was received on 1<sup>st</sup> March 2023. The support was provisionally agreed in the form of a capitalisation direction which enables the Council to capitalise the budget shortfall over a 20-year period. This provides further time to assess the financial sustainability of the Council and work is ongoing with Commissioners and the Department for Levelling Up, Housing and Communities (DLUHC).

The report has been prepared and agreed with Commissioners and sets out the position upon:

- 2022/23 General Fund provisional Outturn (including assumed use of reserves, treasury & cash flow)
- 2022/23 Capital Programme provisional Outturn
- 2022/23 Dedicated Schools Budget provisional Outturn
- 2022/23 Public Health Outturn

### 2022/23 Provisional General Fund Outturn

There remains a budget gap of £434.595m as set out below and listed in full in Appendix 1:

Category	Revised Budget	Final Outturn	Final variance to budget
	£'000	£'000	£'000
Total Service budget	155,418	158,188	2,769
Other operating income/expenditure (incl. Treasury)	(18,830)	425,094	443,924
Central Financing (Gov grants, council Tax/NNDR)	(136,588)	(148,686)	(12,098)
<b>Total</b>	<b>0</b>	<b>434,595</b>	<b>434,595</b>

This confirms the grave financial position of the council and that without exceptional financial support from Government, the 2022/23 expenditure cannot be funded.

The summary provisional outturn position is set out in the table below including comparison to the quarter 3 position presented to Cabinet on 15 March 2023. There have been net favourable movements of £17.757m, the key changes are:

- Service position has improved by £1.333m, this includes £3.5m improvement against operational budgets and offset by further costs of intervention of £2.045m as set out in Table 1 below (and the impact of these changes on the 23/24 budget will be considered and reported in due course)
- Improvement to the in-year treasury position £3.844m considering up to date borrowing costs and interest rates
- Wider impacts from investments including impairment, write downs and MRP have improved by £17.749m
- Delays to the completion of asset sales, £2.422m less than expected at quarter 3
- Improvement in the Central Financing position (predominately NNDR) £2.253m

2022-23 Summary Position	Quarter 3 £'000	Provisional Outturn £'000	Movement £'000	
Service pressure, net of earmarked reserves (Table 1)	4,102	2,769	(1,333)	▲
Prior year investment income losses	29,927	23,195	(6,732)	▲
In-year treasury position (Table 3)	30,910	27,066	(3,844)	▲
Investment asset impairment/write down	275,373	277,789	2,416	▼
Further MRP in respect of capital investments	129,241	115,808	(13,433)	▲
<b>Funding gap before mitigation</b>	<b>469,553</b>	<b>446,627</b>	<b>(22,926)</b>	▲
<i>Mitigation</i>				
Use of Reserves: Treasury Equalisation, Financial Resilience & Transformation (Table 4)	(7,591)	(2,591)	5,000	▼
Asset sales/capital receipts (Table 5)	(8,410)	(5,988)	2,422	▼



Central Financing (Table 2)	(1,200)	(3,453)	(2,253)	▲
<b>Remaining funding gap</b>	<b>452,352</b>	<b>434,595</b>	<b>(17,757)</b>	▲

The position reflects current assessment of the impairment required to the investment assets of (£277.789m), the reassessment of the provision for the write down of the remaining investments over their lives (£115.808m) and increased pressure on the treasury position (£27.066m – current year and £23.195m prior year) reflecting the latest projection of lost income from specific investments and increased borrowing costs. There is an overall improvement in the position compared to Q3 as set out above. This remains a fluctuating position and will continue to be reviewed and assessed in 2023/24.

The table includes potential mitigation based on a combination of available reserves and the use of capital receipts from asset disposals. The former is provisional and subject to closure of prior year audits.

The request for support was made to The Department for Levelling Up, Homes and Communities (DLUHC) in December 2022 and a response was received on 1 March 2023. This was specific to the 2022/23 funding gap and the projected deficit for 2023/24 and based on the Q3 position and the budget for 2023/24 respectively. This is updated by the position set out in the table above which reduces the projected need to £434.595m. The requested support is in the form of a capitalisation direction to mitigate the short-term funding gap and provide sufficient time to develop solutions which ultimately fund the financial shortfall. This enables the Council to continue to deliver services to residents and provides assurance to wider partners, suppliers, and staff.

It is important to note the cash flow consequences of the position set out above have continued to be managed in conjunction with Commissioners and DLUHC. The Council have continued to deliver core services and meet its contractual financial obligations while working through options to resolve the financial position set out.

### 2022/23 Capital Programme Outturn

A comprehensive review of the programme, to identify reductions was undertaken in July 2022. A further interim review has been conducted to support the setting of the 2023/24 budget and a wider review is in progress and will be reported as part of the 2023/24 monitoring. The reviews to date have reduced the programme and there are further projects that are held pending assessment in the context of the requirements of the s114 notice.

This has been reflected in the budgets as set out in Section 4 below, with the remaining schemes forecasting slippage of £12.292m against the revised budget of £49.946m. The detail of the slippage is set out in para 4.4.

### Dedicated Schools Grant

The DSG reserve outturn position is a deficit of £0.514m. This is an overall improvement of £1.191m achieved through an improved in year position. The detail is set out in section 5 of the report.

### Public Health Grant

As set out in section 6 expenditure on public health service were contained within the 2022/23 grant allocation.

**1. Recommendations:**

Approval is sought for the following in relation to the provisional 2022/23 outturn position:

- 1.1 That Cabinet comment on the 2022/23 forecast funding gap of £434.595m and note this is balanced by the exceptional financial support from central government.**
- 1.2 That Cabinet note that the position continues to be subject to change particularly due to the ongoing assessment of the investment portfolio and pending completion of the audit of the financial accounts from 2020/21 onwards, therefore remains provisional.**
- 1.3 That Cabinet note that the 2023/24 budget remains under review to consider the impact of the 2022/23 outturn position and note the potential for further budget virements. This will form part of the budget monitoring in 2023/24.**
- 1.4 That Cabinet approve the use of reserves as set out in Appendix 3, subject to the finalisation of the audit process relating to financial years 2020/21 and 2021/22 and note balances are subject to change.**
- 1.5 That Cabinet note the use of capital receipts in 2022/23 as set out in Table 5 to partly mitigate the request for exceptional financial support from government.**
- 1.6 That Cabinet endorse the appointment of the Neil Hartley and Rob Crusher as Non-Executive Directors as Pure World Energy Holdings Ltd following the recruitment process set out in section 3.24 to 3.31 of the report and that the Leader or his nominee meets with the successful candidates prior to them taking up their appointments.**
- 1.7 That Cabinet note that further consultation with external audit will be required to finalise the technical accounting treatments relating to the investment valuations and the associated Minimum Revenue Provision transactions.**
- 1.8 That Cabinet note the position set out in respect of the capital programme and the reported reprofiling as set out in section 4 of the report.**
- 1.9 That Cabinet note the positions on the Dedicated Schools Grant and the Public Health Grant as set out in section 6.**

**2. Introduction and Background**

- 2.1 In June 2022, the Council confirmed there was significant financial risk attaching to three specific investments within the wider investment portfolio. This identified potentially significant impairments and a workstream was developed to provide clarity on the financial position and identify the potential for mitigating actions including legal remedies.
- 2.2 As reported at quarter 1 on 2 September 2022, the Department of Levelling Up, Housing and Communities announced directions to implement an intervention package at the Council.
- 2.3 The delivery of this package continues to be being overseen by Essex County Council as the appointed Commissioners to the Council.
- 2.4 On 19 December 2022 the Council's Acting Director of Finance and Section 151 Officer issued a report under Section 114 of the Local Government Finance Act 1998. This advises Councillors that the Council faces 'a financial situation of an extremely serious nature.'
- 2.5 As part of the intervention process the scale of the financial risk faced by the Council was provisionally quantified as part of the Quarter 2 financial report presented to Cabinet on 14 December 2022. This confirmed the need for exceptional financial support from government. This was because the actions the Council was able to take to mitigate the scale of financial losses reflected were not sufficient to address these losses. Consequently, there is currently no clear path to financial sustainability without exceptional support from government. Discussions continue with officials at DLUHC to consider this position.
- 2.6 The financial impacts of the work are reflected in the report and are subject to ongoing assessment and discussion between the Commissioners and the Council.
- 2.7 This year has also seen the impact of the cost-of-living crisis and inflation exceeding 10%, Significant additional cost has been incurred on energy and throughout the supply chain for goods and services. Gas and electricity costs exceeded budget by £0.570m (24%).
- 2.8 Following approval of the Pay Policy at Council in February 2022, the Council implemented a pay increase of 2.5% for Bands A & B and 2.25% for Bands C to I. This was significantly below the offer that was subsequently agreed nationally. The national pay award represented a pay increase of over 13% to the Council's lowest pay point and 2.75% to the highest pay point. The increase was unbudgeted and impacted the overall position by more than £2m.

### **3. 2022/23 General Fund Forecast Outturn**

The position is set out in the table below:

**Table 1 Service Pressures (net of earmarked reserves):**

Directorate	2022/23 Budget £'000	Provisional Full Year Outturn £'000	Quarter 3 Forecast Variance £'000	Provisional Full Year Variance £'000	Movement £'000	
Adults; Housing and Health	50,966	52,043	2,982	1,077	(1,905)	▲
Children's Services	41,029	42,246	2,033	1,217	(815)	▲
Housing General Fund	1,581	1,601	272	20	(252)	▼
HR; OD and Transformation	8,941	8,755	(902)	(186)	716	▼
Public Realm	35,140	34,524	(192)	(616)	(424)	▲
Resources & Place Delivery	13,950	15,451	1,424	1,501	78	▼
Strategy; Engagement & Growth	3,450	3,198	(191)	(252)	(61)	▲
Corporate Costs	1,819	991	(695)	(828)	(133)	▲
Intervention and Commissioner's Process	0	4,702	2,657	4,702	2,045	▼
Unallocated Vacancy Factor*	(3,000)	0	3,000	3,000	0	Reflected in directorate positions
Backdated pay award**	0	0	2,758	0	(2,758)	Reflected in directorate positions
<b>Service Pressures</b>	<b>153,875</b>	<b>163,511</b>	<b>13,146</b>	<b>9,636</b>	<b>(3,510)</b>	▲
<i>Mitigation</i>						
Further Use of Earmarked Reserves	0	0	(8,238)	(6,867)	1,371	▼
Cost Control	0	0	(806)	0	806	Reflected in directorate positions
<b>Remaining Service Pressure</b>	<b>0</b>	<b>0</b>	<b>4,102</b>	<b>2,769</b>	<b>(1,333)</b>	▲

\*The vacancy factor was held as a central target, the actual position on vacant posts is contained within the directorate outturns and is shown in further detail in Appendix 1 and 2.

\*\*The estimated impact of the changes to the 22/23 pay policy at quarter 3 were subsequently contained within the directorate positions in the last quarter. Further detail is set out in Appendix 1 and 3.

### Service position

- 3.1 The outturn compared to budget is a provisional **£9.636m** overspent against a budget of **£153.9m**, prior to support from additional resources. This is equivalent to a **6.3%** variance to budget. The detail of the position is included in Appendix 2 and the 2023/24 budget already includes an assessment of pressures and includes the anticipated funding to address these as required. This will continue to be assessed as part of the 2023/24 financial reporting.
- 3.2 The further use of earmarked reserves reduces the provisional in-year pressure to **£2.769m**.
- 3.3 Table 1 sets out the provisional position in comparison to the quarter 3 reported position, this shows an overall improvement of **£1.333m**.

The change in the service positions from Q3 to Q4 are explained below with further detail on the service variance to budget included in Appendix 2.

- **Adult Social Care £1.905m improvement** - Demand for ASC external placements were lower than expected in the last quarter and partly offset by the Discharge to Assess Grant
- **Children's Services £0.815m improvement** - Improved Children's services position due to the wider cost control measures in place and delays to recruitment (following a review of staffing structures in preparation for the 2023/24 reduction plans)
- **Housing General Fund £0.252m improvement** - reduction in cost because of lower level of demand for homelessness support in the last quarter than anticipated
- **HR, OD & Transformation £0.716m deterioration** - This reflects a re-categorisation of ICT costs from capital to revenue expenditure following a wider consideration of these costs in the sector by external audit.
- **Public Realm £0.424m – improvement** – This reflects increased income from the Counter Fraud service & lower than projected waste disposal costs.
- **Resources, Place & Delivery £0.078m – deterioration** - a shortfall in commercial rental income offset by wider service efficiencies
- **Strategy, Engagement & Growth £0.061m – improvement** – there has been a reduction in expenditure due to the cost control measures in place and management of staffing levels
- **Corporate Costs £0.133m – improvement** – there has been a reduction in costs due to the cost control measures in place
- **Intervention & Commissioner process £2.045m – deterioration** – the increase in costs following review of advisor costs linked to ongoing legal actions and support for recovery actions.

### Central Financing

The table below sets out the Central Financing position:

**Table 2 Central Financing**

Category	2022/23 Budget £'000	Provisional Outturn £'000	Quarter 3 Forecast Variance £'000	Provisional Full Year Variance £'000	Movement £'000
Council Tax	(74,865)	(75,270)	0	(405)	(405)
Non-Domestic Rates	(29,725)	(32,799)	(1,200)	(3,074)	(1,874)
Revenue Support Grant	(7,056)	(7,056)	0	0	0
Non-specific Revenue Grants & Contributions	(3,819)	(3,859)	0	(40)	(40)
Housing Benefits	(448)	(637)	0	(189)	(189)
Levies	614	869	0	255	255
<b>Total</b>	<b>(115,299)</b>	<b>(118,752)</b>	<b>(1,200)</b>	<b>(3,453)</b>	<b>(2,253)</b>

*Council Tax*

- 3.4 The outturn position on the general fund element of the account resulted in an increase in the level of income recoverable from court proceeding relating to debt recovery

*Non-Domestic Rates*

- 3.5 The reconciliation of Section 31 grants, payable directly to the general fund has resulted in a net increase of £1.874m in revenue since Q3.
- 3.6 In the main, this is attributable to the application of the CARF (Covid-19 Additional Relief Fund) which was brought forward from the previous year and applied to the 2022/23 balance. The net usage element of the grant is higher than previously forecast.

**Treasury and Debt Management**

- 3.7 The provisional outturn position is shown in Table 3 below:

**Table 3 Provision Outturn Position:**

Treasury	2022/23 Budget £'000	Provisional Full Year Outturn £'000	Quarter 3 Forecast Variance £'000	Provisional Full Year Variance £'000	Movement £'000	Direction of travel
Interest payable on borrowing	22,089	23,569	4,780	1,481	(3,299)	▲
Investment Income	(41,472)	(18,292)	28,249	23,181	(5,069)	▲
MRP on existing capital programme	9,957	7,232	(2,274)	(2,725)	(451)	▲

Thurrock Regeneration Limited	(1,174)	(1,074)	153	100	(53)	▲
Other Debt Management Costs	2,754	2,783	29	29	0	
Contribution to Reserves	0	5,000	0	5,000	5,000	▲
<b>Total</b>	<b>(7,846)</b>	<b>19,218</b>	<b>30,937</b>	<b>27,066</b>	<b>(3,873)</b>	<b>▲</b>

In summary, the key variances arise due to the following factors:

- 3.8 The refinancing of debt from inter-authority to short-term PWLB has resulted in a £1.481m budget variance. Due to the timings of the debt refinancing and borrowing rates remaining on average below the 5% level that was previously forecast, there is a favourable change. In addition, the level of borrowing required to finance the capital programme in the current financial year further reduced as set out in section 4.
- 3.9 This overall position reflects the interim strategic approach to borrowing and the requirement to accelerate the switch of debt from inter authority lending to one-year PWLB, as agreed with Commissioners.
- 3.10 Loss of investment income is based on the latest assessment of investments, and the estimated yields This has improved through the further receipt of investment income which has followed ongoing action by the Council and its advisors to secure returns. This improvement enables a contribution to the treasury equalisation reserve which provides the ability to mitigate ongoing impacts arising from the management of the investment portfolio. This will remain under review as the ongoing divestment of investments progresses.
- 3.11 The MRP saving reflects a reduction in the Council's planned capital programme, and the associated reduction in the Prudential Borrowing required to finance expenditure.

#### Use of reserves

- 3.12 The Council's General Fund reserve balance, totalling £11m at the start of the year is held to mitigate against the financial risks inherent in delivering Council services; this represents around 1 month's operating expenditure for Thurrock and is considered the minimum position for this Council.
- 3.13 The 2022/23 budget was set with the inclusion of a £3.3m contribution from reserves to support the general fund budget. Approval was sought at Q2 to utilise a further £7.591m of the general reserves.

A review has been carried out on the levels of all other reserves available to the council and the full listing is available in Appendix 3, a summary by category of reserve is shown below:

Reserve	Opening Balance	Net Movement	Closing Balance 2022/23
	£'000	£'000	£'000
Third Party Funding	(7,899)	(221)	(8,120)
Ring-Fenced Grant	(22,114)	8,563	(13,550)
Other	(69)	0	(69)
Service Specific Reserves	(9,250)	6,181	(3,069)
Specific Purpose	(3,754)	2,271	(1,482)
General Reserves	(15,890)	1,572	(14,319)
<b>Grand Total</b>	<b>(58,976)</b>	<b>18,367</b>	<b>(40,609)</b>

- 3.14 It should be noted that whilst the external audit review for 2020/21 and 2021/22 remains outstanding the opening reserve positions remain subject to change. The proposed mitigation from reserves is based on the current unaudited balances.

#### Provision for the Repayment of Debt funding the Investment Strategy

- 3.15 The intervention, required certain actions to be taken by the Council, including the need to review the minimum revenue provision (MRP) policy to ensure prudent provision is made in accordance with the CIPFA Prudential Code and it is mandatory the Council complies with this. MRP is an annual amount required to be set aside from the General Fund to meet the capital cost of expenditure funded by borrowing or credit arrangements, that is, capital expenditure that has not been financed from grants, revenue contributions or capital receipts. MRP is sometimes referred to as the mechanism for setting aside monies to repay borrowing.
- 3.16 The Council updated its MRP policy and reported the revised approach to Cabinet on 22 February 2023. This confirms a specific focus on investment capital funded from borrowing arrangements. Historically there has been no MRP charge for these assets which was in contravention of the CIPFA Prudential Code for Capital Finance in Local Authorities. The revised approach is now included in the outturn position set out in table 1.

#### Asset Impairment

- 3.17 Thurrock holds investments with a book value of £1.05bn. The Investments are subject to ongoing review to assess the carrying value of each investment reflects the realisable value at the maturity date.
- 3.18 The work by the Council's advisors has been updated and the impairment of relevant investments has been made. An impairment reflects the assessment of the reduction in the value of an asset compared to the carrying value on the



balance sheet. Where an impairment arises on an investment asset it must be written down to the revenue account. This is either through an MRP charge in respect of a capital investment or, for a revenue investment, through a write down of the value under the accounting requirements of IFRS9.

- 3.19 The current projected total write-down of investments is £277.789m. The positions remain under ongoing review and are subject to significant change but remain consistent with the Quarter 2 position. Further information on these investments will be provided to members in due course.

#### Use of Capital Receipts

- 3.20 Under the Flexible Use of Capital Receipts Guidance, the 2022/23 budget was set with the assumption that £3.190m of spend within core services (spend which relates to transformational activity and/or contributes towards ongoing financial savings) would be funded through capital receipts generated from the disposal of council assets. Eligible in-year costs to the value of £2.355m have been identified and this reflects the impact of the intervention and the refocusing of activity to address the requirements of the intervention.
- 3.21 Reports presented to Cabinet in July 2021 and July 2022 identified a range of council owned properties that were considered surplus to requirement.
- 3.22 The quarter 3 position assumed additional asset sales to the value of £8.140m as set out in Table 5. Due to slippage in getting the properties to market, the assumed additional asset sales have reduced to £5.988m. The sales are projected to progress in 2023/24 and will then generate additional receipts.

**Table 5 Asset Sales/Capital receipts:**

<b>Capital Receipts</b>	Quarter 3 £'000	Outturn £'000	Movement £'000
Generated to date	(9,000)	(9,178)	(178)
Projected disposals	(2,600)		2,600
Already assumed in base budget	3,190	3,190	0
<b>Further use of capital receipts in 2022/23</b>	<b>(8,410)</b>	<b>(5,988)</b>	<b>2,422</b>

- 3.23 The £5.988m of capital receipts have been included in table 1 as mitigation to offset the wider budgetary gap in 2022/23.

#### Appointment of Non-Executive Directors to Pure World Energy Holdings Ltd

- 3.24 As part of the restructuring of the Pure World Energy (“PWE”) group, the Council converted most of its debt to equity. Previously the largest creditor of the group, upon conversion of its debt, the Council holds over 90% equity stake in the business.
- 3.25 As the majority shareholder and at the point of conversion of the debt to equity, the Council proposed to add an additional layer of governance and oversight

around its investment. This included the appointment of a credible independent non-executive director (“NED”) to the board of PWE.

- 3.26 The Council has worked with advisors and PWE to develop the requirements of the role and an advertisement for a NED was then advertised. The advertisement resulted in over 200 applicants being received by PWE. PWE management and advisors to the Council then filtered the applicants to ultimately create a shortlist of 4 individuals to take to the interview stage.
- 3.27 Interviews have now been conducted and included Sean Fitzpatrick, CEO of PWE, alongside officers from the Council and supported by the Council’s investment advisors.
- 3.28 The key aspects PWE and the Council are looking for from a NED is expertise in governance, an understanding of the business model of PWE and financial experience to assist with the stability and future growth of the company. The Council confirmed an expectation that a NED would be engaged on the business for approximately 2 days a month. It also confirmed that it would be open to appointing 2 NEDs, as this could add additional value if candidates demonstrated complimentary skillsets.
- 3.29 As noted, 4 NED candidates were taken to interview stage. The four candidates were:
- Katherine Ireland
  - Neil Hartley
  - Rob Crusher
  - Seumas Kerr
- 3.30 Appendix 7 contains the summary meeting notes of the interview with each candidate.
- 3.31 Considering the needs of the company it is recommended that a candidate from each group is supported. It would allow the board of PWE to receive strategic, growth and funding advice from one NED, whilst the other NED would bring governance and oversight, which both bring benefits to the shareholders. Based on the recruitment process in place, it is recommended the Council endorse the recruitment of Neil Hartley and Rob Crusher who are well placed to provide the expertise required by the company.

#### **4. Capital Programme Outturn**

- 4.1 Capital schemes and resources are identified in two specific categories:

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

## General Fund Schemes

4.2 The final out-turn position for General Fund schemes for 2022/23 is summarised below:

**Table 7 Capital Programme – Final Outturn for 2022/23**

Summary of the 2022/23 General Fund Capital Programme - by Directorate	Quarter 3 Forecast	Latest Agreed Budget	Final Out-turn	Out-turn Variance
<b>Expenditure:</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Children's Services	3,924	3,963	2,455	(1,508)
Chief Executive's Office	0	0	0	0
Commercial Services	0	0	0	0
Adults; Housing and Health	1,218	1,235	506	(729)
Public Realm	18,389	19,488	15,129	(4,359)
Resources & Place Delivery	19,537	19,975	15,543	(4,432)
HR; OD and Transformation	4,805	5,049	3,914	(1,135)
Strategy; Engagement & Growth	107	236	107	(129)
<b>Total Expenditure</b>	<b>47,980</b>	<b>49,946</b>	<b>37,654</b>	<b>(12,292)</b>
<b>Resources:</b>				
Prudential Borrowing	(35,277)	(37,147)	(28,851)	8,296
Capital Receipts	(58)	(58)	(40)	18
Reserves	0	(25)	(94)	(69)
Revenue Contribution to Capital	0	0	0	0
Government Grants	(11,404)	(11,458)	(8,070)	3,388
Other Grants	(538)	(555)	(135)	420
Developer Contributions (S106)	(703)	(703)	(464)	239
<b>Total Resources</b>	<b>(47,980)</b>	<b>(49,946)</b>	<b>(37,654)</b>	<b>12,292</b>
<b>Forecast Deficit/(Surplus) in Resources</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Summary of the 2022/23 General Fund Capital Programme - by Portfolio	Quarter 3 Forecast	Latest Agreed Budget	Final Out-turn	Out-turn Variance
<b>Expenditure:</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Adults and Health	1,062	1,062	552	(510)
Culture and Communities	1,233	1,250	1,211	(39)
Children and Education	3,965	4,133	2,508	(1,625)
Central Services	7,126	7,572	5,227	(2,345)
Environment	3,870	4,053	3,518	(535)
Growth	4,160	4,196	2,772	(1,424)
Housing	88	88	68	(20)
Transport and Public Safety	26,476	27,592	21,798	(5,794)
<b>Total Expenditure</b>	<b>47,980</b>	<b>49,946</b>	<b>37,654</b>	<b>(12,292)</b>

4.3 The table above also shows a final outturn at the end of the financial year of £37.654m, which is £12.292m less than the latest agreed budget of £49.946m for the year.

4.4 The in-year underspend is principally due to slippage on current schemes (£13m). Consequently, the funding remains allocated to specific current schemes and will be re-profiled into subsequent years. The impact of the reprofiling will be an ongoing exposure to inflationary pressures on costs and hence capital budgets. This continues to be assessed on a project-by-project basis.

<b>Project Stage</b>	<b>Slippage Amount</b>	<b>Reason</b>
	<b>£'000</b>	
Projects on hold	1,000	Projects on hold pending a Council wide review on viability to proceed.
Demand Led Projects	2,600	Funding for projects that is utilised as needed. For example, funding for corporate properties (£1m) that is used for improvement works as the need arises.
Early Design Stages	1,400	Projects at an early stage of design/feasibility where decisions to proceed will be taken in the next financial year.
Projects Commenced	5,500	Projects include works on the highways network, improvements to schools, IT infrastructure which are expected to complete in the next financial year.
Projects Completed	2,400	Projects include works on the highways network (e.g. A13) and improvements to schools where final payments are due to be made in the next financial year.

4.5 A few projects have either completed under budget or no longer proceeding (£0.072m) and their associated budgets will be removed from the programme.

4.6 During the financial year several projects have seen their budgets re-profiled into future years based on estimates at the time. Expenditure has been incurred on

these projects which requires a budget of £0.780m being transferred back into the 2023/24 financial year, from subsequent years.

- 4.7 The slippage on the capital programme schemes over £0.250m is shown in the table below. A full schedule is shown in appendix 5 and the most significant projects are set out below:

**Table 8 – Capital Slippage by Project**

<b>Description</b>	<b>Carry Forward</b>
	<b>£'000</b>
A13 Widening (Works) (E2910)	1,601
Grays Underpass Land Acquisitions	1,240
Vehicle & Plant Replacement Programme (N0256)	538

- 4.8 A13 Widening Works – The remaining funding needs to be carried forward to 2023/24 for payment of final contract invoices. A separate closedown report for the A13 is being prepared and will be reported to Cabinet as soon as practicable.
- 4.9 Land Acquisitions for the Grays Underpass scheme are anticipated to take place within the next couple of years. Although the overall project is under review, land may still be required for any future design. Early negotiations are being held with landowners and budget reprofiling is required to match expected spend.
- 4.10 Vehicles and Plant Replacement Programme – funding required to be carried forward for future fleet and plant replacements. Expenditure will only be incurred when necessary.
- 4.11 The financial impact resulting in the delay of the projects will be assessed and included within the 2023/24 programme. This will range across the schemes and will be subject to further viability assessment.
- 4.12 A schedule of General Fund projects is included in Appendix 4.
- 4.13 Several capital schemes are expected to complete construction in future years with expenditure totalling £98.168m. Budgets for these schemes have already been profiled accordingly.
- 4.14 Major projects are reported within the current annual budget envelopes as part of this report. The wider detailed updates on project progress will be shared with Cabinet by the lead officers as soon as practicable.
- 4.15 As part of a high-level review of capital activities, several projects have been put 'on hold' meaning that the budgets and financing for these have been temporarily removed from the programme pending a decision on whether they can be reinstated. This includes specific major projects undergoing review and specific reports for member consideration are planned for forthcoming Cabinet Meetings. These include Grays Underpass and the Stanford Le Hope Interchange projects. This will be continued, in conjunction with a review of the remaining programme, in greater detail throughout the year as part of the wider review of the Council's finances and impact of proposed government support. A

revised position will be reported to Members as early as is practical in the 2023/24 financial year. It is noted that should projects be reinstated to the programme there will need to be further consideration of the impact on prudential borrowing and, where this relates to a general fund project, the associated interest, and Minimum Revenue Provision charges to revenue.

## Housing Revenue Account Capital Schemes

- 4.16 The outturn position for Housing Revenue Account schemes for 2022/23 is summarised below.

**Table 9 HRA Capital Programme**

Summary of the 2022/23 HRA Capital Programme	Quarter 3 Forecast	Latest Agreed Budget	Final Out-turn	Out-turn Variance
<b>Expenditure:</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Housing Development	1,885	2,045	1,500	(545)
Transforming Homes	44,363	47,983	43,352	(4,631)
<b>Total Expenditure</b>	<b>46,248</b>	<b>50,028</b>	<b>44,852</b>	<b>(5,176)</b>
<b>Resources:</b>				
Prudential Borrowing	(30,639)	(33,005)	(21,663)	11,342
Capital Receipts	(4,301)	(5,574)	(8,730)	(3,156)
Reserves	(754)	(895)	(676)	219
Government and Other Grants	0	0	(3,229)	(3,229)
S106	0	0	0	0
Major Repairs Reserve	(10,554)	(10,554)	(10,554)	0
<b>Total Resources</b>	<b>(46,248)</b>	<b>(50,028)</b>	<b>(44,852)</b>	<b>5,176</b>
<b>Forecast under/overspend in Resources</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## Transforming Homes

- 4.17 The budget for Transforming Homes in 2022/23 is £47.983m and the out-turn spend is £43.852m. Current slippage is expected to be £4.631m and further detail for the three largest variances (£3.844m) is shown below:
- 4.18 Slippage on the tower blocks (£2.213m) relates to those within the Blackshots estate. Further options on the long-term solutions to the issues identified in these dwellings are currently under consideration, and therefore works have commenced on the blocks in Grays as the first phase of the programme. In addition, there was additional requirements relating to the design, and agreement of sign off on external wall installations and window installations, as per social regulator. This has added some delay to the project.
- 4.19 Slippage has occurred on the HRA Fire Safety project (£1.058m) due a combination of delays in scoping other works into the plan and encountering issues with access to homes to undertake electrical testing.
- 4.20 The requirements needed for the non-traditional properties has changed from the original estimate and are subject to further surveys. The additional

requirements, coupled with current workforce and supply chain limitations has resulted in slippage to the project (£0.573m).

- 4.21 The Capital programme is being updated as part of the 2023/24 budget setting process and will be reported in due course. Consideration will be given to the financial impacts of the slippage on a project-by-project basis.

### HRA New Build Schemes

- 4.22 The outturn position for 2022/23 for HRA New Build Schemes are set out in Appendix 6 and primarily covers Calcutta Way, Vigerons Way, Broxburn Drive and Loewen Road. These projects will utilise receipts held under Right to Buy sharing agreement between the Council and the DLUHC and are forecast to be delivered with the current timeframes and budgets allocations.

### Impact on MRP for scheme slippage and projects removed from the programme.

- 4.23 Following the final out-turn position the 2022-2023 capital programme, the table below shows the expected MRP for future years, for supported and unsupported prudential borrowing. The revised forecast charge also includes projects agreed by Council in February 23, for inclusion in the 2023/24 capital programme.

MRP - Capital Financing Element			
Year	Previous Forecast Charge	Revised Forecast Charge	Movement
	£'000	£'000	
2022/23	7,232	7,232	-
2023/24	8,646	8,824	178
2024/25	9,976	10,432	456
2025/26	10,148	10,642	494
2026/27	10,252	10,878	626
2027/28	10,261	10,916	655

### 5. Dedicated Schools Grant (DSG)

- 5.1 The DSG reserve outturn position is a deficit of £0.514m. This is an overall improvement of £1.191m achieved through an improved in year position as shown:

DSG 2022/23	Revised Budget	Academy Recoupment	Final DSG	Outturn	Variance
	£m	£m	£m	£m	£m
Schools	145.820	(140.961)	4.858	4.139	(0.720)
Central Services	1.688	0.000	1.688	1.619	(0.069)
High Needs	33.362	(6.500)	26.862	26.650	(0.212)
Early Years	13.235	0.000	13.235	13.043	(0.191)
<b>Total</b>	<b>194.104</b>	<b>(147.461)</b>	<b>46.643</b>	<b>45.451</b>	<b>(1.191)</b>

## 5.2 The outturn position reflects the following key areas:

- Schools Block – Pupil Growth is in line with projections and has an underspend of £0.720m. This reflects delayed growth expansion that is now scheduled for September 2023 which will impact on the 2023/24 outturn position.
- Central Services Block – Staffing underspends and maximisation of external funding have generated a small underspend of £0.069m
- High Needs Block – An underspend of £0.211m, a reduction of £0.150m from that previously reported.

The change relates to Post 16 funding, with the place funding element not being paid by Thurrock. Officers will continue to monitor and consider the impact on the 2023/24 import export adjustment applied to the HNB funding allocation.

The underspend reflects delays in the opening of the new Secondary Social, Emotional and Mental Health (SEMH) base, due to identification of appropriate premises. The SEMH base is now due to open in September 2023. This delay has created a one-off saving in 2022/23 of £0.224m.

The significant areas of financial risk continue to be the continued increase in demand for Education Health and Care Plans; sufficiency of the local offer to prevent high-cost external placements; and costs incurred in providing education for pupils not in school.

- Early Year Block –. As part of finalising the accounts a decrease of £0.164m funding has been calculated based on January 2023 census data. The final value of funding to be received in respect of 2022/23 will not be confirmed by Education Skills Funding Authority (ESFA) until July 2023. It was always envisaged that a surplus would be possible to payback the 2021/22 overspend of £0.107m. This reflects 39 weeks paid to providers in 2021/22 and 37 weeks paid in 2022/23. ESFA payments are based on 38 weeks.

- 5.3 Individual School Budgets - Grays Convent High School has a surplus of £0.011m in 2022/23. This when added to the accumulated surplus, makes £0.160m available in 2023/24 to support the school's budget.

## 6 Public Health Grant

- 6.1 Expenditure on public health service were contained within the 2022/23 grant allocation
- 6.2 There is a carry forward amount of £0.447 which is planned to be used to fund specific health inequalities projects in 2023/24.

## 7. Reasons for Recommendations



- 7.1 The Council has a statutory requirement to set and deliver a balanced budget annually and this can include the use of reserves.
- 7.2 This report sets out the budget pressures in 2022/23 and notes that exceptional financial support is required to deliver a breakeven position.
- 8. Consultation (including Overview and Scrutiny, if applicable)**
- 8.1 This report is based on consultation with the services, Directors' Board, and portfolio holders and Commissioners (Essex County Council).
- 9. Impact on corporate policies, priorities, performance, and community impact**
- 9.1 The budget gap identified in the report requires ongoing engagement with the Department for Levelling-up Housing and Communities (DLUHC) regarding exceptional financial support. The outcome of this engagement in terms of conditions applied to the support may require further savings within budgets to be made, potentially impacting on the ability to deliver services to the current levels.
- 10. Financial Implications**
- 10.1 Implications verified by: **Jonathan Wilson**  
**Acting Director of Finance and S151 Officer**

The financial implications are set out in the report. The report confirms the need for exceptional financial support to address the funding gap and updates the projected requirement from quarter 3. As noted previously, this arises from the impacts from both the impairments of specific investment assets and the wider implications which include a reduction in investment income, increased borrowing costs and the need for a prudent write down of the capital financing requirement that relate to the remaining investment balance.

The Medium-Term Financial Strategy reported to Cabinet on 22 February 2023 confirmed the need to take specific action to reduce borrowing and minimum revenue provision costs. This intrinsically relates to the need to divest of investments to address these pressures and this work is ongoing in 2023/24 and further updates will be brought to members to confirm progress. There remains volatility associated with holding and funding the investment portfolio and members will continue to be updated on impacts on the financial position as part of the financial monitoring in 2023/24.

The outturn position further confirms significant action continues to be required from the Council to focus on the delivery of core statutory services, fund only essential spend and deliver a significant programme of savings. This enables management of the core operational deficit and alongside this an asset disposal programme will be required to address the ongoing impacts of requests for exceptional financial support. Processes were put in place following the issue of the Section 114 report on 19 December 2022 and will remain in place to at least

the end of 2023/24.

## 11.1 Legal Implications

**Implications verified by: Mark Bowen**  
**Interim Project Lead Legal**

There are no specific legal implications set out in the report. There are statutory requirements of the Council's Section 151 Officer in relation to setting a balanced budget.

Under section 28 of the Local Government Act 2003, the Council is under a statutory duty to periodically conduct a budget monitoring exercise of its expenditure and income against the budget calculations during the financial year. If the monitoring establishes that the budgetary situation has deteriorated, the Council must take such remedial action as it considers necessary to deal with any projected overspends. The Council is facing a challenging situation in relation to its budgetary position.

The issuing of a S114 Notice by the S151 Officer restricting Council spending to statutory services and contractual commitments and other proposed actions together with additional financial support from government will assist the Council to reduce the overspend.

## 12.1 Diversity and Equality Implications

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

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

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

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

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

There are various working papers retained within the finance and service sections.

## **11. Appendices to the report**

Appendix 1: Provisional Revenue Outturn summary 2022/23

Appendix 2: Revenue Position Commentary

Appendix 3: Reserves position

Appendix 4: General Fund Capital Outturn

Appendix 5: General Fund capital slippage

Appendix 6: HRA Capital Outturn

Appendix 7: PWE NED interview notes - Exempt

### **Report Author**

Jonathan Wilson

Acting Director of Finance and Section 151 Officer

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## Appendix 1 Provisional Outturn position

Directorate	Service	Revised Budget £'000	Provisional Outturn £'000	Unadjusted variance £'000	Movements from reserves - (grants or ring-fenced monies) £'000	Movements to Reserves £'000	Final Outturn £'000	Final variance to budget £'000
<b>Adults, Housing and Health</b>	Assistive Equipment & Technology	849	845	(4)	0	0	845	(4)
	Commissioning & Service Delivery	2,655	2,284	(371)	0	232	2,516	(139)
	Community Development	2,127	2,053	(74)	0	0	2,053	(74)
	External Placements	32,658	33,759	1,101	0	0	33,759	1,101
	Fieldwork Services	4,561	4,377	(184)	0	17	4,394	(167)
	Provider Services	8,117	8,476	359	0	0	8,476	359
	Public Health	0	(447)	(447)	0	447	0	0
		<b>50,966</b>	<b>51,346</b>	<b>381</b>	<b>0</b>	<b>696</b>	<b>52,043</b>	<b>1,077</b>
<b>Children's Services</b>	Central Administration Support and	(295)	(235)	60	0	0	(235)	60
	Children and Family Services	32,089	32,948	859	0	703	33,651	1,562
	Education & Skills	5,000	3,859	(1,141)	0	474	4,332	(667)
	Head Start Housing Service	943	842	(102)	0	0	842	(102)
	School Transport	3,292	3,656	365	0	0	3,656	365
		<b>41,029</b>	<b>41,069</b>	<b>40</b>	<b>0</b>	<b>1,177</b>	<b>42,246</b>	<b>1,217</b>
<b>Housing General Fund</b>	Homelessness	1,171	1,263	92	0	0	1,263	92
	Private Sector Housing	356	89	(267)	(107)	285	266	(90)
	Travellers	53	71	18	0	0	71	18
		<b>1,581</b>	<b>1,423</b>	<b>(158)</b>	<b>(107)</b>	<b>285</b>	<b>1,601</b>	<b>20</b>
<b>HR, OD and Transformation</b>	HR, OD and Transformation	4,889	4,106	(783)	(9)	0	4,098	(791)
	ICT	4,052	4,657	606	0	0	4,657	606
		<b>8,941</b>	<b>8,764</b>	<b>(177)</b>	<b>(9)</b>	<b>0</b>	<b>8,755</b>	<b>(186)</b>
<b>Public Realm</b>	Counter Fraud & Enforcement	(940)	(1,863)	(922)	0	611	(1,252)	(312)
	Emergency Planning and Resilience	458	904	445	(218)	3	689	230
	Environment and Highways	1,663	1,453	(211)	0	0	1,453	(211)
	Highways, Fleet and Logistics	9,318	8,982	(336)	0	115	9,097	(221)
	Planning Delivery Fund	0	11	11	(19)	9	0	0
	Planning, Transportation and Public	4,208	4,893	685	(1,057)	481	4,317	109
	Street Scene and Leisure	20,433	20,205	(228)	0	16	20,221	(212)
		<b>35,140</b>	<b>34,585</b>	<b>(555)</b>	<b>(1,294)</b>	<b>1,234</b>	<b>34,524</b>	<b>(616)</b>
<b>Resources &amp; Place Delivery</b>	Chief Executive	289	494	205	(46)	0	448	159
	Corporate Finance	5,441	4,070	(1,371)	0	1,373	5,442	1
	Delivery and Strategy	42	123	81	0	0	123	81
	Democratic Services	170	204	34	0	0	204	34
	Electoral Services	444	383	(62)	0	22	405	(39)
	Legal Services	2,165	2,127	(38)	0	0	2,127	(38)
	Lower Thames Crossing & Transport	144	476	332	(332)	0	144	(0)
	Members Services	966	960	(7)	0	0	960	(7)
	Place Delivery	126	889	763	(215)	0	674	548
	Property	4,163	4,925	762	0	0	4,925	762
	Thames Estuary Growth Board	1,543	85	(1,458)		1,458		
		<b>15,493</b>	<b>14,735</b>	<b>(758)</b>	<b>(594)</b>	<b>2,852</b>	<b>15,451</b>	<b>1,501</b>
<b>Strategy, Engagement &amp; Communications</b>	Economic Growth & Partnership	529	554	25	(70)	127	611	82
	Social Care Performance	861	749	(112)	0	0	749	(112)
	Strategy, Communications & Customer	2,060	1,838	(222)	0	0	1,838	(222)
		<b>3,450</b>	<b>3,141</b>	<b>(309)</b>	<b>(70)</b>	<b>127</b>	<b>3,198</b>	<b>(252)</b>
<b>Corporate Costs</b>		<b>1,819</b>	<b>991</b>	<b>(828)</b>	<b>0</b>	<b>0</b>	<b>991</b>	<b>(828)</b>
<b>Unallocated Vacancy Factor</b>		<b>(3,000)</b>	<b>0</b>	<b>3,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,000</b>
<b>Intervention and Commissioner's Process</b>		<b>0</b>	<b>4,702</b>	<b>4,702</b>	<b>0</b>	<b>0</b>	<b>4,702</b>	<b>4,702</b>
<b>Further use of reserves</b>							<b>(6,867)</b>	<b>(6,867)</b>
<b>Total Service position</b>		<b>155,418</b>	<b>160,757</b>	<b>5,338</b>	<b>(8,941)</b>	<b>6,372</b>	<b>156,644</b>	<b>2,769</b>
Other Operating costs:								
<b>Treasury</b>	Interest Payable & Debt Management	24,843	16,422	(8,421)			26,353	1,510
	Interest Receivable	(42,647)	(19,266)	23,381			3,829	46,476
	Minimum Revenue Provision (MRP)	9,957	139,198	129,241			123,040	113,083
	Contribution to Treasury Equalisation	0				5,000	5,000	5,000
		<b>(448)</b>	<b>(637)</b>	<b>(189)</b>			<b>(637)</b>	<b>(189)</b>
<b>Housing Benefits</b>								
<b>Levies</b>		614	869	255			869	255
<b>Capital financing</b>		(11,148)	(11,148)	0			(11,148)	0
<b>Asset Impairment</b>			275,373	149,605			277,789	277,789
<b>Total Other operating costs</b>		<b>(18,830)</b>	<b>400,809</b>	<b>293,871</b>	<b>0</b>	<b>5,000</b>	<b>425,094</b>	<b>443,924</b>
Financed by:								
<b>Central Financing</b>	Council Tax	(74,865)	(75,270)	(405)			(75,270)	(405)
	Non-domestic rates	(29,725)	(32,799)	(3,074)			(32,799)	(3,074)
	Revenue Support Grant	(7,056)	(7,056)	0			(7,056)	0
	Non-Specific Revenue Grants &	(3,819)	(3,859)	(40)			(3,859)	(40)
<b>Reserves</b>	Budgeted Use of reserves	(17,933)		17,933	(17,933)		(17,933)	0
	General reserves			0	(7,591)		(7,591)	(7,591)
	Contribution to Transformation reserve					5,000	5,000	5,000
<b>Capital Receipts</b>		(3,906)	(9,176)	(5,988)			(9,176)	(5,988)
<b>Total financing</b>		<b>(136,588)</b>	<b>(128,162)</b>	<b>8,427</b>	<b>(25,524)</b>	<b>5,000</b>	<b>(148,686)</b>	<b>(12,098)</b>
		<b>(155,418)</b>	<b>272,648</b>	<b>302,297</b>	<b>(25,524)</b>	<b>10,000</b>	<b>276,408</b>	<b>431,826</b>
<b>Remaining budget gap</b>		<b>0</b>	<b>433,404</b>	<b>307,636</b>	<b>(34,465)</b>	<b>16,372</b>	<b>433,052</b>	<b>434,595</b>

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## **Appendix 2 - Revenue Position - Detailed commentary**

Comments are included below on the most significant of the variances against budget at a directorate level:

### **1. Adults; Housing and Health: £1.077m (2%) overspend**

The provisional outturn of £52.043m is 2% more than the budgeted level. This is a £1.904m favourable movement from the quarter 3 reported position.

The overspend is driven by:

- **£1.101m** External Placements spend exceeded budgeted levels due to the significant increase in demand for Homecare and Residential services for those people with increased level of care needs being discharge from hospital requiring continuing social care support. The improved outturn position from the previously reported Cabinet position is through a combination of the utilisation of grant funding, and a reduction in expenditure on external placements being presented to the spending control panel. Additionally, a significant amount of work has been invested into early review of existing care packages and clearing the backlog of assessments
- **£0.359m** In-house Provider Services have been subject to the same demand pressures as external providers, coupled with pay adjustments.

Partially offset by:

- **£0.139m** Commissioning & Service delivery staffing underspend
- **£0.074m** Libraries & Community Development staffing underspend
- **£0.167m** Fieldwork services reduction in non-essential spend

Movement to reserves:

- Streamline of Adult Social Care Assessments **£0.130m**. Grant received at the end of 2022/23, will be used in 2023/24 in line with grant conditions
- Adult social care charging reform: implementation support funding grant **£0.102m**. This grant funding is specifically ear-marked to finance additional modules required for the monitoring of the deferred cost of cap.
- External funding ring fenced for Adults Safeguarding board **£0.017m**

### **2. Children's Services (non-DSG) £1.217m (3%) overspend**

The provisional outturn of £42.246m is 3% more than the budgeted level. This is a £0.809m favourable movement from the quarter 3 reported position.

#### ***Children & Family Services £1.562m (5%) overspend***

The overspend is driven by:

- **£1.894m** External placements for children looked after, this reflects increase in complexity of need and demand for costly residential and supported accommodation packages.
- **£0.484m** Brighter Future Prevention Service, costs associated with short breaks provision and direct payments exceeded budgeted levels
- **£0.335m** cost associated with the number of cases in legal proceedings. With the introduction of the new Think Family Team, costs have reduced in 2022/23

Offset by:

- **£0.493m** reduction in assumed adoption costs due to selling more adopters than purchasing through the Interagency arrangement. In addition, there is a reduction in advertising and recruitment expenditure
- **£0.735m** Staffing underspends across the service. The underspend reflects the achievement of 2022/23 reductions and the holding of posts to support 2023/24 reduction plans. In addition, control has been exercised to support the S114 notice with delay or non-filling of vacant posts.

Movement to reserves:

- Family Hubs and Start for Life Programme grant funding carry forward **£0.582m**
- Safeguarding Children funding from external bodies **£0.074m**
- Violence & Vulnerability unit funding **£0.041m**
- Short-breaks and outreach parent donations for the Sunshine Centre **£0.006m**

### *Education & Skills £0.667m (13%) underspend*

The underspend is driven by:

- **£0.318m** less than budgeted within the Employability & Skills service due to a review of the establishment and delays in recruitment plus additional income.
- **£0.200m** less than anticipated within the Special Education Needs service; the Virtual school incurred lower levels of professional fee expenditure and foundation payments. The Education Psychology service experienced recruitment and retention issues and as a result underspent on their staffing budgets
- **£0.168m** Education Support service achieved higher than anticipated income within the catering service and managed costs elsewhere
- **£0.102m** School Effectiveness team achieved more income than expected levels

Offset by:

- **£0.129m** Day Nurseries ceased to operate from August 2022. The additional cost reflects costs incurred during the Summer 2022 term and redundancy costs arising from the closure Day nurseries, alongside the backdated pay award



Movements to reserves:

- Thurrock Adult Community College TACC has several funding sources all subject to validation of outcomes. The carry-forward allows this risk to be managed **£0.329m**
- Carry forward of underspend to support Health and Safety and Cyclical Maintenance Programme for Grangewaters Outdoor Education Centre **£0.067m**
- Music Service - Arts Council Funded to support the service in 2023/24 **£0.034m**
- Carry forward to support work of Virtual School and LAC children **£0.033m**
- School Wellbeing underspend to support service costs in 2023/24 **£0.006m**
- Essex Activate Holiday Activity and Food Clubs grant carry forward **£0.005m**

***School Transport £0.365m (11%) overspend***

The overspend is driven by:

- **£0.611m** increase demand for Education Health and Care plans and impact of the requirement to provide Home to School Transport to support these plans
- **£0.133m** Secondary school transport

Partly offset by:

- **£0.202m** less than budgeted for out of borough transport costs
- **£0.193m** reduction in primary school transport costs

**3. Housing General Fund £0.020 (1%) overspend**

The provisional outturn of £1.601m is 1% more than the budgeted level. This is a £0.303m favourable movement from the quarter 3 reported position.

The overspend is driven by:

- **£0.107m** Homelessness support. There has been a continued increase in the number of people requiring housing accommodation solutions throughout the year. There are many contributing factors to a rising demand of people facing potential homelessness including mental health issues, substance abuse, domestic violence, as well as people experiencing financial hardship in the current economic climate. This often involves dealing with some of the most vulnerable people within the borough.

Offset by:

- **£0.090m** Through the utilisation of external grant funding

Movement from reserves:

- Private Sector Housing Licencing Scheme **£0.107m**

Movement to reserves:

- Domestic Abuse New Burdens Funding - Safe Accommodation **£0.211m**
- Asylum Dispersal Grant (Home Office) **£0.074m**

#### **4. HR; OD and Transformation: £0.186m (2%) underspend**

The provisional outturn of £8.755m is 2% lower than the budgeted level. This is a £0.716m adverse movement from the quarter 3 reported position (because of the ICT issues mentioned below).

The underspend is driven by:

- **£0.476m** underspend against staffing budgets across the directorate due to the controls implemented to manage recruitment in line with the S114 requirements
- **£0.258m** through a reduction in non-essential spend within the HROD team. Events such as the Long Service Awards, Staff Awards and Managers Conferences were still delivered but scaled back to reduce cost
- **£0.236m** Capitalisation of staff time above budgeted levels
- **£0.073m** Reduced spend on MFD's in line with planned savings for 23/24
- **£0.044m** reduced spend against corporate training & development budget, separate apprentice levy utilised to support training requirements

Offset by:

- **£0.920m** ICT capital costs which have been classified as "Intangible" costs in previous years are currently being reviewed. This may result in the reversal of previous accounting treatments, and it is felt prudent to assume licence costs of £0.594m incurred in 2022/23 should not be treated as a capital item. In addition, £0.180m of rental fees in relation to the Thurrock Wide Area Network project have been identified as not meeting the capital cost requirement.

Movement from reserves:

- Workforce Planning - Training grant to be used for ringfenced activities **£0.009m**

#### **5. Public Realm £0.616m (1.8%) underspend**

Public Realm's overall provisional outturn of £35.524m is 1.8% lower than the budgeted level. This represents a favourable movement of £0.240m from the quarter 3 reported position.

There are various services contained within this directorate and the main drivers within each service area are set out below:

*Counter Fraud & Enforcement **£0.312m (33%) underspend***

The underspend is driven by:

- **£0.975m** Counter Fraud work with external agencies and underspend on internal Fraud team staffing budget
- **£0.268m** income generated through parking decriminalisation charges (**£0.209m** above anticipated levels for fixed penalty notices) and environment enforcement activity (**£0.059m** more than budgeted)

Offset by:

- **£0.166m** Borough wide traveller injunction and enforcement action at Traveller site
- **£0.288m** Parking charge for on street and off-street parking have been below budgeted levels following the change in working practices implemented as part of the pandemic, these have not returned to pre Covid levels and people continue to work away of the office. This includes the underachieved saving linked to new pay and display car parks
- **£0.352m** Enforcement staffing and reliance on agency staff
- **£0.100m** non-achievement of saving target in relation to commercially trading the CCTV function

#### *Emergency Planning and Resilience £0.230m (50%) overspend*

The overspend is driven by:

- **£0.249m** Costs associated with Injunction powers granted to deal with environmental protestors “Just Stop Oil.” There was an understanding that costs were to be recovered from central government, however this has not materialised.

Movement from reserves:

- To meet the cost of additional police officers and Anti-Social Behaviour staff **£0.208m**
- Police & Crime Commissioner Violence & Vulnerability Grant **£0.009m**

#### *Environment and Highways, Fleet & Logistics £0.432m (4%) underspend*

The underspend is driven by:

- **£0.305m** reduction in discretionary spend
- **£0.272m** income generated through the issuing of permits under the New Roads and Street Workers Act were better than anticipated in the last quarter.
- **£0.118m** Passenger transport correction to previous years’ payments to suppliers lead to an in-year underspend against budget

Offset by:

- **£0.183m** street lighting charges exceeded the budget due to the energy crisis and increased unit cost p/kw
- **£0.062m** additional winter gritting runs were required which incurred additional costs exceeding the budgeted levels

Movement to reserves:

- Commuted sum relating to Thames Park School for Highways Maintenance work which is likely to span several financial years **£0.115m**

*Planning, Transportation and Public Protection £0.109m overspend (2%)*

The overspend is driven by:

- **£0.125m** shortfall in expected income through development fees, it is felt the wider economic issues have reduced the number of applications as residents prioritise dealing with the cost-of-living crisis
- **£0.176m** cost of consultants to support the Development Management team. There remains difficulty in recruiting permanent staff with the correct skill set in this area

Offset by:

- **£0.122m** reduction in discretionary spend across the service
- **£0.076m** improved traded service position, income for delivery of public protection services to other local authorities

Movement from reserves:

- To meet cost of delivering the Local Plan **£0.922m**
- Planning Delivery Fund work being led by ASELA to meet planned costs **£0.019m**
- Capability grants funding Cycle Hub, Road Safety, and other eligible costs **£0.135m**

Movement to reserves:

- Planning Delivery Fund grant carry forward **£0.009m**
- Fee-paying element of Building Control, service should be self-financing, negative reserve adjustment required with the aim to balance over several years **(0.027m)**
- Planning Performance Agreement (PPA) monies received in-year, to be spent on dedicated planning resource in 2023/24 to support new development **£0.111m**
- Local Plan PPA monies ring-fenced to fund the preparation of the Local Plan in 2023/24 **£0.197m**
- Private development often spans more than one financial year **£0.136m**
- Capability Fund/Active Travel Grant carry forward **£0.063m**

Street, Scene & Leisure **£0.212m (1%) underspend**

The underspend is driven by:

- **£1.077m** improved position on the performance against the waste disposal contracts – these contracts contain variable elements related tonnage, contaminated recycling, and landfill.
- **£0.102m** fees recovered through the Trade Waste service to local businesses

- **£0.026** increase in income through burial fees
- **£0.049** staff saving within the Country Parks Team

Offset by:

- **£0.735** adverse variance to budget for Waste Collection. There have been significant issues throughout the year within this area with vacancies and staff sickness within the permanent workforce (£0.496m underspend) requiring a reliance on agency staff (£0.902m overspend) and private contractors (£0.268m overspend) to be able to continue service delivery. This is alongside increased fuel and vehicle costs of £0.061m.
- **£0.150m** unachieved saving target for planned income generation through selling the grounds maintenance service to local schools and businesses
- **£0.075m** shortfall in the service level agreement with the HRA following a review of service requirements
- **£0.065m** additional costs for water charges to maintain outdoor sports  
Outdoor sports

Movement to reserves:

- Part of the waste disposal underspend has been carried forward to fund an additional collection of brown bins in 2023/24 and to advise residents of service plans going forward **£0.016m**

## **6. Resources & Place Delivery £1.501m overspend (11%)**

The provisional outturn of £15.541m is 12% more than the budgeted level. This is a £0.176m adverse movement from the quarter 3 reported position.

The overspend is driven by:

- **£0.938m** shortfall in planned capitalisation of staff costs against major projects
- **£0.548m** additional staffing costs for the Place Delivery Team which included a heavy reliance on agency staff resource
- **£0.259m** unachieved asset rationalisation saving due to the delay in decisions regarding the use of buildings and increased utility costs
- **£0.367m** rental income shortfall for commercial properties

Offset by:

- **£0.491m** reduction in staff costs across several teams including Revenues & Benefits, Procurement, Internal Audit, Legal Services. This is in line with the cost control processes implemented to manage recruitment
- **£0.153m** reduction in non-essential spend within the Land & Building and Facilities management functions
- **£0.051m** reduction in running costs and increase rental income for village halls
- **£0.034m** reduction in costs within members services including members allowances, equipment, and civic events

Movement from reserves:

- Lower Thames Crossing reserve to match in-year expenditure **£0.332m**
- ASELA grant to offset in-year spend **£0.046**
- Thames Freeport grant **£0.065m**
- Towns Fund **£0.150**

Movement to reserves:

- Thames Estuary Growth Board external funding **£1.458m**
- Homes for Ukraine ring-fenced grant to be spend in line with the conditions set by DLUHC **£1.135m**
- Insurance underspend to be carried forward **£0.238m**
- New Burdens electoral services funding to support arrangements for anticipated general election **£0.022m**

#### **7. Strategy; Engagement & Growth £0.252m (7%) underspend**

The provisional outturn of £3.198m is 8% less than the budgeted level. This is a £0.043m favourable movement from the quarter 3 reported position.

The underspend is driven by:

- **£0.259m** reduction in spend against the Customer Services staffing budget
- **£0.112m** reduction in ICT and consultancy spend linked to the wider cost control process in place to manage non-essential spending

Offset by:

- **£0.069m** Museum & Theatre staff costs exceeded budgeted levels
- **£0.037m** additional staffing spend within the Communications team

Movement from reserves:

- South-East Creative Cultural & Digital sector grant to match spend incurred **£0.007m**
- Community Renewal Fund grant to match spend incurred **£0.063m**

Movement to reserves:

- Creative Estuary grant funding to be carried forward for continued project delivery as per the agreed outcomes **£0.127m**

#### **8. Corporate Costs £0.828m (46%) underspend**

- **£0.828m** Spend was less than anticipated in this area due to the cost control processes in place to manage non-essential spend.

#### **9. Staffing**

The provisional underspend against the overall staffing budget is £1.374m before the vacancy factor is applied. This equates to 1.4%. A vacancy factor of £3m was held as a central target rather than allocated to individual service areas. When this is applied to the staffing outturn there is a budget pressure of £1.626m. It should be

noted that the change to the in-year pay policy led to additional costs of £2.032m, without this change the vacancy factor would have been achieved in full.

Underspend on staffing is driven by:

- **£1.499m** Children's Services
- **£0.603m** HR, OD & Transformation
- **£0.267m** Strategy, Engagement & Growth

Offset by:

- **£0.809m** Public Realm
- **£0.120m** Adult Social Care
- **£0.050m** Housing General Fund
- **£0.017m** Resources & Public Development
- **£3m** Vacancy Factor

#### **10. Intervention and Commissioner's Process £4.702m**

Costs associated with the response to the Government Intervention and Best Value Inspection were not budgeted. Significant costs have been incurred through the specialist legal advice required to manage the investment portfolio.

The spend has been incurred as follows:

- **£3.613m** Specialist legal support and consultancy
- **£0.459m** Additional staff capacity
- **£0.233m** Asset Disposal Team
- **£0.205m** Commissioners
- **£0.192m** Best Value Inspection

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## Appendix 3 Reserves

### Provisional Earmarked Reserves position

The below table shows opening and closing balances for the council's reserves.

Reserves have been reviewed and categorised as follows:

<b>Third Party Funding:</b>	Monies held on behalf of other partners and not for Thurrock's use
<b>Ring-fenced grants:</b>	Funding received through external grants with conditions attached to its usage and cannot be used to offset wider pressures
<b>Service Specific Reserves:</b>	Reserves held against service areas for the implementation of new initiatives or re-configuration of delivery models
<b>Specific Purpose:</b>	Reserves created to support specific projects which are already in place spanning more than one financial year
<b>General Reserves:</b>	Reserves which do not have specific ring-fenced conditions attached to their usage, held to provide a level of financial resilience against wider economic factors including changes in interest rates impact on the treasury position

The following table shows the summary reserves position. This is in addition to the £11m General Fund balance that has been retained at this level.

Reserve	Opening Balance	Total Movement	Closing Balance 2022/23
	£'000	£'000	£'000
Third Party Funding	(7,899)	(223)	(8,120)
Ring-Fenced Grant	(22,114)	8,563	(13,550)
Other	(69)	0	(69)
Service Specific Reserves	(9,250)	6,379	(2,871)
Specific Purpose	(3,753)	2,270	(1,483)
General Reserves	(15,890)	1,571	(14,319)
<b>Grand Total</b>	<b>(58,974)</b>	<b>18,560</b>	<b>(40,414)</b>

Reserve	Opening Balance	Budgeted use of reserves	Use of General balances	Movements to Reserves	Movements from Reserves	Further use of reserves	Contribution to Reserves	Contribution to Support Transformation	Reserves Re-alignment	Total Movement	Closing Balance 2022/23
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>Third Party Funding</b>											
- ASC - Health integration	(4,100)									0	(4,100)
- ASLEA	(137)					46				46	(91)
- Coal House Fort	(1)									0	(1)
- Commuted Sums (GF)	(391)			(115)						(115)	(506)
- Planning Delivery Fund (GF)	(19)			(9)	19					10	(9)
- POCA	(755)			(611)		366				(245)	(1,000)
- Private Development	(864)			(311)	75				324	88	(776)
- Safeguarding Vulnerable People (GF)	(87)			(91)					(1)	(92)	(179)
Thames Estuary Growth Board	(1,543)	1,543		(1,458)						85	(1,458)
The Salting, Tilbury (GF)	(2)									0	(2)
<b>Third Party Funding Total</b>	<b>(7,899)</b>	<b>1,543</b>	<b>0</b>	<b>(2,595)</b>	<b>140</b>	<b>366</b>	<b>0</b>	<b>0</b>	<b>323</b>	<b>(223)</b>	<b>(8,122)</b>
<b>Ring-Fenced Grant</b>											
- ASC - Disabled Facilities Grant	(600)									0	(600)
- ASC - Market Sustainability	(693)									0	(693)
- Better Care Fund *	(619)	619							(355)	264	(355)
- Collection Fund Section 31 reserve	(14,708)	10,398								10,398	(4,310)
- Community Safety	(27)			(2)						(2)	(29)
- Containment Outbreak Funding	(1,197)									0	(1,197)
- Dedicated Schools Grant Adjustment Account	(176)									0	(176)
- Education Reserve	(840)	186		(474)						(288)	(1,128)
- Electoral Services New Burdens Funding	0			(22)						(22)	(22)
- Family Hubs And Start For Life Programme	0			(582)						(582)	(582)
- Homes for Ukraine	0			(1,135)						(1,135)	(1,135)
- Housing General Fund Grants	(1,065)			(285)						(285)	(1,350)
- Place Transport Reserve	(403)				60					60	(343)
- Public Health Grant (GF)	(587)			(447)						(447)	(1,034)
- Public Realm	(128)			(17)	9				(25)	(33)	(161)
- Staff Development (GF)	(583)				9	566			8	583	0
- Strategy, Engagement and Growth	(142)			(127)	70					(57)	(199)
- Towns Fund	(282)				150					150	(132)

- Trading Standards	(63)								0	(63)	
- Violence & Vulnerability Unit	0		(41)						(41)	(41)	
<b>Ring-Fenced Grant Total</b>	<b>(22,113)</b>	<b>11,203</b>	<b>0</b>	<b>(3,132)</b>	<b>298</b>	<b>566</b>	<b>0</b>	<b>0</b>	<b>(372)</b>	<b>8,563</b>	<b>(13,550)</b>
<b>Other</b>											
- Capital Expenditure (GF)	(69)									0	(69)
<b>Other Total</b>	<b>(69)</b>									<b>0</b>	<b>(69)</b>
<b>Service Specific Reserves</b>											
- Local Plan PPA									(197)	(197)	(197)
- Adult Social Care Reserve	(1,500)									0	(1,500)
- Adults c/f	(4,310)	1,626		(232)		2,193		(1)		3,586	(724)
- ASC - Libraries and Communities	(120)					120				120	0
- Charitable Donation (GF)	(164)					21		143		164	0
- Children's c/f	(682)	163		(6)		400				557	(125)
- Community Development reserve	(18)					18				18	0
- DHP (GF)	(55)					55				55	0
- Environment Reserve	(265)					265				265	0
- Housing General Fund	(1,272)	718				554				1,272	0
- Land Charges Liability Provision (GF)	(25)							25		25	0
- Place and Planning PPA	(359)					359		(324)		35	(324)
- Planning Fees (20%) (GF)	(25)							25		25	0
- Private Sector Housing Licencing Scheme (GF)	(107)				107					107	0
- Salix Reserve (GF)	(198)									0	(198)
- School Improvement Reserve (GF)	(150)							150		150	0
<b>Service Specific Reserves Total</b>	<b>(9,250)</b>	<b>2,507</b>	<b>0</b>	<b>(238)</b>	<b>107</b>	<b>3,985</b>	<b>0</b>	<b>0</b>	<b>18</b>	<b>6,379</b>	<b>(2,871)</b>
<b>Specific Purpose</b>											
- Additional police Officers	(438)				209					209	(229)
- Building Control (GF)	50		27					(77)		(50)	0
- Business Centre Income (GF)	(776)					236		(1)		235	(541)
- Fanns Festival	(14)					14				14	0
- Freeports	(70)				65			5		70	0
- High House Production Park	(74)							74		74	0
- Insurance Reserve	(150)			(238)						(238)	(388)
- Local Plan Reserve	(1,113)			(197)	922			197		922	(191)
- Lower Thames Crossing (GF)	(466)				332					332	(134)
- Shielding and Venerable People	(702)					702				702	0
<b>Specific Purpose Total</b>	<b>(3,753)</b>	<b>0</b>	<b>0</b>	<b>(408)</b>	<b>1,528</b>	<b>952</b>	<b>0</b>	<b>0</b>	<b>198</b>	<b>2,270</b>	<b>(1,483)</b>

<b>General Reserves</b>											
- Energy Inflation	(1,000)					1,000				1,000	0
- Financial Resilience Reserve	(5,000)	3,300	2,000					(300)		5,000	0
- Transformation Reserve	(3,984)		3,684					(5,000)	110	(1,206)	(5,190)
- Treasury Equalisation Reserve	(5,906)		1,907				(5,000)		(130)	(3,223)	(9,129)
<b>General Reserves Total</b>	<b>(15,890)</b>	<b>3,300</b>	<b>7,591</b>	<b>0</b>	<b>0</b>	<b>1,000</b>	<b>(5,000)</b>	<b>(5,000)</b>	<b>(320)</b>	<b>1,571</b>	<b>(14,319)</b>
<b>Grand Total</b>	<b>(58,974)</b>	<b>18,553</b>	<b>7,591</b>	<b>(6,373)</b>	<b>2,073</b>	<b>6,869</b>	<b>(5,000)</b>	<b>(5,000)</b>	<b>(153)</b>	<b>18,560</b>	<b>(40,414)</b>





Reserve	Opening Balance	Budgeted use of reserves	Use of General balances	Movements to Reserves	Movements from Reserves (Grants)	Further use of reserves	Contribution to Reserves	Contribution to Support Transformation	Reserves Re-alignment	Total Movement	Closing Balance 2022/23
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>Third Party Funding</b>											
- ASC - Health integration	(4,100)									0	(4,100)
- ASLEA	(137)					46				46	(91)
- Coal House Fort	(1)									0	(1)
- Commuted Sums (GF)	(391)			(115)						(115)	(506)
- Planning Delivery Fund (GF)	(19)			(9)	19					11	(9)
- POCA	(755)			(611)		366				(245)	(1,000)

- Private Development	(864)		(311)	75		88	(776)
- Safeguarding Vulnerable People (GF)	(87)		(91)			(91)	(179)
- Thames Estuary Growth Board	(1,543)	1,543	(1,458)			85	(1,458)
- The Salting, Tilbury (GF)	(2)					0	(2)
<b>Third Party Funding Total</b>	<b>(7,899)</b>	<b>1,543</b>	<b>(2,594)</b>	<b>141</b>	<b>366</b>	<b>(221)</b>	<b>(8,120)</b>

#### Ring-Fenced Grant

- ASC - Disabled Facilities Grant	(600)					0	(600)
- ASC - Market Sustainability	(693)					0	(693)
- Better Care Fund *	(619)	619				264	(355)
- Collection Fund Section 31 reserve	(14,708)	10,398				10,398	(4,310)
- Community Safety	(27)		(2)			(2)	(29)
- Containment Outbreak Funding	(1,197)					0	(1,197)
- Dedicated Schools Grant Adjustment Account	(176)					0	(176)
- Education Reserve	(840)	186	(474)			(288)	(1,128)
- Electoral Services New Burdens Funding	0		(22)			(22)	(22)
- Family Hubs And Start For Life Programme	0		(582)			(582)	(582)
- Homes for Ukraine	0		(1,135)			(1,135)	(1,135)
- Housing General Fund Grants	(1,065)		(285)			(285)	(1,350)
- Place Transport Reserve	(403)			60		60	(343)
- Public Health Grant (GF)	(587)		(447)			(447)	(1,034)
- Public Realm	(128)		(17)	9		(33)	(161)
- Staff Development (GF)	(583)			9	566	583	0
- Strategy, Engagement and Growth	(142)		(127)	70		(57)	(199)
- Towns Fund	(282)			150		150	(132)
- Trading Standards	(63)					0	(63)
- Violence & Vulnerability Unit	0		(41)			(41)	(41)
<b>Ring-Fenced Grant Total</b>	<b>(22,114)</b>	<b>11,203</b>	<b>(3,132)</b>	<b>298</b>	<b>566</b>	<b>8,563</b>	<b>(13,550)</b>

#### Other

- Capital Expenditure (GF)	(69)					0	(69)
<b>Other Total</b>	<b>(69)</b>					<b>0</b>	<b>(69)</b>

#### Service Specific Reserves

- Local Plan PPA						(197)	(197)
- Adult Social Care Reserve	(1,500)					0	(1,500)
- Adults c/f	(4,310)	1,626	(232)		2,193	3,586	(724)
- ASC - Libraries and Communities	(120)				120	120	0
- Charitable Donation (GF)	(164)				21	164	0



- Children's c/f	(682)	163		(6)	400			557	(125)		
- Community Development reserve	(18)				18			18	0		
- DHP (GF)	(55)				55			55	0		
- Environment Reserve	(265)				265			265	0		
- Housing General Fund	(1,272)	718			554			1,272	0		
- Land Charges Liability Provision (GF)	(25)							25	0		
- Place and Planning PPA	(359)				359			35	(324)		
- Planning Fees (20%) (GF)	(25)							25	0		
- Private Sector Housing Licencing Scheme (GF)	(107)				107			107	0		
- Salix Reserve (GF)	(198)							0	(198)		
- School Improvement Reserve (GF)	(150)						150	150	0		
<b>Service Specific Reserves Total</b>	<b>(9,250)</b>	<b>2,506</b>		<b>(238)</b>	<b>107</b>	<b>3,985</b>		<b>150</b>	<b>6,181</b>	<b>(3,069)</b>	
<b>Specific Purpose</b>											
- Additional police Officers	(438)				209			209	(229)		
- Building Control (GF)	50			27				(50)	0		
- Business Centre Income (GF)	(776)				236			236	(541)		
- Fanns Festival	(14)				14			14	0		
- Preports	(70)				65			70	0		
- High House Production Park	(74)							74	0		
- Insurance Reserve	(150)			(238)				(238)	(388)		
- Local Plan Reserve	(1,113)			(197)	922			922	(191)		
- Lower Thames Crossing (GF)	(466)				332			332	(134)		
- Shielding and Venerable People	(702)				702			702	0		
<b>Specific Purpose Total</b>	<b>(3,754)</b>			<b>(408)</b>	<b>1,528</b>	<b>951</b>		<b>2,271</b>	<b>(1,482)</b>		
<b>General Reserves</b>											
- Energy Inflation	(1,000)				1,000			1,000	0		
- Financial Resilience Reserve	(5,000)	3,300	2,000					5,000	0		
- Transformation Reserve	(3,984)		3,684				(5,000)	110	(1,206)	(5,190)	
- Treasury Equalisation Reserve	(5,906)		1,907			(5,000)	(129)	(3,222)	(9,129)		
<b>General Reserves Total</b>	<b>(15,890)</b>	<b>3,300</b>	<b>7,591</b>			<b>1,000</b>	<b>(5,000)</b>	<b>(5,000)</b>	<b>(19)</b>	<b>1,572</b>	<b>(14,319)</b>
<b>Grand Total</b>	<b>(58,976)</b>	<b>18,553</b>	<b>7,591</b>	<b>(6,372)</b>	<b>2,074</b>	<b>6,867</b>	<b>(5,000)</b>	<b>(5,000)</b>	<b>131</b>	<b>18,367</b>	<b>(40,609)</b>

\*Better Care Fund is a pooled budget between the Local Authority and Health. The value of the pool in 2022/23 was £51.014m. Underspends within the pool to the value of £0.355m are to be carried forward to be spent in line with the BCF plan 2023/24. These balances are not part of the Adult Social Care position.

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Summary of the 2022/23 General Fund Capital Programme by Directorate	Approved Budget	Out-turn	Variance	Future Years Budget		
	2022/23	2022/23	2022/23	2023/24	2024/25	2025/26
	£'000	£'000	£'000	£'000	£'000	£'000
<b>Childrens Service</b>						
<i>Beynon Primary - Expansion (B0750)</i>	282	15	267	267	0	0
<i>Capital Maintenance Schemes (to be identified) (B0997)</i>	0	0	0	110	0	0
<i>Emergency Health and Safety Works (B0719)</i>	22	0	22	22	0	0
<i>Priority Suitability and Condition Programme (B0661)</i>	59	2	58	58	0	0
<i>SEN Capital (B0800)</i>	439	241	198	4,267	3,266	0
<i>Secondary and Primary Schemes (to be Identified) (B0998)</i>	200	0	200	8,252	7,000	0
<i>St Cleres Expansion (B0744)</i>	209	110	99	99	0	0
<i>Temporary Classrooms (B0725)</i>	225	140	84	84	0	0
<i>Universal infant free school meals (B0738)</i>	0	0	0	222	0	0
<i>Grays Convent High School - Additional Classroom</i>	34	2	32	32	0	0
<i>Headstart Housing</i>	81	63	18	18	0	0
<i>Thames Park Secondary School</i>	112	75	37	37	0	0
<i>Abbotts Hall Improvements</i>	2,162	1,737	425	425	0	0
<i>Oaktree Centre Feasibility Study and Surveys</i>	100	61	39	39	0	0
<i>Family Hubs</i>	38	8	30	93	53	0
<b>Total Childrens Service</b>	<b>3,963</b>	<b>2,455</b>	<b>1,508</b>	<b>14,025</b>	<b>10,319</b>	<b>0</b>
<b>Adults; Housing and Health</b>						
<i>21st Century Care Home (S0220)</i>	200	0	200	200	0	0
<i>Aveley Community Hub (R0740)</i>	65	0	65	130	0	0
<i>Community Hubs (T3100)</i>	11	0	11	11	0	0
<i>South Ockendon Community Hub Phase 2 (09/50035/TTGOUT)</i>	0	0	0	9	0	0
<i>South Ockendon Community Hub Phase 2 (09/50035/TTGOUT)</i>	0	0	0	49	0	0
<i>Thurrock Park Way Environmental Improvements (78/00601/OUT)</i>	0	0	0	51	0	0
<i>Travellers Site Refurbishment Works</i>	6	0	6	6	0	0
<i>Libraries Services Technology Modernisation</i>	0	0	0	1	0	0
<i>Community Environmental Developments Fund</i>	149	38	111	111	0	0
<i>Well Homes Offers</i>	0	-43	43	266	0	0
<i>Disabled Facility Grant</i>	804	511	294	1,094	500	0
<b>Total Adults; Housing and Health</b>	<b>1,235</b>	<b>506</b>	<b>729</b>	<b>1,926</b>	<b>500</b>	<b>0</b>

## Public Realm

B186 West Thurrock Way - Road Capacity and Efficiency	9	4	4	1,192	0	0
Bridge Repair and Strengthening (E2828)	0	0	0	2	0	0
East Tilbury 1st payment (CCTV / Anti-Skid / VAS / Bus Stop upgrade)	0	0	0	92	0	0
Environmental Enhancements at Play Sites (N0277)	119	309	-190	110	100	0
Footway Maintenance (E2876)	225	206	19	199	0	0
Grays Riverside Park - Replace Splash Pool & Water Features	25	15	10	35	0	0
Improvement works between Thurrock Park Way and Manor Road	0	0	0	287	0	0
Improvements to the Manorway Interchange (E0911)	65	0	65	65	0	0
Kerb It - Highways (E1870)	561	352	208	208	0	0
Leisure Centre Works (L0410)	1,020	1,172	-153	1,072	0	0
Mayflower Road parking management and capacity improvements	0	0	0	421	0	0
Other Infrastructure (Drainage) (E2878)	96	61	35	110	0	0
PRS - Borough wide Disabled Bays (E1843-T3429)	19	2	17	18	0	0
PTI - Local Bus Infrastructure (E1838)	56	20	36	51	0	0
Pot Holes & Challenge Fund (E2840)	1,429	1,184	245	1,793	0	0
RSF - Node 4 - North Stifford Int (E1830-T3031)	10	1	9	259	0	0
Redevelopment of Household Waste & Recycling Centre (Linford)	98	98	0	0	0	0
Replacement of Bus Passenger Shelters (E1839)	332	385	-53	447	0	0
Rights of Way (E1841)	84	55	28	28	0	0
Safety Fencing (E2831)	33	0	33	126	0	0
South Road / Stifford Road Junction Improvements (E0908)	0	0	0	190	0	0
Street Lighting (E2877)	239	204	35	135	0	0
Structural Maintenance A Class Roads (E2826)	517	364	153	503	0	0
Structural Maintenance B and C Class Roads (E2827)	320	307	13	263	0	0
Structural Maintenance Unclassified Roads (E2874)	253	210	43	293	0	0
Target Hardening of Various Sites (N0278)	2	2	0	0	0	0
Traffic Signals (E2833)	192	175	17	92	0	0
Upgrades to the Drainage System; Gully Frames and Lids (E2882)	50	26	24	24	0	0
Vehicle & Plant Replacement Programme (N0256)	3,001	2,463	538	538	0	0
White Lining (E2832)	118	112	6	6	0	0
Street Lighting LED Completion	74	49	25	25	0	0
Carriageway Summer Damage Treatments	433	433	0	0	0	0
VMS Purchases and Installation	158	86	72	72	0	0
Vehicle Restraint System	239	174	65	65	0	0
Replacement of Wheeled Containers	181	173	8	8	0	0
Other Road Markings	33	27	6	46	0	0
Unallocated Budget Traffic Management (E9999-T7001)	48	0	48	48	0	0
CON - Aveley Village Freight Management	0	0	0	187	0	0

PRS - Ad-Hoc Parking Requests	20	16	4	13	0	0
TFM - Ad-Hoc Minor Works	91	40	50	85	0	0
SRS - Tyssen Place - Benyon Primary Sch	19	19	0	0	0	0
A13 Eastbound Slip Roads	40	0	40	40	0	0
Stonehouse Lane Improvement Works	85	85	0	0	0	0
Traveller Injunction	0	0	0	46	0	0
Principal Bridge Inspections and Remedial Works	1,381	1,133	248	248	0	0
High Risk Concrete Lamp Column Replacement	227	220	7	7	0	0
Footway Slab Replacement Programme (2020-2025)	416	416	1	1	0	0
Surveillance Fleet	250	250	0	0	0	0
A1013 School Access Improvements (Treetops)	400	117	283	1,763	0	0
Flats Recycling	327	247	80	330	0	0
Emergency Active Travel Plan	51	27	24	174	0	0
PRS - EV Charging Upgrade and Expansion	168	0	168	318	0	0
CON - Fort Road Bus Lane	0	0	0	50	0	0
Traffic Management Salary Capitalisation	226	226	0	147	0	0
Private Works	0	0	0	0	0	0
N13 Cycle Route	707	435	272	272	0	0
A126 Improvements	150	38	112	2,213	0	0
Deployment of overt 4G CCTV camera systems	0	0	0	56	0	0
Trading Standards Facility at London Gateway (DPW)	4	0	4	4	0	0
Urgent repairs to road leading between Tilbury Port and Tilbury2	12	10	2	2	0	0
A1014 The Manorway - Carriageway Repairs	28	28	0	0	0	0
Highway Street Lighting Central Management System	1,022	1,057	-35	-35	0	0
Highways Lit signage replacement programme	447	367	80	423	0	0
A1014 The Manorway - Footway Protection	537	467	70	375	0	0
Wharf Road, SLH - Drainage scheme	188	139	49	49	0	0
SRS - East Tilbury Primary School	305	35	270	270	0	0
AIP - Area XX - Tilbury (East of St Chads)	92	43	49	49	0	0
ATF - Corringham Road/Billet Lane	0	0	0	8	0	0
ATF - Purfleet Road	0	0	0	4	0	0
ATF - A128 Junction Signal Scheme	25	8	17	17	0	0
Food Caddies	0	0	0	500	0	0
Tree Fund	117	28	88	151	62	0
1934 Fort Road Tilbury - Bridge repairs	85	28	57	757	0	0
Junction 31 Electrical Repairs	170	153	17	187	170	0
Orchard Footbridge renewal	85	43	42	602	0	0
Grover Walk Street Lighting Refurbishment	48	45	3	3	0	0
Carriageway Concrete Slab Replacement	355	209	146	146	0	0
Public Rights of Way - FP36 SLH	160	101	59	59	0	0
RSE - London Road West Thurrock	0	3	-3	432	0	0

<i>AIP Chadwell South and Grays Riverside areas</i>	243	7	236	386	0	0
<i>AIP - 3 Villages - Orsett Ward</i>	75	0	75	75	0	0
<i>Walking and Cycling</i>	20	13	7	7	0	0
<i>Works to Council Car Parks and Pay and Display Machines</i>	116	72	44	44	0	0
<i>IRL - Scheme Development - Staff Costs</i>	500	76	424	424	0	0
<i>Surface Renewal Oliver Close Depot</i>	78	72	6	0	0	0
<i>Infrastructure Improvements to Parks, Burial Grounds and Open</i>	183	183	0	0	0	0
<i>RSE - A13 (Five Bells to Manorway Interchange)</i>	0	0	0	20	0	0
<i>RSE - B186 West Thurrock Way</i>	0	0	0	23	0	0
<i>SRS - 20mph Speed Zones Around Schools</i>	0	0	0	50	0	0
<i>AIP - Area 27 - Ockendon West</i>	0	0	0	100	0	0
<i>AIP - Area 04 - Stanford Le Hope West</i>	0	0	0	100	0	0
<b>Total Public Realm</b>	<b>19,489</b>	<b>15,129</b>	<b>4,360</b>	<b>20,002</b>	<b>332</b>	<b>0</b>
<b>Resources and Place Delivery</b>						
<i>A13 Widening (Works) (E2910)</i>	12,454	10,853	1,601	2,251	0	0
<i>Aspirational Capital Pot - Feasibilities - Culver Centre (R1000-AP006)</i>	175	147	28	28	0	0
<i>Contract Management System (T0508)</i>	3	3	0	0	0	0
<i>Grays South and Rail Station Regeneration (R0670)</i>	400	473	-73	-73	0	0
<i>Implementation of Corporate Property Database (T0702)</i>	27	0	27	27	0	0
<i>Improvements to Village Halls (D0010)</i>	0	0	-0	183	0	0
<i>Pupil Referral Unit Relocation (D0020)</i>	3	3	0	800	0	0
<i>Purfleet Centre Fees Budget (R0500)</i>	367	194	173	317	300	0
<i>Purfleet Land Assembly Development Agreement (R0501)</i>	266	486	-220	1,680	0	0
<i>Purfleet SELEP Land Acquisition (R0502)</i>	16	12	4	119	0	0
<i>Purfleet Thurrock School Contribution (R0503)</i>	25	4	21	21	0	0
<i>Stanford Le Hope Interchange (E2920)</i>	800	579	221	10,867	5,000	0
<i>Tilbury Integrated Medical Centre (R0913)</i>	40	68	-28	-28	0	0
<i>Civic Offices 2 - Chilled Water Services (P0300-P0097)</i>	1	1	0	0	0	0
<i>Civic Offices 2 - Replace Heating Boilers (P0300-P0089)</i>	2	2	0	0	0	0
<i>Tilbury Town Centre Public Realm Improvement Packages (R0745)</i>	0	0	0	46	0	0
<i>Purchase and Development of Navigator Park</i>	3	0	3	3	0	0
<i>Corporate Landlord Compliance</i>	1,358	1,224	134	1,928	0	0
<i>Investment Portfolio Compliance</i>	128	2	126	1,136	0	0
<i>New River Development</i>	9	0	9	84	0	0
<i>Investment Portfolio Spend to Save</i>	136	1	135	1,233	0	0
<i>Corporate Landlord Spend to Save</i>	287	0	287	1,586	0	0
<i>Blackshots Regeneration Study</i>	1	0	1	1	0	0
<i>Tilbury Towns Fund - Accelerated Funding</i>	163	74	89	89	0	0

<i>Grays Towns Fund - Accelerated Funding</i>	242	223	19	19	0	0
<i>Property Pot</i>	0	0	0	1,759	0	0
<i>Service Review Board Pot</i>	0	0	0	1,382	0	0
<i>Property Demolitions</i>	3	2	1	1	0	0
<i>Grays Town Fund (General)</i>	568	523	45	295	0	0
<i>TTF Heart - Civic Square</i>	196	114	82	207	0	0
<i>TTF Heart - Youth Zone</i>	175	175	0	0	0	0
<i>TTF Heritage - Riverside</i>	240	240	0	0	0	0
<i>TTF Hub - Station Gateway</i>	105	103	3	48	0	0
<i>Tilbury Strategic Project Costs</i>	4	4	0	0	0	0
<i>Ground Floor CO2 Refurbishment</i>	10	10	1	1	0	0
<i>Demolition of Buildings</i>	300	23	277	527	0	0
<i>Civic Offices Tenanted Areas Alterations</i>	227	1	226	226	0	0
<i>Grays Underpass Land Acquisitions</i>	1,240	0	1,240	6,600	0	0
<i>Grays TF Project 3: Grays Riverfront</i>	0	0	0	680	1,729	6,141
<i>Grays TF Project 4: Grays Beach Park &amp; Kilverts Field - Leisure</i>	0	0	0	496	1,920	2,904
<i>Grays TF Project 5: Riverfront Activities Centre</i>	0	0	0	486	1,806	2,743
<i>UK Shared Prosperity Fund</i>	0	0	0	54	155	0
<b>Total Resources and Place Delivery</b>	<b>19,975</b>	<b>15,543</b>	<b>4,432</b>	<b>35,080</b>	<b>10,910</b>	<b>11,788</b>
<b>HR; OD and Transformation</b>						
<i>Aspirational Capital Pot - Feasibilities - Civic Offices (R1000-AP002)</i>	6	6	0	0	0	0
<i>ICT Infrastructure Refresh and Extension (T0505)</i>	75	40	35	35	0	0
<i>ICT Operating Software System Upgrades (T0506)</i>	0	0	0	190	0	0
<i>Network Infrastructure Upgrades (T0511)</i>	5	0	5	5	0	0
<i>Oracle Improvement / Cloud Upgrade (T0015)</i>	220	209	10	10	0	0
<i>Oracle Improvement / Cloud Upgrade - Evosys (T0015-TC050)</i>	153	40	113	113	0	0
<i>The Central Grays Civic Buildings Optimisation project (T3010)</i>	351	116	235	235	0	0
<i>Thurrock On-Line Phase 2 (T1001)</i>	250	21	229	589	0	0
<i>Transformation Programme Management Support (T3050)</i>	747	726	21	21	0	0
<i>Corporate Payments</i>	17	16	1	1	0	0
<i>Strategic Wi-Fi - non Civic Offices</i>	88	40	47	47	0	0
<i>Agile Working</i>	244	222	22	0	0	0
<i>Customer Contact Centre</i>	126	0	126	126	0	0
<i>CO1 Infrastructure Decommissioning</i>	67	88	-21	412	0	0
<i>School Transport – Synergy Project</i>	12	6	6	6	0	0
<i>Microsoft 365 Design, Build and Delivery (Phase 2)</i>	356	317	38	538	0	0
<i>Local Full Fibre Network</i>	1,167	1,160	7	7	0	0
<i>Data Analytics - Phase 4</i>	242	190	51	301	0	0

<i>Robotic Process Automation</i>	105	244	-139		348	0	0
<i>Oracle Cloud Recruitment (OCR)</i>	57	0	57		57	0	0
<i>4Me Service Desk Self Service Enhancement</i>	21	21	0		12	0	0
<i>Core Licencing</i>	10	10	-1		28	0	0
<i>Applications Alignment to Office 2019</i>	29	29	0		8	0	0
<i>Disaster Recovery replacement design</i>	9	0	9		9	0	0
<i>Smoothwall Internet Filter Replacement</i>	30	0	30		30	0	0
<i>Thurrock Adult Community College Tech Refresh</i>	18	16	2		0	0	0
<i>Softphone capability</i>	5	5	0		30	0	0
<i>Teams Enabled Meeting Rooms</i>	1	1	1		1	0	0
<i>Thurrock WAN Upgrade</i>	520	289	231		231	0	0
<i>Digital Pot</i>	0	0	0		2,012	0	0
<i>LADO Recording Functionality within LCS</i>	24	24	0		18	0	0
<i>Core Website Rebuild (Drupal 7 to Drupal 9)</i>	98	78	20		20	0	0
<b>Total HR; OD and Transformation</b>	<b>5,049</b>	<b>3,914</b>	<b>1,135</b>		<b>5,439</b>	<b>0</b>	<b>0</b>
<b>Strategy, Engagement and Growth</b>							
<i>SEND Synergy Upgrade/Improvement</i>	0	0	0		10	0	0
<i>Education Health Care Plan (EHCP) Hub</i>	236	107	129		129	0	0
<b>Total Strategy, Engagement and Growth</b>	<b>236</b>	<b>107</b>	<b>129</b>		<b>139</b>	<b>0</b>	<b>0</b>
<b>Total Expenditure</b>	<b>49,946</b>	<b>37,654</b>	<b>12,292</b>		<b>76,611</b>	<b>22,061</b>	<b>11,788</b>



## Appendix 5

Descripton	Carry Forward
	£'000
A13 Widening (Works) (E2910)	1,601
Grays Underpass Land Acquistions	1,240
Vehicle & Plant Replacement Programme (N0256)	538
Abbotts Hall Improvements	425
IRL - Scheme Development - Staff Costs	424
Disabled Facility Grant	294
Corporate Landlord Spend to Save	287
A1013 School Access Improvements (Treetops)	283
Demolition of Buildings	277
N13 Cycle Route	272
SRS - East Tilbury Primary School	270
Beynon Primary - Expansion (B0750)	267
Principal Bridge Inspections and Remedial Works	248
Pot Holes & Challenge Fund (E2840)	245
AIP Chadwell South and Grays Riverside areas	236
The Central Grays Civic Buildings Optimisation project (T3010)	235
Thurrock WAN Upgrade	231
Thurrock On-Line Phase 2 (T1001)	229
Civic Offices Tenanted Areas Alterations	226
Stanford Le Hope Interchange (E2920)	221
Kerb It - Highways (E1870)	208
Secondary and Primary Schemes (to be Identified) (B0998)	200
21st Century Care Home (S0220)	200
SEN Capital (B0800)	198
Purfleet Centre Fees Budget (R0500)	173
PRS - EV Charging Upgrade and Expansion	168

## Appendix 5

Descripton	Carry Forward
Structural Maintenance A Class Roads (E2826)	153
Carriageway Concrete Slab Replacement	146
Investment Portfolio Spend to Save	135
Corporate Landlord Compliance	134
Education Health Care Plan (EHCP) Hub	129
Investment Portfolio Compliance	126
Customer Contact Centre	126
Oracle Improvement / Cloud Upgrade - Evosys (T0015-TC050)	113
A126 Improvements	112
Community Environmental Developments Fund	111
St Cleres Expansion (B0744)	99
Tilbury Towns Fund - Accelerated Funding	89
Tree Fund	88
Temporary Classrooms (B0725)	84
TTF Heart - Civic Square	82
Flats Recycling	80
Highways Lit signage replacement programme	80
AIP - 3 Villages - Orsett Ward	75
VMS Purchases and Installation	72
A1014 The Manorway - Footway Protection	70
Aveley Community Hub (R0740)	65
Vehicle Restraint System	65
Improvements to the Manorway Interchange (E0911)	65
Public Rights of Way - FP36 SLH	59
Priority Suitability and Condition Programme (B0661)	58
Oracle Cloud Recruitment (OCR)	57
1934 Fort Road Tilbury - Bridge repairs	57

## Appendix 5

Descriptiton	Carry Forward
Data Analytics - Phase 4	51
TFM - Ad-Hoc Minor Works	50
Wharf Road, SLH - Drainage scheme	49
AIP - Area XX - Tilbury (East of St Chads)	49
Unallocated Budget Traffic Management (E9999-T7001)	48
Strategic Wi-Fi - non Civic Offices	47
Grays Town Fund (General)	45
Works to Council Car Parks and Pay and Display Machines	44
Structural Maintenance Unclassified Roads (E2874)	43
Orchard Footbridge renewal	42
A13 Eastbound Slip Roads	40
Oaktree Centre Feasibility Study and Surveys	39
Microsoft 365 Design, Build and Delivery (Phase 2)	38
Thames Park Secondary School	37
PTI - Local Bus Infrastructure (E1838)	36
Street Lighting (E2877)	35
ICT Infrastructure Refresh and Extension (T0505)	35
Other Infrastructure (Drainage) (E2878)	35
Safety Fencing (E2831)	33
Grays Convent High School - Additional Classroom	32
Family Hubs	30
Smoothwall Internet Filter Replacement	30
Rights of Way (E1841)	28
Aspirational Capital Pot - Feasibilities - Culver Centre (R1000-AP006)	28
Implementation of Corporate Property Database (T0702)	27
Street Lighting LED Completion	25
Upgrades to the Drainage System; Gully Frames and Lids (E2882)	24

## Appendix 5

Descripton	Carry Forward
Emergency Active Travel Plan	24
Emergency Health and Safety Works (B0719)	22
Purfleet Thurrock School Contribution (R0503)	21
Transformation Programme Management Support (T3050)	21
Core Website Rebuild (Drupal 7 to Drupal 9)	20
Grays Towns Fund - Accelerated Funding	19
Footway Maintenance (E2876)	19
Headstart Housing	18
PRS - Borough wide Disabled Bays (E1843-T3429)	17
ATF - A128 Junction Signal Scheme	17
Traffic Signals (E2833)	17
Junction 31 Electrical Repairs	17
Structural Maintenance B and C Class Roads (E2827)	13
Community Hubs (T3100)	11
Oracle Improvement / Cloud Upgrade (T0015)	10
Grays Riverside Park - Replace Splash Pool & Water Features (N0274)	10
New River Development	9
Disaster Recovery replacement design	9
RSF - Node 4 - North Stifford Int (E1830-T3031)	9
Replacement of Wheeled Containers	8
Local Full Fibre Network	7
Walking and Cycling	7
High Risk Concrete Lamp Column Replacement	7
School Transport – Synergy Project	6
Travellers Site Refurbishment Works	6
White Lining (E2832)	6
Other Road Markings	6

## Appendix 5

Descripton	Carry Forward
Network Infrastructure Upgrades (T0511)	5
B186 West Thurrock Way - Road Capacity and Efficiency Improvement Project (E0915)	4
Trading Standards Facility at London Gateway (DPW)	4
PRS - Ad-Hoc Parking Requests	4
Purfleet SELEP Land Acquisition (R0502)	4
Grover Walk Street Lighting Refurbishment	3
Purchase and Development of Navigator Park	3
TTF Hub - Station Gateway	3
Urgent repairs to road leading between Tilbury Port and Tilbury2	2
Blackshots Regeneration Study	1
Corporate Payments	1
Property Demolitions	1
Footway Slab Replacement Programme (2020-2025)	1
Ground Floor CO2 Refurbishment	1
Teams Enabled Meeting Rooms	1
Tilbury Integrated Medical Centre (R0913)	(28)
Highway Street Lighting Central Management System	(35)
Grays South and Rail Station Regeneration (R0670)	(73)
<b>All Directorate</b>	<b>13,000</b>

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Appendix 6

Summary of the 2022/23 HRA Capital Programme by Directorate	Approved Budget	Out-turn	Variance	Future Years Budget		
	2022/23	2022/23	2022/23	2023/24	2024/25	2025/26
	£'000	£'000	£'000	£'000	£'000	£'000
<b>Housing Development</b>						
<i>Aspirational Capital Pot - Feasibilities - Loewen Road</i>	22	11	11	11	0	0
<i>Redevelopment of Council Offices For Residential Accommodation</i>	289	207	83	83	0	0
<i>Blackshots Housing Development</i>	20	6	14	14	43,375	28,930
<i>Broxburn Drive Housing Development</i>	252	241	10	15	0	0
<i>Vigerons Way Housing Development</i>	100	68	32	32	0	0
<i>Teviot Avenue Housing Development</i>	350	81	269	269	11,078	7,619
<i>Argent Street Housing Development</i>	64	64	0	0	0	0
<i>Aveley Library Housing Development</i>	190	97	93	93	0	0
<i>Loewen Road Construction</i>	580	542	38	1,258	0	0
<i>Affordable Housing - Calcutta Road</i>	178	181	-3	0	0	0
<i>Affordable Housing - Claudian Way</i>	0	3	-3	0	0	0
<b>Total Housing Development</b>	<b>2,045</b>	<b>1,500</b>	<b>545</b>	<b>1,776</b>	<b>54,453</b>	<b>36,548</b>
<b>Transforming Homes</b>						
<i>Thurrock New Standard - Wates</i>	12,210	12,168	42	10,088	11,307	0
<i>HRA Fire Safety Works</i>	3,249	2,191	1,058	2,552	1,000	0
<i>Non Traditional Properties</i>	2,010	1,437	573	3,843	0	0
<i>HRA Garages</i>	682	313	369	917	500	0
<i>Sheltered Housing Improvements Works</i>	349	163	186	186	0	0
<i>Major Adaptations</i>	300	254	46	265	200	0
<i>Tower Block Refurbishment</i>	5,944	3,731	2,213	17,426	0	0
<i>Heating Replacement Programme</i>	824	1,280	-456	658	144	0
<i>Lifts Refurbishment</i>	184	105	79	288	190	0
<i>Door Entry Installation</i>	507	295	212	761	500	0
<i>Water Mains</i>	138	139	-1	176	160	0
<i>Transforming Homes Programme Support</i>	160	509	-349	176	160	0
<i>Stock Condition Survey</i>	300	223	77	77	0	0
<i>Carbon Reduction Requirements (3 blocks)</i>	4,554	4,554	0	4,142	2,766	0
<i>Electrical infrastructure Testing - Check Revenue implications</i>	500	0	500	774	250	0
<i>HRA Highways and Lighting</i>	100	0	100	839	300	0
<i>Pram Sheds Buy Backs</i>	0	19	-19	0	0	0
<i>HRA Property Purchases</i>	818	818	0	0	0	0
<i>H2920-HRA Phi Property Purchases</i>	15,154	15,154	0	0	0	0
<b>Transforming Homes</b>	<b>47,983</b>	<b>43,352</b>	<b>4,630</b>	<b>43,169</b>	<b>17,477</b>	<b>0</b>

Total Expenditure	50,028	44,852	5,176		44,945	71,930	36,548
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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<b>12 July 2023</b>	<b>ITEM: 16</b> <b>Decision: 110661</b>
<b>Cabinet</b>	
<b>Review of Mail Room and Print Services</b>	
<b>Report of:</b> Andy Best, Strategic Lead IT	
<b>Accountable Assistant Director:</b> N/a	
<b>Accountable Director:</b> Jackie Hinchliffe Director HROD and Transformation and Mark Bradbury Director of Place	

## Executive Summary

Since 2020, the Council has adopted smarter working practices and created efficiencies in the way we work, this has reduced the usage of our Multi- Functional Devices (MFD's).

Our current contract for MFD's has been extended for 6 months to enable us to review our requirements. As part of our commitment to transforming working practices and making tangible savings, this report sets out a proposal to streamline our MFD, post and mailroom services.

We will drive a reduction from the current 2.4 million pages of print by analysing the current print data to target areas of large print to target a 50% reduction in paper usage in year 1 and will put in place a print policy to ensure further reduction in future years.

We will target a 50% reduction in the 562,000 pieces of outgoing mail through the implementation of digital solutions and by targeting the use of email where appropriate to target a reduction in volumes.

We will be reducing the number of devices from the current 90 devices down to a maximum of 30 to reduce the rental cost of devices.

## Recommendation

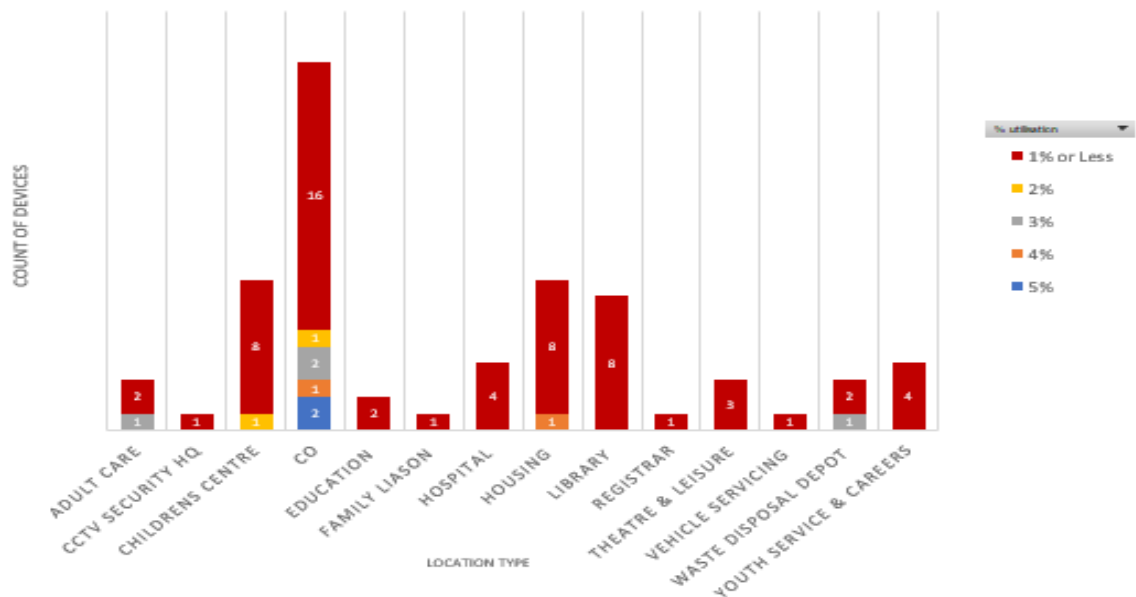
- 1.1 **That Cabinet approves carrying out a combined MFD, bulk printing & mailroom tender exercise for a contract of 3 years with an option for an extension for a further 2 years. Once the tender has been completed this will be brought back to cabinet for a decision on which option to proceed with.**

## **2. Introduction and Background**

### **Current MFD and bulk print fleet**

- 2.1 The Council's current print fleet has consisted of 90 devices across 34 locations with a mixture of floor standing and desktop Samsung MFD's within the office environments and three Xerox printers within the mailroom used for bulk printing. In addition to this we use software called Papercut that enables the council to audit usage, This software also has the capability to charge directorates individually but that option was not installed.
- 2.2 The contract with the current supplier, Apogee, has been extended twice since its initial term ending in March 2021. The current term is due to expire in March 2023, but a 6-month extension has been proposed to enable the Council to conduct a review of the current solution.
- 2.3 The current fleet of MFD's are now 7 years old, acquiring spares is becoming increasingly difficult as they are now end of life and this is impacting customer service considerably. Currently 25% of devices are offline at any given time, with an average 1.5 repair callouts reported per day. The newer technology that is available is also far more energy efficient than these devices.
- 2.4 The MFD's across the estate collectively produced 2.4M printed pages in 2022. An analysis of data highlights that the majority of MFD's across the fleet are considerably under-utilised. There is an opportunity to streamline the number of MFD's in operation and create a number of print hubs across the borough. This will enable the Council to drive down the amount of printed material they consume, reduce paper usage, cut carbon emissions, work towards an ambition to reduce print volumes by 50% over the next 1 year, whilst maintaining access for all users.
- 2.5 The graph below summarises the location of devices and the overall utilisation of each MFD. It clearly shows that a large majority of MFD's are running at 1% utilisation meaning that there is an opportunity to rationalise the number of MFDs and locations where they are installed. Utilisation on each device is calculated by taking the number of pages printed per annum and dividing by the maximum annual printing capacity of that device. Annual Printing capacity is derived from the PPM rate of the device (pages per minute; usually between 40 -100), multiply by 60 for hourly rate, multiply by 7hrs for daily rate, multiply by 250 working days for a per annum rate. There is an opportunity to create a number of strategic print hubs across the borough.

A graph to show the count and utilisation of devices at each location.



### Central print service

- 2.6 There are 3 bulk printers hosted in the mailroom in the Civic Offices - 2 black and white and 1 colour. Like the MFD's these are part of the main contract with Apogee and due to their age parts are becoming increasingly difficult to source, leading to lengthy outages at times.
- 2.7 The Mailroom staff provide a personalised print service for teams across the council. Printing approx. 2.4M pages (c. 10K pages per day) in 2022. Print jobs include, mail merge and letters, booklets, panel packs, legal packs, leaflets, and business cards, large format maps and schema printing. Other responsibilities include reprographics, page and layout design, checks and quality control, hand delivery where required.
- 2.8 Although papercut software has the capability, currently we are not recharging of print cost to directorates making visibility and accountability for print cost reduction very low. Jobs are often cancelled while in progress due to client errors and reprints requested with little visibility or consequence for the cost of such errors.

### Mailroom Operations

- 2.9 The current mailroom covers a variety of print, post and archive operations with an FTE of 3.5. Discussion with staff suggests the two main areas in the mailroom are Print (70% of time) and Outgoing Mail (22% of time).

## **Postal Service**

- 2.8 Outbound and inbound mail is handled manually in crates. In bound mail is delivered to pigeonholes, whilst parcels and secure mail is delivered in person to the correct department.
- 2.9 The Mailroom sends around 35,000 units of outbound mail per month. Each outbound unit requires a high number of touch points including preparing print jobs, enveloping, franking and preparing for collection.

## **Current Equipment**

- 2.10 The majority of equipment in the mailroom is leased and the equipment for the services currently provided onsite includes franking, enveloping, mail opening, hole punching, form folding & stapling, laminating and binding. This is currently costing £400k per annum, this includes £315k franking costs.
- 2.11 Current equipment contracts are with several different third-party suppliers including Pitney Bowes, Apogee and Cannon, all of the contract end dates are all in the 23/24 financial year. There is an opportunity to consider alternative solutions that could deliver better value for money as part of single provider tender that would be compared against existing in-house solution.

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

- 3.1 The following options will have impacts on staff, working practices, services cost and existing supplier contracts.

### **Option 1**

- 3.2 A like for like procurement for the replacement of MFDs, and bulk printing equipment in the mailroom. No changes to the existing bulk printing mailroom and post service.
- Staff costs will continue at current level
  - No change to working practice
  - Minimal savings achievable
- 3.3 This option does not realise any cash savings; does not deliver any efficiencies or modernisation and we will be paying for equipment that will not be fully utilised.

## **Option 2**

- 3.4 A rationalised MFD fleet, targeting a minimum 60% reduction to the number of devices and replacement of the bulk printing devices in the mailroom but no changes to the existing bulk printing mailroom and post service.

This would:

- Involve the creation of print hubs across the borough enabling a rationalised MFD fleet saving of £15K per annum. Reducing print volumes will increase this figure through less click rate charges and paper usage.
  - Give the opportunity to offer better value as the driving of volume to a reduced number of devices will ensure a higher % of utilisation on each device.
  - Provide replacements for the current end of contract high Volume print equipment and potential to change working practices.
- 3.5 This option realises a small cashable saving of £15k per annum by creating a number of hubs throughout the borough and would start to drive changes to working practices. However, it does not drive any significant efficiencies and does not take advantage of the new technology solutions and services that are available from 3<sup>rd</sup> party suppliers for other services that are provided.

## **Option 3**

- 3.6 Carry out a combined MFD, bulk printing & mailroom tender exercise for a contract of 3 years with an option for a further 2 years so that the Council can use the outcome of to see if it is achieving best value.

This would include:

- Outsourcing the bulk printing facility and also consider digital mail solution
- Single contract with one provider.
- A potential reduction in staff costs, subject to TUPE and consultation
- Potential for bulk print and Mailroom Operational efficiency savings of £223k per annum
- Creation of print hubs across the borough enabling a rationalised MFD fleet saving of £15K over per annum. Reducing print volumes will increase this figure through less click rate charges and paper usage
- Opportunity to rationalise franking costs through greater use of Intelligent Notification Software (INS) and the use of digital mail

- Drive changes to existing working practices to make them more efficient and modern through the use of the advances in technology
- 3.7 This option would enable the Council to baseline existing mail and post services, identify potential cost savings, rationalise the print solution, align multiple contracts to a single supplier and deliver transformation, efficiency and cost savings line with overall aspirations of the council. It would also enable the Council to explore alternatives to reduce postage costs.
- 3.8 The potential savings associated with this option are:

#### **Current cost of Outbound Mail & bulk print**

		<b>2023/24 in 000's</b>
<i>Overheads</i>	Staff x 3.5	126
<i>Fixed term</i>	Xerox Mono x 2 + Colour x 1 (100ppm)	17
<i>Fixed term</i>	Print Software & Offline Inserter + Support	30
<i>Fixed term</i>	Quadient Enveloper Lease x 2	-
<i>Fixed term</i>	Pitney Bowes (Enveloper + Franking machine x 2)	31
<i>Fixed term</i>	Cannon A1 Plotter Lease	6
<i>Fixed term</i>	Cannon A1 Plotter maintenance	4
<i>Variable</i>	Cannon A1 Plotter Consumables	-
<i>Variable</i>	Xerox Click Rate ppp	4
<i>Variable</i>	Pitney Bowes Franking cost	314
<i>Variable</i>	Est Paper & Envelops	19
<i>Variable</i>	80 Devices 60PPM w/ internal finishers	42
	<b>Total Cost</b>	<b>596</b>

#### **Indicative Potential savings**

- As an example, a reduction in MFDs from 90 devices to 30 devices (70PPM, full staple finishing / paper drawers etc) would save approximately £15,000 per annum. Further saving would be made if print volumes reduced through lower click rate cost and reduction in paper cost.
- By driving down the print volume by 50% we would achieve an annual saving of £7k per annum based on the current print per page charge rates
- By reducing our outbound post by 50% we could achieve an annual saving of £163k per annum
- An efficiency review of the mailroom operations could achieve a saving of £60k



Note: Lease costs for existing devices are click rate only as the MFD's are all end of life.

The expected savings highlighted are the ambitious but with the right cultural shift, policy changes and digital solutions contract we should expect to achieve based on initial discussions with suppliers and other local authorities.

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

4.1 The recommendation to test the market for a combined solution offers the following opportunities to: -

- Modernise the Council's current mailroom operations
- Drive efficiencies and realise financial benefits
- Eliminate lease and operational costs associated with bulk printing equipment housed in the mailroom
- Significantly reduce overhead costs associated with estate wide MFD printers which are currently underutilised.
- Give the Council the largest savings opportunity
- Start to drive changes to working practices
- Reduce our carbon footprint
- Create, potential for digitisation of mail
- Simplify contract management and improve management reporting

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

5.1 The list of duties undertaken by the mailroom has been provided through a series of conversations between Zani Mathoo, Michael Cunningham, Martin Skingsley and Sam Bundy. Further consultation will be needed with users of the services, as whilst other options offer the opportunity for efficiencies, the council's culture in respect of how it uses these services will need to adapt. (For example, it will not be practical in future for large "walk in/while you wait" print jobs to be done and staff will need to take more responsibility for checking documents, before they are sent for print, as the print room staff are providing an element of quality control at present.)

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

6.1 The recommendation will support the Council's ambition to transform service delivery and reduce costs.

## **7. Implications**

### **7.1 Financial**

Through the procurement and alignment of the multiple contracts that make up the Mail and print services there are estimated potential budget savings of £245k for the mail and print service. Inflation for staff costs have been assumed at 3% pa. The existing contract is at a fixed annual cost and the recommended proposal assumes a 5 year contract based on fixed unit costs. The indicative saving amounts may vary and will be dependent on the outcome of a tender process. The savings are anticipated in the 2024/25 financial year.

Further saving could be achieved through increased use of the Intelligent Notification system software (INS) and the reduction of franking costs by exploring what mail could be sent digitally. Consideration could also be given to re-charging directorates for print services to make them accountable for spend rather than one single centralised budget.

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

### **7.2 Legal**

1. The recommendation is to commence a procurement process for mail room and print room services for a period of 3 years with an option to extend for a period of 2 years
2. The Council under the Localism Act 2011 has a general power of competency, as it gives the Council the legal capacity to do anything that an individual can do, that is not specifically prohibited. In addition the Council has a general power under section 111 of the Local Government Act 1972 to do anything that is calculated to facilitate or is conducive or incidental to the discharge of any of its functions. Section 111 therefore provides Councils with a general power to enter into contracts for the discharge of any of their functions.
3. The Council's procurement of services including printing services are governed by:
  - i. the Local Government Act 1999, which requires the Council to make arrangements to achieve best value in the exercise of its functions
  - ii. the Council's Contract Procedure Rules and the general fiduciary duties placed on Council's.

- iii. The Public Contracts Regulations 2015 (**'Regulations'**) require service and supply contracts over the value of £ 213,477 ( inclusive of VAT) to be advertised in Find a Tender and to be let competitively, in accordance with the Regulations, there is also a requirement for the process to be transparent and non-discriminatory .
4. The General Data Protection Regulations and the Data Protection Act 2018 are applicable whenever personal data is processed, certain health and social care data is classified as sensitive personal data. The officers will have to consult with their respective Data Protection Officer as to the applicable processing and security requirements prior to the award of the contract.
5. The Transfer of Undertaking Protection of Employment Regulations 2006 as amended (TUPE) apply whenever there is a termination of a service contract, on termination of the current contract, the Council will have to discuss with the current supplier Apogee and any other incumbent supplier if TUPE will be applicable.
6. Provided the contract is awarded as outlined in the legal comment there is little risk of a successful challenge.
7. Cabinet can make the award to the successful supplier.

Implications verified by: **Lauretta Faulkner**  
Contracts Solicitor Law and Governance

### 7.3. Diversity and Equality

Should SLT agree to proceed with Option 3, a CEIA will be completed as part of the scoping exercise to determine D&E implications and inform decision-making.

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

### 8. Appendices to the report

- None

#### Report Author:

Andy Best  
Strategic Lead - IT



<b>12 July 2023</b>	<b>ITEM: 17</b> <b>Decision: 110662</b>
<b>Cabinet</b>	
<b>Procurement of Substance Misuse Services</b>	
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Key decision
<b>Report of:</b> Cllr G Coxshall, Cabinet Member for Health, Adults Social Care, Community and Public Protection	
<b>Accountable Assistant Director:</b> Andrea Clement, Assistant Director in Public Health	
<b>Accountable Director:</b> Dr Jo Broadbent, Director of Public Health	
<b>This report is</b> Public with an exempt appendix which is exempt due to information relating to the financial or business affairs of any particular person (including the authority holding that information)	
<b>Date of notice given of exempt or confidential report:</b> 4 <sup>th</sup> July 2023	

## Executive Summary

The provision of a Substance Misuse service, by the Local Authority, is a condition of the ring-fenced Public Health Grant. The terms of the grant stipulate that monies received by the Local Authority must be spent on ensuring there are public health services aimed at reducing drug and alcohol use.

At present Thurrock Council funds two separate, age-specific, Substance Misuse services. For children and young people *Wize-Up Thurrock* is currently contracted to deliver a service, whilst for adults the service is provided by *Inclusion Visions*.

Following several extensions in recent years, contracts for both providers are now due to expire on March 31<sup>st</sup> 2024. As such, it is now felt necessary to undertake a re-commissioning exercise to ensure a Substance Misuse service continues to be available to all residents from April 2024 onwards.

On the recommendation of the relevant commissioner and strategic lead, a decision has been taken by the Public Health Leadership Team to seek out a single provider from April 2024, tasked with delivering a universal service.

The timeline for ensuring the chosen provider is in place for the next financial year dictate that the service specification should go out to tender in September 2023. As such, the commissioner is now seeking agreement from Cabinet to commence the

procurement of the Substance Misuse Service contract and for Cabinet to agree to delegate authority to the Director of Public Health, in conjunction with the Portfolio Holder and Section 151 Officer, to award the contract following completion of the procurement process.

## **Commissioner Commentary**

### **1. Recommendation(s)**

- 1.1 That Cabinet agrees to commence the procurement of the Substance Misuse Service contract for a period of five years with the option to extend for four years in any period combination subject to performance and funding.**
- 1.2 That Cabinet agrees to delegate authority to the Director of Public Health, in conjunction with the Portfolio Holder and Section 151 Officer, to award the contract following completion of the procurement process.**

### **2. Introduction and Background**

- 2.1 Activities undertaken by the Local Authority's Public Health Team are, on the whole, funded by the Public Health ring-fenced Grant (PHG). This centrally allocated money is provided to Local Authorities by the Department for Health & Social Care (DHSC) to fund local efforts to improve the health and wellbeing of local populations and to reduce health inequalities.
- 2.2 The PHG allocation comes with conditions around how the money may be spent by a local authority. Prescribed functions are statutory requirements and must be funded. Non-prescribed functions are not statutory requirements, however some are considered mandatory elements of spend for the PHG. Drug and Alcohol services fall into the latter of these two categories – namely that it is a condition of the PHG that monies be spent on ensuring there are public health services aimed at reducing drug and alcohol use. Failure to do so may result in the Secretary of State reducing, suspending or withholding grant payments.
- 2.3 Presently Thurrock funds two distinct Substance Misuse services:
- 2.4 For children and young people a contract has been in place with *Wize-Up Thurrock*, part of the wider Change, Grow, Live Substance Misuse charity, since April 2019. This contract was due to expire in March 2023, however an option to extend the contract for a further year was taken, meaning the contract will now expire on March 31<sup>st</sup> 2024. The option to extend for one further year remains.
- 2.5 *Wize-Up* currently has, on average, 35 individuals in structured treatment each month. Treatment is specialised and community-based. The service is linked in with the adult substance misuse service, the Youth Offending Service, and local educational establishments. In addition, the service

supports a small, but increasing, number of Hidden Harm individuals, and continues to offer structured advice and guidance to individuals who may have experimented with substances.

- 2.6 For adults, a contract has been in place with *Inclusion Visions*, part of Midlands Partnership NHS Foundation Trust, since April 2017. This contract was due to expire in March 2020, however the option to extend the contract for a further year was exercised on two subsequent occasions, taking the original contract through to its full term in March 2022. The challenges of the pandemic prevented re-commissioning taking place during this time, meaning two subsequent one-year extensions have subsequently been agreed. The existing contract is therefore currently due to expire on March 31<sup>st</sup> 2024.
- 2.7 Inclusion Visions currently has, on average, 145 individuals in structured treatment for opiates each month, 95 individuals in structured treatment for alcohol each month and 30 individuals in structured treatment for non-opiates each month. Treatment is specialised and predominantly community-based, although residential and in-patient treatment is available to eligible individuals. The service is linked in with the children and young persons' substance misuse service, the local authority, criminal justice partners and primary and secondary care. In addition, the service offers needle exchange, Hep C testing, Hep B vaccinations, informal drop in and brief interventions.
- 2.8 The most recent one-year extension to the *Inclusion Visions* contract was agreed by Cabinet in November 2022, with the understanding that the extension would allow time for the completion of a needs assessment to inform re-commissioning via an updated service specification for 24/25. This needs assessment has now been completed and a service specification for an all-age service has been drawn up.
- 2.9 The decision to move to an all-age service was approved by the Public Health Leadership Team in April 2023. The recommendation to move to an all-age service was made by the Commissioner based on the expectation that this would:
- Help to reduce challenges faced by young people in transitioning between the Children and Young People's provider and the Adult provider. The needs assessment identified this was a specific area of difficulty for young people
  - Generate some efficiencies in back-office functions and reduce the administrative burden of managing two separate Substance Misuse Service Contracts
  - Mitigate against the risk of service disruption faced by a fairly modest standalone Children and Young People's contract. The current provision has experienced resourcing issues brought about by unexpected long term staff absences within a small team, leading to performance issues within the contract.

- 2.10 In addition, it is expected that an all-age service, with a revised service specification and increased partnership work, will increase both the number of individuals in treatment and the number of successful treatment completions. Presently Thurrock has a large proportion of unmet need across all substance categories amongst adults, with around 80% of individuals with an alcohol or opiate issue not in treatment. For non-opiates the figure is around 70% and for non-opiate and alcohol the figure is over 90%. For those individuals in treatment around 50% will successfully complete their treatment. The revised service specification therefore includes a focus on population-level harm minimisation as well as a focus on individual treatment. The recent needs assessment identified that certain communities were particularly under-represented in treatment, such as Black ethnic groups, and the contract will therefore include a requirement to take a Human Learning Systems approach to service development with those particular communities (including those with co-occurring mental health issues and certain ethnic minority groups). For children and young people, the number of individuals currently in treatment is significantly lower than has been the case historically and there is an increasingly difficult to meet demand on service representation across numerous sites within the borough (including the Integrated Medical and Wellbeing Centres and Family Hubs). It is expected that an increased focus on assertive outreach, working in a more joined up way with partner organisations for individuals with a co-occurring substance misuse and mental health issue, and an enhanced workforce offer, will lead to improvements in both the reach and impact of the service.
- 2.11 The timeline for re-commissioning the Substance Misuse service dictates that the contract should go out to tender in September 2023. The commissioner is therefore seeking agreement from Cabinet to commence the procurement of the Substance Misuse Service Contract for 2024/25.
- 2.12 Indicative timescales:

Tender publication	18 <sup>th</sup> September 2023
Deadline for clarifications	18 <sup>th</sup> October 2023
Tender closing date	27 <sup>th</sup> October 2023
Evaluations	30 <sup>th</sup> Oct – 24 <sup>th</sup> Nov 2023
Notify tender outcome	27 <sup>th</sup> November 2023
Standstill period	28 <sup>th</sup> Nov – 7 <sup>th</sup> Dec 2023
Expected award	8 <sup>th</sup> Dec 2023
Contract commencement	1 <sup>st</sup> April 2024

- 2.13 The contract itself is proposed to consist of an initial 5-year period, followed by the option to extend for a further four years in any period combination. Thus, the contract length will be a minimum of 5 years and a maximum of 9 years. The ability to extend the contract beyond 2029/30 has the potential to align the contract expiry date with those of the current substance misuse service contracts for Essex County Council and Southend City Council,



bringing with it the possibility for the three authorities to work collectively in future on a joint service.

2.14 The proposed financial envelope for the service is based on the sum of the existing contract values of the Children and Young People's and Adults services respectively. For 2023/24 this equated to £1,372,179. By applying a year-on-year uplift in the contract value of either 0%, 1% or 2% the maximum value of the contract – for a 9-year contract with an annual 2% uplift - is forecast to be £13,385,096. The minimum cost of the contract – for a 5-year contract with a 0% uplift – is forecast to be £6,860,895.

2.15 Breakdown of forecasted total costs based on three scenarios:

Contract Term	0% Uplift	1% Uplift	2% Uplift
5 Years	£6,860,895	£6,999,492	£7,140,875
7 Years	£9,605,253	£9,898,262	£10,201,168
9 Years	£12,349,611	£12,855,296	£13,385,096

2.16 Public Health would recommend an uplift of 1% annually, to cover cost increases that the service will experience during the lifetime of the contract. Since DHSC's indicative Public Health budget for 2024/25 is a 1.3% uplift on the 23/24 level, an annual uplift of more than this may become unaffordable. The risk of offering 1% may be reduced provider interest and therefore reduction of quality in service provision, however it is recognised that the Council is in a financial situation that may require the costs to be capped at 1%.

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

3.1 The existing provision of Substance Misuse services is due to end in March 2024. There is consequently a need for the local authority to ensure a contracted service is in place from April 2024 onwards

3.2 The value of any contract(s) from April 2024 onwards will exceed the threshold for which Cabinet approval of spend is required, meaning Cabinet agreement to proceed is required.

3.3 There are currently four options for Cabinet to consider in this matter:

3.4 **Option 1 – Cabinet to Do Nothing – allow both existing Substance Misuse service contracts to expire**

3.5 The Council could allow the current contracts with *Inclusion Visions* and *Wize-Up* to expire, leaving the local authority with no Substance Misuse service provision for 2024/25. By failing to provide agreement to proceed with the commencement of procurement for a Substance Misuse service for 2024/25 and then subsequently failing to agree funding for extensions of the existing contracts, the Council could in effect cease service provision. This would generate a significant saving in terms of spend on contract. However, as

spend on a Substance Misuse service is a mandated requirement of the Public Health Grant the authority would technically be in breach of the grant conditions and the Secretary of State may subsequently reduce, suspend or withhold grant payments or require the repayment of the whole of the grant. Furthermore, additional Substance Misuse treatment and recovery grant funding, currently provided by the Office for Health Improvement and Disparities of approximately £224,000, would also likely be forfeited due to a breach of grant conditions. Alongside the clear financial and reputational damage such a situation would generate, vulnerable local people at high risk of harm would be without a vital service.

**3.5 Option 2 – Cabinet to agree to proceed with procurement of the Substance Misuse service contract and to delegate authority to the Director of Public Health, in conjunction with the Portfolio Holder and Section 151 Officer, to award the contract following completion of the procurement process**

3.6 In agreeing to proceed with the procurement of the Substance Misuse service contract Cabinet would allow the Council to dedicate the necessary commissioning resources needed to undertake a re-commissioning process for a Substance Misuse service contract to be procured for April 2024.

3.7 Furthermore, in delegating authority to the Director of Public Health, in conjunction with the Portfolio Holder and Section 151 Officer, to award the contract following completion of the procurement process, Cabinet would allow the re-commissioning process to be completed in time for a new contract to be in place for April 2024. The successful procurement of this contract would ensure continuity in service delivery for local people and reduce the possibility of exposing vulnerable local people at high risk of harm to negative health outcomes.

**3.8 Option 3 – Cabinet to recommend the extension of the two existing Substance Misuse Service Contracts for a further 12 months**

3.9 In favouring extending the two existing contracts Cabinet could ensure continuity in current delivery of service by maintaining current arrangements for a further year. Both providers currently routinely satisfy their key performance indicators and it may be that individuals who currently access these services would benefit from continuity. However, the recently completed needs assessment has highlighted the difficulties posed to individuals transitioning between the two services, as well as large unmet need in the local area and limitations in the scope of the adult service. Resource issues at *Wize-Up* have also been a concern in the recent past with the service under-performing for a short time. Furthermore, whilst a 12-month extension is possible under the current *Wize-Up* contract, no such provision exists with *Inclusion Visions* contract. No discussions have taken place about a further 12-month extension to this contract, but there is a very real possibility that recent inflationary pressures would be reflected in an increased contract cost. A further contract waiver for this contract would also be difficult to justify at

this time. Finally, should 12-month extensions ultimately be agreed, the Council would find itself in the same position it currently is in 12-months' time. In effect, the Council would simply be delaying a process that it will need to undertake eventually.

**3.10 Option 4 – Cabinet to propose exploring the practicalities of adding Thurrock's geography to the Essex County Council Substance Misuse service**

3.11 The possibility of allowing Thurrock residents to access the current Substance Misuse service contract procured by Essex County Council, but expanded to cover Thurrock's geography, could be considered a possibility. Informal discussions between the authorities have taken place and it is thought that such an arrangement could be made, generating economies of scale and negating the need for Thurrock to procure its own standalone Substance Misuse Service Contract. However, these discussions have only been undertaken in a speculative way to date, and the practicalities of incorporating Thurrock into the Essex County Council contract is at present very unclear. Essex County Council provide a Substance Misuse service through several providers and have only recently entered into long-term contractual arrangements. Incorporating Thurrock into these arrangements is likely to pose numerous legal and logistical challenges and may pose some political difficulties. It would seem unlikely at that the present time that it would be possible to complete an evaluation of the merits of any concrete proposal in this regard, and to subsequently move forward with arrangements for a service to be in place by April 2024. It is felt that the most prudent approach to this option would be to consider it as a position for a future joint re-commissioning exercise in 2030, when Substance Misuse Service Contracts for both Essex County Council and Southend City Council will have completed their initial terms.

**4. Reasons for Recommendation**

4.1 **Option 2**, for Cabinet to agree to proceed with procurement of the Substance Misuse service contract and to delegate authority to the Director of Public Health, in conjunction with the Portfolio Holder and Section 151 Officer, to award the contract following completion of the procurement process is recommended as it will allow the timely procurement of a Substance Misuse service based on an updated service specification which reflects the needs of local people.

4.2 In agreeing Option 2 Cabinet would allow officers to move forward with the procurement process from September 2023 onwards, which should ensure the local authority has provision in place from April 1<sup>st</sup> 2024.

4.3 Alternative options would lead to substantial financial and reputational damage as well as the likelihood of poorer health outcomes for vulnerable individuals, a degree of short term continuity coupled with medium and long

term uncertainty, or a protracted exploratory exercise which may prove unworkable or lead to significant delays in ensuring service provision.

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

5.1 This paper has been reviewed by the Public Health Leadership Team, Adults Housing and Health Directorate Management Team, the Senior Leadership Team, and the Portfolio Holder for Adults, Housing & Health.

5.2 Engagement interviews on service requirements are being held with key stakeholders as part of the needs assessment, which will inform a scope that is being consulted upon by a reference group of relevant professionals to include innovative delivery approaches.

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

6.1 The Thurrock Health and Wellbeing Strategy 2022-26 contains a goal to reduce substance misuse in all communities in Thurrock. It commits to doing so by addressing unmet need in relation to drug and alcohol misuse.

6.2 By ensuring the provision of a Substance Misuse Service Contract for April 2024, based on a recent comprehensive needs assessment, the local authority is demonstrating its commitment to the Health and Wellbeing Strategy.

6.3 The recommendations of this report align with Thurrock's Improvement and Recovery Plan 2022 to be a more streamlined and financially sustainable organisation.

6.2 The recommendations within this report will align with the strategic them of the IRP to be a focused, cost-effective, sustainable and co-designed approach to service provision which is delivered in partnership with residents and other key partners, with collaboration across multi-disciplinary teams.

## **7. Implications**

### **7.1 Financial**

Implications verified by: **Bradley Herbert**  
**Senior Management Accountant**

Procuring a new long-term Substance Misuse Service Contract will have significant financial implications for the local authority. The present cost of Substance Misuse services to the Council is approximately £1.372m annually. Whilst any contract length and value is not yet finalised, by agreeing to the

commencement of the procurement of an all-age Substance Misuse Service contract, and delegating authority to award the contract, Cabinet will likely commit between £6.860m and £13.385m over the next 5 to 9 years. The proposed financial envelope for the service does however fall within the current available funding in the Public Health budget and within our best insight on the likely Public Health Grant level over the lifetime of the contract.

The procurement of an all-age service, based on a more up to date service specification, should generate some efficiencies and improve the efficacy of the service, meaning the future contracted service represents better value for money. Furthermore, in maintaining investment in drugs and alcohol services the Council remains eligible for additional grant funding from OHID, currently to the value of £250k annually. Reducing the annual contract value below the 23/24 value would forfeit this additional funding.

Once the procurement exercise is completed, the cost of the new contract will form part for of the 2024/25 Public Health budget setting process. With the planning of the budget, and the Public Health business plan, there is an inflationary element allowed for to reflect additional costs. The submitted tenders will be evaluated against this budget to give an informed view of the contract cost.

## 7.2 Legal

Implications verified by: **Kevin Molloy**  
**Team Leader Contracts – Legal Services**

Following issue by the Council of a s114 notice, the Council must ensure that its resources are not used for non-essential spending. The contracts at issue here are all essential and the provision of them a statutory duty. In procuring the services outlined, the Council must observe the obligations upon it outlined in national legislation and in its internal procurement rules. The proposed procurement approach should fulfil these requirements but Officers are recommended to keep Legal Services fully informed as they progress through the procurements to ensure compliance.

Procuring a new contract for 2024/25 would be permissible under current contract conditions and Public Contracts Regulations.

Failure to have any contract in place for 2024/25 would likely see the Council breach its duty to provide a service specified in statute.

## 7.3 Diversity and Equality

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

The Substance Misuse Service is universal and its existence or otherwise could be argued to impact upon all socio-demographic groups equally. However, the nature of the service is that in many cases those individuals at greatest risk of harm and who could be considered society's most vulnerable would be impacted most through any potential failure, withdrawal or reduction in scope of the service.

The contract will seek to maximise the Social Value from the contract, and will seek to incentivise a Human Learning System approach by the Provider to ensuring the needs of high-need groups are understood and met.

All information regarding Community Equality Impact Assessments can be found here: <https://intranet.thurrock.gov.uk/services/diversity-and-equality/ceia/>

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

Delivery of this service will support the aims of the SET Drug & Alcohol Partnership, which includes local authorities working jointly with Police, Probation and Health partners. This group is the Essex delivery arm for Combatting Drugs Partnerships, the requirement for which were set out by the Combatting Drugs Minister in 2022.

**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):

Department of Health, Ring-fenced public health grant circular, 10 January 2013

**9. Appendices to the report –**

**App 1** Stage 1 Form – Approval to Proceed to Tender, exempt from Publication

**Report Author:**

Phil Gregory  
Senior Programme Manager, Health Improvement  
Public Health

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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<b>12 July 2023</b>		<b>ITEM: 18</b> <b>Decision: 110663</b>
<b>Cabinet</b>		
<b>Procurement of Sexual Health Services</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Yes	
<b>Report of:</b> Cllr G Coxshall Cabinet Member for Health, Adult Social Care, Community and Public Protection		
<b>Accountable Assistant Director:</b> Andrea Clement, Assistant Director of Public Health		
<b>Accountable Director:</b> Dr Jo Broadbent, Director of Public Health		
<b>This report is</b> Public with an exempt appendix which is exempt due to information relating to the financial or business affairs of any particular person (including the authority holding that information)		
<b>Date of notice given of exempt or confidential report:</b> 4 July 2023		

## Executive Summary

Local authorities have, since 1 April 2013, been responsible for improving the health of their local population and for public health services including most sexual health services. The Secretary of State continues to have overall responsibility for improving health, but Regulations made under Section 6C of the NHS Act 2006 require local authorities to take steps in exercise of their public health functions, or aspects of the Secretary of State's public health functions<sup>1</sup>. Regulation 6 requires local authorities to provide or make arrangements to secure the provision of open access sexual health services in their area, specifically:

- Comprehensive sexual health services including most contraceptive services and all prescribing costs, but excluding GP additionally-provided contraception
- Sexually transmitted infections (STI) testing and treatment, chlamydia screening and HIV testing
- Specialist services, including young people's sexual health, teenage pregnancy services, outreach, HIV prevention, sexual health promotion, services in schools, colleges and pharmacies

<sup>1</sup> See [commonslibrary.parliament.uk/briefings](https://commonslibrary.parliament.uk/briefings)

This report sets out the proposals for the procurement of the sexual health contract that deliver sexual health services to Thurrock residents and those out of the Borough. The contract was extended for 1 year and is due to expire on 31<sup>st</sup> March 2024.

This report is seeking approval to commence procurement of the sexual health contract and delegated authority for the tender and award of the contract and finances for the delivery of this. Finances for the delivery of this are from the ring-fenced Public Health Grant, provided by the Department for Health & Social Care (DHSC). These recommendations fit within the objectives of the Thurrock Improvement and Recovery Plan 2022 for the Council to be a more financially sustainable council.

By law, councils must have a balanced budget. If a council cannot find a way to finance its budget, it must issue a 'Section 114' notice. On 19 December 2022, the Council issued the 'Section 114' notice. This puts strict limits on what the Council can spend. The Section 114 notice was necessary as the Council was unable to balance its budgets for the financial years of 2022/23 and 2023/24.

In September 2022, Directions issued to the Council by the Government required us. To put in place an Improvement and Recovery Plan to the satisfaction of Commissioners. The plan has five main themes:

- financial sustainability
- governance and scrutiny
- strategic direction
- place leadership and growth
- leadership and culture

## **Commissioner Commentary**

### **1. Recommendation(s)**

- 1.1 That Cabinet agrees to commence the procurement of the Sexual Health Service contract for a period of five years with the option to extend for four years in any period combination subject to performance and funding.**
- 1.2 That Cabinet agrees to delegate authority to the Director of Public Health, in conjunction with the Portfolio Holder and Section 151 Officer, to award the contract following completion of the procurement process.**

## **2. Introduction and Background**

- 2.1 Good sexual health enables healthy relationships, planned pregnancies, and prevention of disease. It is important for all individuals throughout their life course and contributes to maintaining and improving population health. Most of the adult population of England are sexually active and access to quality sexual health services improves the health and wellbeing of both individuals and populations.
- 2.2 According to The Office for Health Improvement and Disparity (2023) sexual health is not equally distributed within the population. Strong links exist between deprivation and STIs, teenage conceptions and abortions, with the highest burden borne by women, men who have sex with men (MSM), trans community, young people, and people from ethnic minority backgrounds. Similarly, HIV infection in the UK disproportionately affects gay, bisexual and other MSM, and black African populations. Some groups at higher risk of poor sexual health face stigma and discrimination, which can influence their ability to access services.
- 2.3 Sexual Health services can be accessed throughout the country by anyone in need and therefore, it is vital that services in Thurrock are comparable to those elsewhere ensuring a high standard of care for those living in or visiting the borough.
- 2.4 The current sexual health contract is in its sixth year and is due to expire on 31<sup>st</sup> March 2024. In order to ensure value for money and ensure that the service meets the needs of the community, a re-procurement exercise needs to be undertaken.
- 2.5 In order to inform the re-procurement process, the Public Health Team is completing a Sexual Health Needs Assessment and a Service Specification with a view to addressing the following:
- Late diagnosis HIV and treatment
  - Accessibility, including for vulnerable and high-need groups
  - Condom distribution
  - New and emerging threats/issues
  - STI testing and prevention
  - Contraception including long-acting reversible contraception (LARC)
  - Teenage pregnancy
  - Input to Relationships and Sex Education (RSE) in schools

The content will be considered by the Health & Wellbeing Board.

- 2.6 In the first three quarters of 2022, 10,460 people accessed the sexual health service of which 78% were Thurrock residents. Over 2000 appointments were for contraception intervention (removal or insertion) with 1,801 receiving contraception. 15.5% of service users were tested for syphilis, chlamydia, gonorrhoea, herpes, and HIV. In 2021, new diagnosis rates in Thurrock ranged from 209/100,00 for chlamydia to 5/100,000 for HIV.
- 2.7 It is expected that the new Sexual Health service, with a revised service specification, will reduce the disparities in the impact of STIs on certain groups in the community including some men who have sex with men (MSM) and certain minority ethnic groups, and look to improve the take up of testing and treatment. Education and outreach into low uptake areas has been recognised through service user and stakeholder engagement as being in need of improvement in Thurrock and will form part of the service specification. We will seek to use an HLS approach to enhance outreach services for higher risk groups, such as sex workers, and improve accessibility of services more generally. This will include enhanced engagement with GPs, pharmacies, schools, and specialist services such as midwifery, substance misuse services and The Terrance Higgins Trust.2.8 Thurrock has a strong track record in reducing teenage pregnancies over the past decade. Rates have more than halved from 36.1 per 1000 in 2013 to (12 per 1,000) in 2021. This rate is also lower than most of our CIPFA comparators. However, the total abortion rate in Thurrock has steadily increased since 2017, currently at 22 per 1,000 females in 2021. This shows there is still work to do regarding prevention of unwanted pregnancies through education and easier access to services.
- 2.9 The needs assessment has also shown that a focus is required on prevention, particularly, relationship and sex education in schools and this will also form part of the new service specification. Services should be provided by utilising existing services and providers such as GPs, family hubs and integrated wellbeing and medical centres to provide spoke and outreach services for those requiring service intervention. It is expected that an increased focus on assertive outreach, working in a more joined up way with partner organisations for individuals and a review or change of the current hub will lead to improvements in both the reach and impact of the service.
- 2.10 The financial envelope for the procurement of the sexual health service has been based on the financial year 2022-23 and modelled on a 0%, 1% and 2% uplift year on year. The contract for 2023-24 was an agreed extension for one year only extending the previous length of the full contract and therefore can be viewed as a standalone yearly cost rather than a true reflection of the contract cost. The proposed cost of the contract for the initial five years will thus be £1.507m - £1.631m per year, see below table of breakdown of contractual costs over 0%, 1% and 2%;

Contract Term	0% Uplift	1% Uplift	2% Uplift
5 Years	£7,538,055	£7,690,331	£7,845,668
9 Years	£13,568,499	£14,124,094	£14,706,185

- 2.11 The total cost of the contract over the initial five years with a 0% uplift is £7,538M, with a 1% uplift is it £7.690m and with a 2% uplift is £7.846m. This does not include the annual Primary Care contraceptive service delivery costs of c. £65,000, which will be met separately based on annual activity by each provider. Primary care element of the contact with no uplift is £0.325M for five year contract & the cost for a nine year contact is at £0.585M
- 2.12 Public Health would recommend an uplift of 1% annually, to cover cost increases in laboratory and other costs that the service will experience during the lifetime of the contract. Since DHSC's indicative Public Health budget for 2024/25 is a 1.3% uplift on the 23/24 level, an annual uplift of more than this may become unaffordable. The risk of offering 1% may be reduced provider interest and therefore reduction of quality of service provision, however it is recognised that the Council is in a financial situation that may require the costs to be capped at 1%.
- 2.13 An option to extend for up to four years is proposed in order to allow flexibility such that future contract timelines could be aligned with those of Southend City Council and Essex County Council. This would allow the option of joint procurement to be considered in the future, which could deliver benefits of both scope and scale for this particular service.
- 2.14 Thurrock Council's constitution allows for the delegation of executive functions to Officers by the Leader or from the Cabinet, Cabinet Committees or individual Cabinet Members under section 14 of the Local Government Act 2000. In accordance with the requirements of the basis of delegation and the conditions and limitations of the delegation, the commissioner is also seeking agreement from Cabinet to delegate authority to the Director of Public Health, in conjunction with the Portfolio Holder, to award the contract following completion of the procurement process.

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

- 3.1 The existing provision of Sexual Health services is due to end in March 2024. There is consequently a need for the local authority to ensure a contracted service is in place from April 2024 onwards.
- 3.2 The value of any contract(s) from April 2024 onwards will exceed the threshold for which Cabinet approval of spend is required, meaning Cabinet agreement to proceed is required.
- 3.3 There are currently four options for Cabinet to consider in this matter:

### **3.4 Option 1 – Allow the existing Sexual Health service contracts to expire**

3.5 The Council could allow the current contract with *Provide C/C* to expire, leaving the local authority with no Sexual Health service provision for 2024/25. By failing to provide agreement to proceed with the commencement of procurement for the service for 2024/25 and then subsequently failing to agree funding for extensions of the existing contracts, the Council could in effect cease service provision. This would generate a significant saving in terms of spend on contract. However, as provision of a Sexual Health service is mandated in law, the authority would technically be in breach of its statutory duties.

### **3.5 Option 2 – Cabinet to agree to proceed with procurement of the Sexual Health service contract and to delegate authority to the Director of Public Health, in conjunction with the Portfolio Holder and Section 151 Officer, to award the contract following completion of the procurement process**

3.6 In agreeing to proceed with the procurement of the Sexual Health service contract Cabinet would allow the Council to dedicate the necessary commissioning resources needed to undertake a re-commissioning process for a Sexual Health service contract to be procured for April 2024.

3.7 Furthermore, in delegating authority to the Director of Public Health, in conjunction with the Portfolio Holder and Section 151 Officer, to award the contract following completion of the procurement process, Cabinet would allow the re-commissioning process to be completed in time for a new contract to be in place for April 2024. The successful procurement of this contract would ensure continuity in service delivery for local people and reduce the possibility of exposing vulnerable local people at high risk of harm to negative health outcomes.

### **3.8 Option 3 – Extend the existing Sexual Health Service Contract for a further 12 months**

3.9 In favouring extending the existing contract, Cabinet could ensure continuity in current delivery of service by maintaining current arrangements for a further year. However, the original contract has now expired, and has been extended only due to the challenges of the pandemic preventing re-commissioning taking place during this time. An annual extension is a more costly option than reprocurring and reduces sustainability of service for both Provider and users of service. A further contract modification for this contract would also be difficult to justify in line with the Public Contracts Regulations 2015 at this time. Finally, should 12-month extensions ultimately be agreed, the Council would find itself in the same position it currently is in 12-months' time. In effect, the Council would simply be delaying a process that it will need to undertake eventually.

### 3.10 **Option 4 – Explore the practicalities of adding Thurrock’s geography to neighbouring local authority Sexual Health service/s**

3.11 The possibility of allowing Thurrock residents to access the current Sexual Health service contract procured by Essex County Council or Southend City Council, but expanded to cover Thurrock’s geography, could be considered a possibility. Informal discussions between the authorities have taken place and it is thought that such an arrangement could be made, generating economies of scale and negating the need for Thurrock to procure its own standalone Contract. However, the contract terms for these neighbouring authorities and the legal and logistical issues make this challenging currently. It is felt that the most prudent approach would be to consider it as a potential option for a future joint re-commissioning exercise.

#### Indicative timescales for the recommended procurement option 2:

Competitive tender route to be openly advertised using the Open tender procedure:

Tender publication	18 <sup>th</sup> September 23
Deadline for clarifications	18 <sup>th</sup> October 23
Tender closing date	27 <sup>th</sup> October 23
Evaluations	30 <sup>th</sup> Oct – 24 <sup>th</sup> Nov 23
Notify tender outcome	27 <sup>th</sup> November 23
Standstill period	28 <sup>th</sup> Nov – 7 <sup>th</sup> Dec 23
Expected award	8 <sup>th</sup> Dec 23
Contract commencement	1 <sup>st</sup> April 24

## **4. Reasons for Recommendation**

4.1 **Option 2** – Cabinet to agree to proceed with procurement of the Sexual Health service contract and to delegate authority to the Director of Public Health and Section 151 Officer, in conjunction with the Portfolio Holder, to award the contract following completion of the procurement process

4.2 The current all age sexual health service contract end on March 31<sup>st</sup> 2024, it is possible to commission a new service, which accommodates all ages, to start from April 1<sup>st</sup> 2024.

4.3 Alternative options would lead to substantial financial and reputational damage as well as the likelihood of poorer health outcomes for vulnerable individuals, a degree of short term continuity coupled with medium and long term uncertainty, or a protracted exploratory exercise which may prove unworkable or lead to significant delays in ensuring service provision.

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

- 5.1 Options within this report have been discussed with the Public Health Leadership Team, AHH DMT and the Portfolio Holder for Adults, Housing & Health. Wider stakeholders and colleagues will be briefed on the approach to procurement.
- 5.2 Engagement sessions on service requirements are being held with key stakeholders. Service users have been consulted via an online and paper survey to solicit views on future service delivery. Feedback from these surveys will inform the new scope of the sexual health service to include innovative delivery approaches. The Service Specification will be considered by HOSC.

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

- 6.1 The recommendations of this report align with Thurrock's Improvement and Recovery Plan 2022 to be a more streamlined and financially sustainable organisation.
- 6.2 The recommendations within this report will align with the strategic theme of the IRP to be a focused, cost-effective, sustainable and co-designed approach to service provision which is delivered in partnership with residents and other key partners, with collaboration across multi-disciplinary teams.

## **7. Implications**

### **7.1 Financial**

Implications verified by: **Bradley Herbert**  
**Senior Management Accountant**

Although procuring a new long-term Sexual Health Service Contract will have significant financial implications for the local authority, the proposed financial envelope for the service falls within the current available funding in the Public Health budget and within our best insight on the likely Public Health Grant level over the lifetime of the contract.

Once the procurement exercise is completed, the cost of the new contract will form part for of the 2024/25 Public Health budget setting process. With the planning of the budget, and the Public Health business plan, there is an inflationary element allowed for to reflect additional costs. The submitted tenders will be evaluated against this budget to give an informed view of the contract cost.



## 7.2 Legal

Implications verified by: **Kevin Molloy**  
**Team Leader Contracts – Legal Services**

Following issue by the Council of a s114 notice, the Council must ensure that its resources are not used for non-essential spending. The contracts at issue here are all essential and the provision of them a statutory duty. In procuring the services outlined, the Council must observe the obligations upon it outlined in national legislation and in its internal procurement rules. The proposed procurement approach should fulfil these requirements but Officers are recommended to keep Legal Services fully informed as they progress through the procurements to ensure compliance.

Procuring a new contract for 2024/25 would be permissible under current contract conditions and Public Contracts Regulations.

Failure to have any contract in place for 2024/25 would likely see the Council breach its duty to provide a service specified in statute.

## 7.3 Diversity and Equality

Implications verified by: **Rebecca Lee**  
**Team Manager – Community Development Team**

The Sexual Health service is universal, but will be specifically contracted to consider and provide for the needs of higher-need, higher-risk and vulnerable groups with regard to sexual health. These needs will be outlined in the forthcoming needs assessment and the Service Specification. The model of delivery will need to take account of accessibility for our diverse community.

The contract will seek to maximise the Social Value from the contract, and will seek to incentivise a Human Learning System approach by the Provider to ensuring the needs of high-need groups are understood and met.

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

Services and models of delivery need to ensure they are accessible to all ensuring that barriers to accessing health are mitigated, Covid-19 saw the transition to online services for many health settings and whilst this has proven to be very successful it cannot be the only mode of interface with service users. The Office for National Statistics (ONS) (2020) revealed 5% of the adult population of Great Britain had not used the internet in the 3 months prior to the survey and 16% of the population did not use a smartphone for private use.

The mode of delivery must also reflect changing working patterns, rural living and access via public and private transport. There will need to be a variety of clinics available including, walk in, booking, out of office hours, sit and wait and online. These will be developed in the Service Specification.

**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):

Department of Health, Ring-fenced public health grant circular, 10 January 2013, p3.

Sexual health commissioning in local government Collaborating for better sexual and reproductive health and wellbeing, Local Government Association, Ruth Lowbury, (2019).

Sexual and reproductive health and HIV Guidance, OHID, 10 March 2022.

A Framework for Sexual Health Improvement in England, Department of Health,(2013).

Integrated sexual health service specification, The Office for Health Improvement and Disparities and the UK Health Security Agency Published 20 March 2023.

Internet Access – Households and Individuals, Great Britain. Office for National Statistics, (2020).

**9. Appendices to the report**

**App 1** - Stage 1 Form – Approval to Proceed to Tender, exempt from Publication

**Report Author:**

**Rebecca Lawrence**

Senior Programme Manager, Public Health

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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<b>12 July 2023</b>		<b>ITEM: 19</b>
<b>Decision: 110664</b>		
<b>Cabinet</b>		
<b>A13 Widening - Outturn Report</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Key	
<b>Report of:</b> Cllr B Maney, Cabinet Member for Regeneration and Highways		
<b>Accountable Assistant Director:</b> Kevin Munnelly, Assistant Director Regeneration and Place Delivery.		
<b>Accountable Director:</b> Mark Bradbury, Director of Place		
<b>This report is</b> Public with an exempt appendix which is exempt due to information relating to the financial or business affairs of any particular person (including the Authority holding that information).		
<b>Date of notice given of exempt or confidential report:</b> 4 July 2023		

## 1.0 Executive Summary

- 1.1 Works relating to the A13 main construction contracts have been completed and a financial settlement agreement has been negotiated with the main contractor Kier. This report sets out the projected final financial outturn position on the build contracts. The report also sets out details of the post completion phase of the project and how business disturbance and Part 1 (post completion) claims will be processed.
- 1.2 The report also covers details on the handover and ongoing maintenance arrangements and includes a summary of the lessons learnt from a review of the programme delivery to date. It will identify the key factors that have resulted in significant cost and programme overruns and the improvements that can be implemented to ensure more effective capital project delivery in the future. A detailed analysis of this review and lesson learnt recommendations is contained at Annex 2.

## Recommendations

**CABINET**

1. **Note the projected final outturn figure as set out in Table 1 of this report and approve the allocation of £49.637m to meet Thurrock Council's commitment to scheme costs.**
2. **Delegate authority to the Director of Place, in conjunction with the Portfolio Holder for Regeneration, to conclude the Settlement Agreement and all outstanding compensation claims.**
3. **Note the lesson learnt recommendations and instruct that these are incorporated into Council's Improvement & Recovery Plan.**

## **2. Introduction and Background**

- 2.1 The project scope involves widening the A13 Stanford le Hope by-pass from two to three lanes in both directions, from the junction with the A128 (Orsett Cock roundabout) in the west to the A1014 (The Manorway) in the east and replacing four bridges. On completion of the project there will be a continuous three-lane carriageway running from the M25 to Stanford le Hope, reducing congestion and resultant pollution, improving journey times and supporting further economic growth not only in Thurrock but across the whole South Essex corridor.
- 2.2 The consent for this project was originally granted by a Harbour Empowerment Order in 2008, with the Council taking on responsibility for the preliminary design in 2011. The SELEP local growth fund deal was received in 2014, which provided the certainty needed for the Council to award contracts for the preliminary design in early 2014. Detailed design and main works construction contracts followed in 2016. The Main contraction works commenced in March 2018. A breakdown of the key dates and decisions is set out in the table below.

<b>Date</b>	<b>Decision/Event</b>
2008	Consent under the Harbour Empowerment Order 2008.
2011	Cabinet paper authorising preliminary design contracts.
2013	Local Growth Fund deal was submitted in July.
2014	Government announced £75m for delivery and £5m for development of the scheme. Cabinet authorised the award of a contract for final design and works.
2016	Preliminary Design Work contract was awarded in February 2016. This included preparation of tender documents to be awarded through the Highways Agency (now Highways England) Collaborative Delivery Framework (CDF). A Cabinet report, agreed on 9 March 2016, referred to tenders being issued for a detailed design and construction contractors at the end of summer 2016. A Cabinet report from 16 December 2016 delegated authority to Corporate Director of Environment and Place in consultation with Cabinet member and approval of S151 Officer and the MO

	to award two contracts, one each for detailed design and construction.
2016-17	Detailed design and construction contracts awarded June 2017.
2017	Site assembly using powers under the 2008 Order.
2018	Main works construction commenced in March 2018.
2020	Strategic Project Review.
2022	Scheme partial opening with two lanes running and speed restrictions.
2023	Completion of main construction works and fully operational.

### 3.0 Issues, Options and Analysis of Options

#### Scheme Budget & Costs

- 3.1 The original budget forecast for the project, approved by Cabinet in 2014, was £90m, funded wholly from external grants and other external contributions. This budget forecast was subsequently increased with the addition of a further SELEP grant to £97.8m. It was noted in the further Cabinet Report in December 2016 that the financial risk of the project rested with the Council and that any additional spend above that identified, would have to be met by the Council. The original budget forecast has proven to be too low and a detailed analysis of the reasons behind this are covered later in this report. A further cost forecast was undertaken as part of a strategic review in March 2020 which resulted in a Deed of Variation being entered into with the main contractor (Kier), the designers (Atkins) and the Council. The reassessed budget forecast at this stage was £114.7m. Since this date, the main construction phase of work has been completed and a settlement agreement negotiated with Kier for the construction costs and associated design costs.

**Table 1 Projected Outturn Scheme Costs**

<b>Revised Based on Settlement Agreement</b>	<b>Projected Outturn sum May 2023 (£'000)</b>
Construction Costs	145,950
Forecasted Additional Costs	1,503
<b>Projected Cost Outturn</b>	<b>147,453</b>

- 3.2 Costs for the construction phase of the works contracts have been finalised and an outturn figure for this phase is £145.95m. This is based on the negotiation of the final settlement agreement with the main contractor, Kier, and has a high degree of certainty. A full breakdown of the detailed contract costs is included in confidential Annex 1.
- 3.3 The scheme is now in the post completion phase and the focus is on agreeing the arrangements for handover of the scheme and the processing of compensation claims. These claims mainly relate to business disturbance

claims arising from the provisions within the original Harbour Empowerment Order used to secure the land. Whilst all claims will be considered and assessed on an individual basis, the Council is contractually obliged to settle all eligible claims. A provisional allowance has been made in the projected outturn figure to take account of these claims. The provisional allowance has been based on a property cost estimate (PCE). Further details of the claims under negotiation are contained in confidential Annex 1.

- 3.4 A provisional sum has also been included to cover minor remediation works which have been agreed with Thurrock's Highway team. The Highway team will commission and manage these minor works through the Highway term contractor once the scheme is fully passed over in July 2023. The Settlement Agreement, which will supersede the main work contract, sets out the detail of the sectional completions and handover arrangements, insurances and the treatment of latent defects.
- 3.5 The original budget forecast for the project, approved by Cabinet in 2014, was £90m, funded wholly from external grants and other external contributions. This budget forecast was subsequently increased with the addition of a further SELEP grant to £97.8m. The current outturn forecast is £147.453m, which represents an increase of 51% on the revised budget forecast. The 2019 Infrastructure Report from the Institute of Civil Engineers found that, in a survey of 25 similar infrastructure projects, the average percentage increase between contracted cost price and final costs was 79.8%. The report concluded that the because of the nature of these complex infrastructure projects and the uncertainties prevalent in their implementation, even with appropriate project planning measures, external factors can lead to programme and cost overruns.

#### **4.0 Delivery Issues**

- 4.1 The internal project team have undertaken a scheme review to fully understand how this project significantly overran its original budget forecast and programme. This report highlights the main factors, and a fuller assessment and analysis is contained at Annex 1 of this report. The detail findings and recommendations set out in the report will be reviewed as part of the review by the Council's Capital Programme Board.

##### **Pre-Contract**

- 4.2 A key factor which has impacted on this project has been the failure to accurately estimate the forecasted costs of the scheme at the outset. The main issue was that original scheme costings were based on a preliminary design and certain detailed design elements of the scheme were either not included or underestimated, such as the utilities diversion works and drainage; which turned out to be significant additional costs. Whilst forecasted contingencies, based on the preliminary design, were included in the original forecast, these were inadequate given the variance between the original forecast and the projected outturn. The lack of understanding of the ground conditions also resulted in significant costs being incurred, this was a particular problem in the



construction of the Orsett Bridge roundabout. Due to a lack of a detailed design there was a limited assessment of financials relating to risk allocation, contingency planning and the use of optimism bias in the original forecasting.

- 4.3 There were also a number of push factors that resulted in poor procurement decisions being made and these related to the desire to meet key project milestones to satisfy funding requirements. The first of these was the use of the CPO power under the Harbour Empowerment Order (HEO) which expired in May 2018. The second related to the need to complete a business case and milestones needed to secure the SELEP LGF grant.

### **Tendering**

- 4.4 These timing constraints resulted in the preferred option to undertake a bespoke procurement exercise for a single design and build contract being rejected in favour of separate contracts for the detailed design (Atkins) and Construction (Kier). As a consequence, there was no legal relationship between the designer for the scheme and the constructor of the scheme, meaning that those workstreams were delivered independently and in parallel as opposed to collaboratively and sequentially.
- 4.5 Another key issue was the form of contract selected. The Council chose to enter into a NEC 3 Target Price Contract with Kier, based on estimated costs. The Council approved a fixed price point before the project was fully scoped and design complexity fully understood. The scheme was also tendered at a stage when the information to inform the tender was not sufficiently developed to enable tenderers to price the job effectively. This meant that a number of elements were removed and remained as an Employers' risk, i.e. the responsibility and liability for them remained with the Council. The nature of the contract selected set a target price for the construction works. The frequent delays in the project led to an increase in compensation events which raised the target cost of the project. These compensation events, include ongoing inflationary and impact of COVID working, increased directly as a result of delays in delivery and delays in agreeing the final design and works information. In particular the drainage, structures and utilities diversion works. This continually placed the Council at a contractual disadvantage as cost increases could readily be passed through to the Council and not the main works contractor or scheme designers.

### **Post Contract**

- 4.6 The lack of project governance and effective contract management resulted in significant delays to the programme, whilst the Kier construction team waited on the detailed scheme designs from Atkins. There was no adoption of collaborative administrative tools to manage information, share data and report issues. At this point in delivery 2019/20, there was a significant increase in the amount of compensation events being raised, which resulted in further delays and increase costs, which fell to the Council due to the nature of the target contract. There was a failure in project governance to quickly resolve these

issues and it took until March 2020 with the signing of a Deed of Variation between Kier, Atkins and the Council and the appointment of Aecom as dedicated project managers, did the compensation events reduce and the scheme begin to deliver to programme.

### **Scheme Benefits**

4.7 The scheme has delivered a critical piece of transport infrastructure that will underpin growth in the key employment areas of the Thurrock Freeport area. Through increasing the capacity by 50% on this the section of road and its critical interchange links to the ports, it can now service over 150,000 vehicles per day. In terms of engineering the scheme has delivered over 18,000m of new drainage, 104,000 sq. m of new road surface, 1,850 m of environmental barriers and over 10,000m of new fences. As part of the review Aecom assessed the A13 Dualling scheme against other similar comparable scheme in the region and they found that the A13 Costs to compare favourably with the average costs.



Image 1 Completed and fully operational A13 Dualling project

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

5.1 The report will be considered at the next available Planning, Transport & Regeneration OS committee.

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

- 6.1 The A13 Widening scheme supports the corporate priorities by encouraging and promoting economic prosperity.
- 6.2 The A13 Widening scheme also supports the Thurrock Transport Strategy (2013 – 2026) and in particular policy TTS18: Strategic Road network improvements by creating additional capacity to reduce congestion, improve journey times, facilitate growth and improve access to key strategic economic hubs.

## 7.0 Financial

Implications verified by: **Mark Terry**  
**Senior Accountant**

- 7.1 The original budget forecast for the project, approved by Cabinet in 2014, was £90m, funded wholly from external grants and other external contributions. This budget forecast was subsequently increased with the addition of a further SELEP grant to £97.8m. The original build cost, not including design fees, statutory diversion or land costs, was forecasted as £78.9m. The current outturn forecast is £147.453m, which represents an increase of 51% on the revised budget forecast. The revised forecast outturn for the A13 project is shown below:

<b>Source of Funding</b>	<b>Amount £'000</b>
SELEP Local Growth Fund	89,562
DP World	8,140
S106	114
<b>Sub-Total Revised Budget</b>	<b>97,816</b>
Thurrock Council Contribution	49,637
<b>Total Funding</b>	<b>147,453</b>

- 7.2 £49.637m of the project overspend has been funded by Thurrock Council through prudential borrowing. The borrowing will incur a yearly charge to revenue (MRP) and the additional cost will be £1.44m per annum for 40 years. MRP is charged once the project has been completed and in use, the first year the charge will be incurred will be 2023/24. In addition, interest is payable on the amount borrowed and using the current average rate of 4.5%, interest of £2.234m will be charged to the revenue accounts per annum. The total amount per annum charged to revenue is £3.674m

## 8.0 Legal

Implications verified by: **Gavin Hoccom**  
**Associate Browne Jacobson**

- 8.1 There are two remaining stages of the scheme, namely the completion of a Deed of Settlement between Kier and the Council and the Post-scheme completion issues: the Part 1 Claims including the BP compensation claim.
- 8.2 Browne Jacobson have been commissioned as part of the wider project team to provide legal support to the project. They have previously advised on the 2020 Deed of Variation, and they have been instructed to provide legal support on the drafting of the 2023 Deed of Settlement which covers the final financial settlement for the construction contract and Keir's on-going liability in relation to sectional handover, the maintenance and insurance for the works and latent defects (i.e. defects which are not known to either party at the date of the Deed of Settlement). The terms of the settlement have been negotiated and agreed between Kier and the Council's internal team and need to be recorded in a formal Deed of Settlement. Once this is finalised by the respective legal teams this will be sent to the Council's internal legal team for sealing.
- 8.3 The compulsory purchase and land acquisition powers used on this scheme were enabled by a Harbour Empowerment Order, promoted by London Gateway Ports Ltd (LGPL). The resultant Land Acquisition & Compensation Agreement dated 23 March 2016, provides that the Council is under an obligation to pay the compensation amount to LGPL within 20 working days of LGPL's invoice. The Council has agreed with LGPL to extend the limitation period contained within agreement to allow for the current claims to be assessed and agreed. Each of the business compensation claims and Part 1 (Post Completion Claims ) will be assessed on an individual basis and any contractual payment will not be subject to S114 Notice restrictions.

## 9.0 Diversity and Equality

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

- 9.1 None for the purposes of this report.

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

None

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

9. **Appendices to the report**

- Confidential Annex Financial contract details and outstanding claims details.
- A13 Outturn Report - Lesson Learnt

**Report Author:**

Kevin Munnely

Assistant Director Regeneration & Place Delivery

Place Directorate

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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# A13 Road Widening Programme Review & Lesson Learnt

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# A13 Widening – Project Overview

## • OBJECTIVES

- Scope: The project will complete a Dual 3 x lane All Purpose (D3AP) standard carriageway along the A13 from junction 30 of the M25 to the A1014 junction. The A13 Widening project will tie in with the existing three lane section of the A13 to the west of the junction with the A128 (Orsett Cock). Alterations to the Orsett Cock interchange and two overbridges accommodate the widened A13.

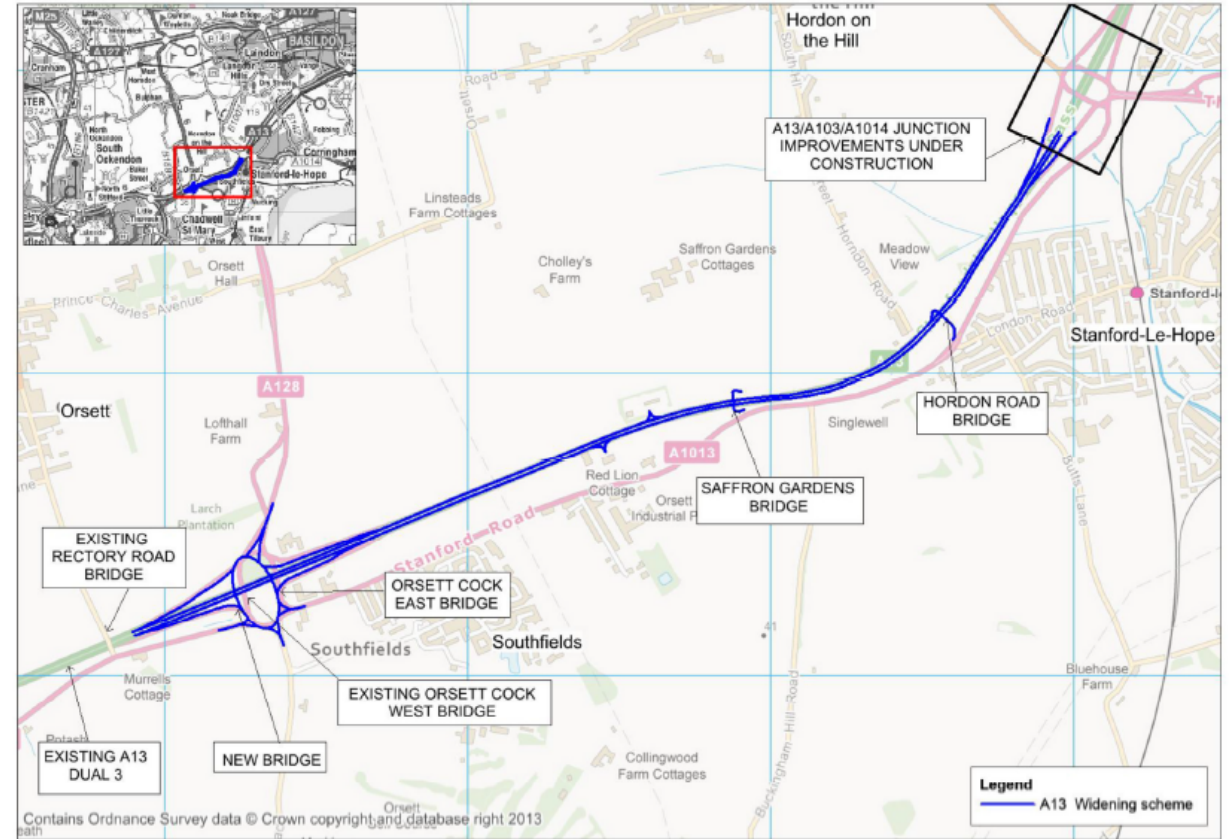
Figure 5.1: Location of the Project.

- \*Original Approved Project Budget: £78,866,596
- \*Initial Programme: Completed by February 2019

(\* at time of tendering & detailed design – Aug 2016)

- *\*£100,202,194 in 2023 prices*

Figure 5.1: A13 Widening Scheme



Source: A13 Widening Initial Business Case – Atkins, Aug 2013

## A13 Widening – Project Overview

- **NEEDS** – The A13 Widening project addresses the following TC business and Regeneration needs
  - Increase capacity along A13
    - Previously operating above capacity at **77,000** vehicles per day. Widening provides a 50% capacity increase on the road.
    - Increase capacity at Orsett Roundabout. Forecast to be operating above capacity by opening year.
  - Support continued development at London Gateway Port
    - Will employ **12,000** when fully completed, 85% of employees live locally.
    - Forecast to handle **30%** of the countries containerised trade.
    - No more than 3 berths are permitted without A13 Widening works completed. (Currently working on £350M 4<sup>th</sup> Berth)
  - **Support continued development** of other business around Thurrock; London Gateway Logistics Park, Thames Enterprise Park, London Distribution Park, Lakeside, Purfleet Centre, growth in Grays and Canvey Gateway

# Scale of the A13 Road Widening Project

## Stats at December 2020 (Below)

### Project Stats at March 2023

- 18,000m of drainage
- 262 Street Lighting Columns
- 362 chambers
- 197 traffic signs
- 104,000m<sup>2</sup> of new surfacing
- 10,000m of fencing
- 1,850m of Environmental Barrier
- 4 x Bridges
- 3,800m of Central reserve

### Project Statistics & Achievements



5500m of statutory undertaker diversions completed.



97% of topsoil stripped.  
99% of bulk cut earthworks complete.  
100% of bulk fill earthworks complete.  
93% of imported fill complete.



10,890m of drainage installed.  
11% of blacktop total surfacing complete.



Currently more than 100 team members working full time on the project from Thurrock Council, AECOM, Kier and Atkins.

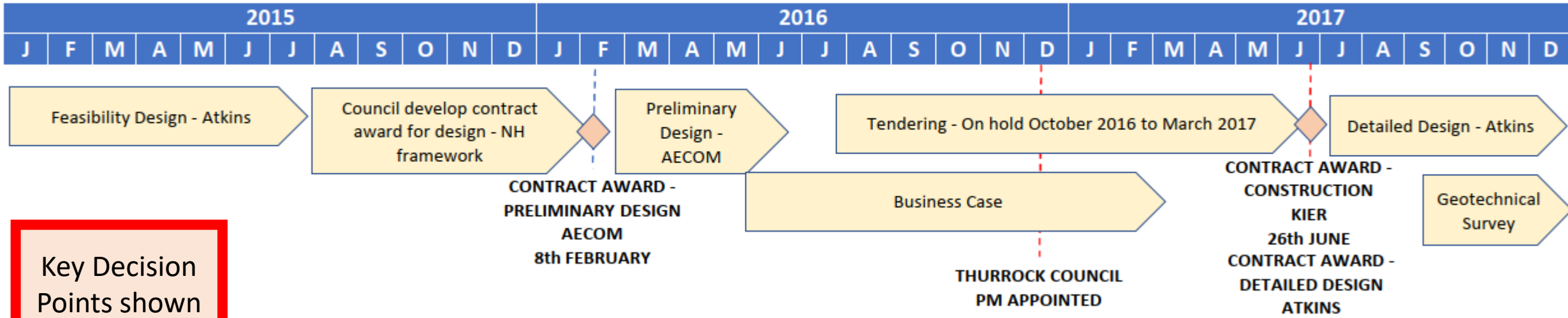


Over 900,000 hours worked on site since start of project.



Four bridges lifted into place in 2020 - weighing a total of 685 tonnes = 54 double-decker buses or 114 elephants!  
88% of total structural concrete has now been placed.

# A13 Widening : 2015 to 2017 Programme



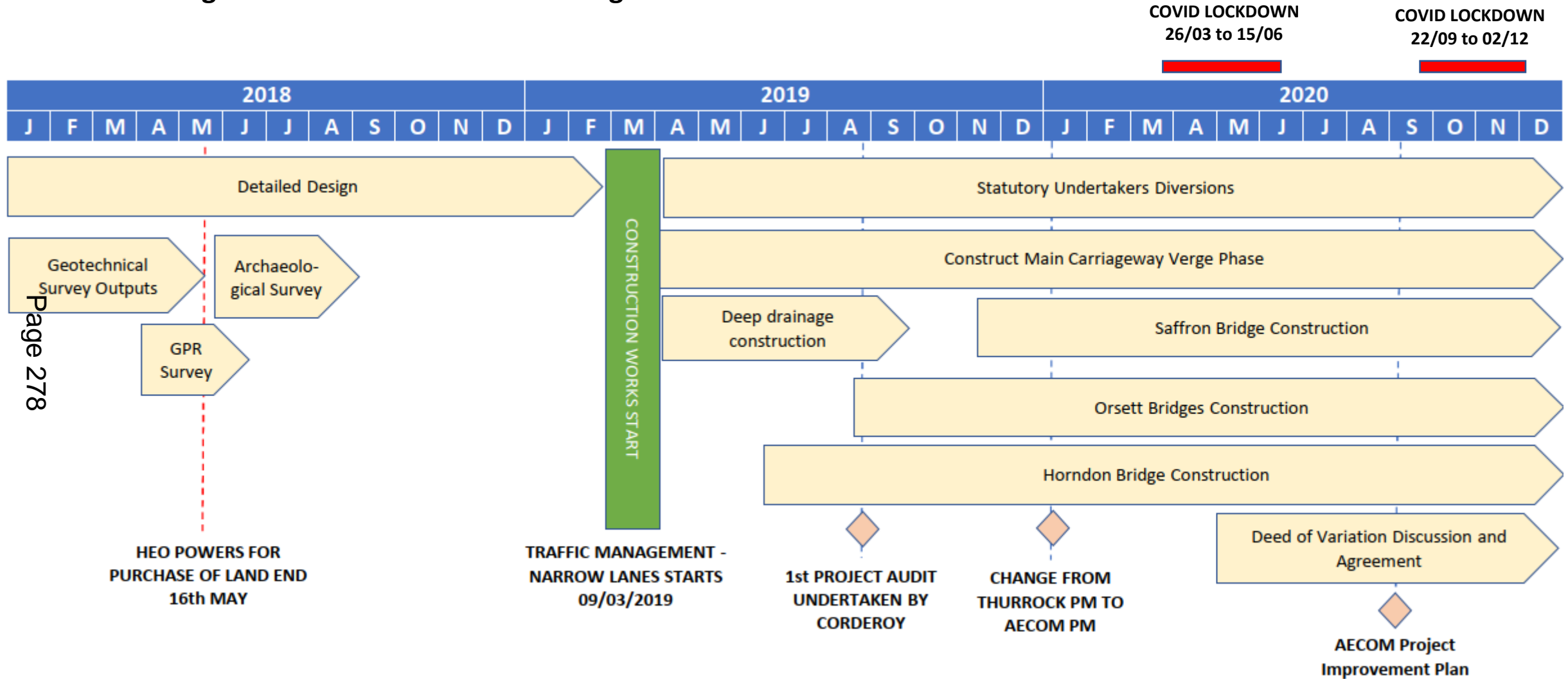
Key Decision Points shown

## The Harbour Empowerment Order (HEO)

- This act of Parliament gave powers to create the Thames Gateway Port. It placed obligations on the developer of the port to provide supporting infrastructure in order to allow the expansion of the ports capacity. Rail and Highway schemes were defined by the HEO that would improve and minimise the impact of the port on the local infrastructure.



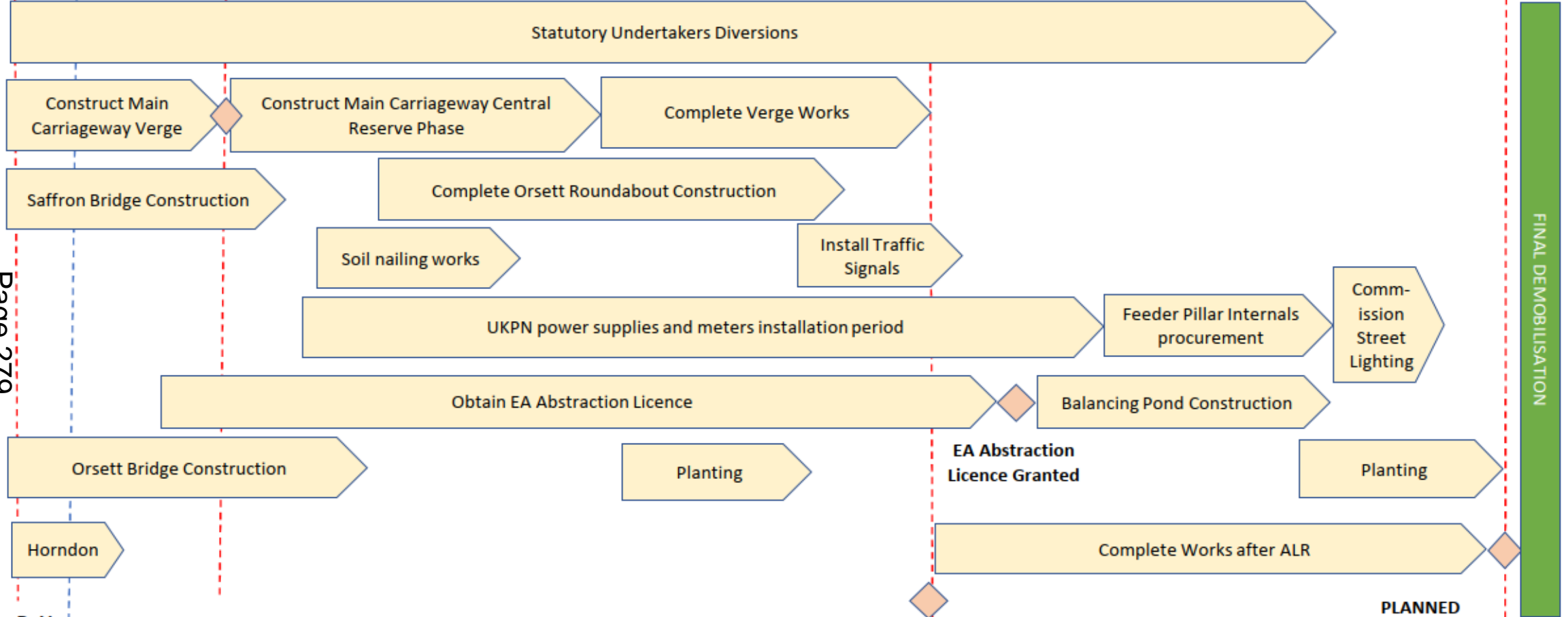
# A13 Widening : 2018 - 2020 Construction Programme



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# A13 Widening : 2021 – 2023 Construction Programme

2021												2022												2023		
J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M



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DoV Signed

TRAFFIC MANAGEMENT - WIDENING COMPLETE  
CHANGE OF TM ARRANGEMENT 19th APRIL

2nd PROJECT AUDIT UNDERTAKEN BY CORDEROY

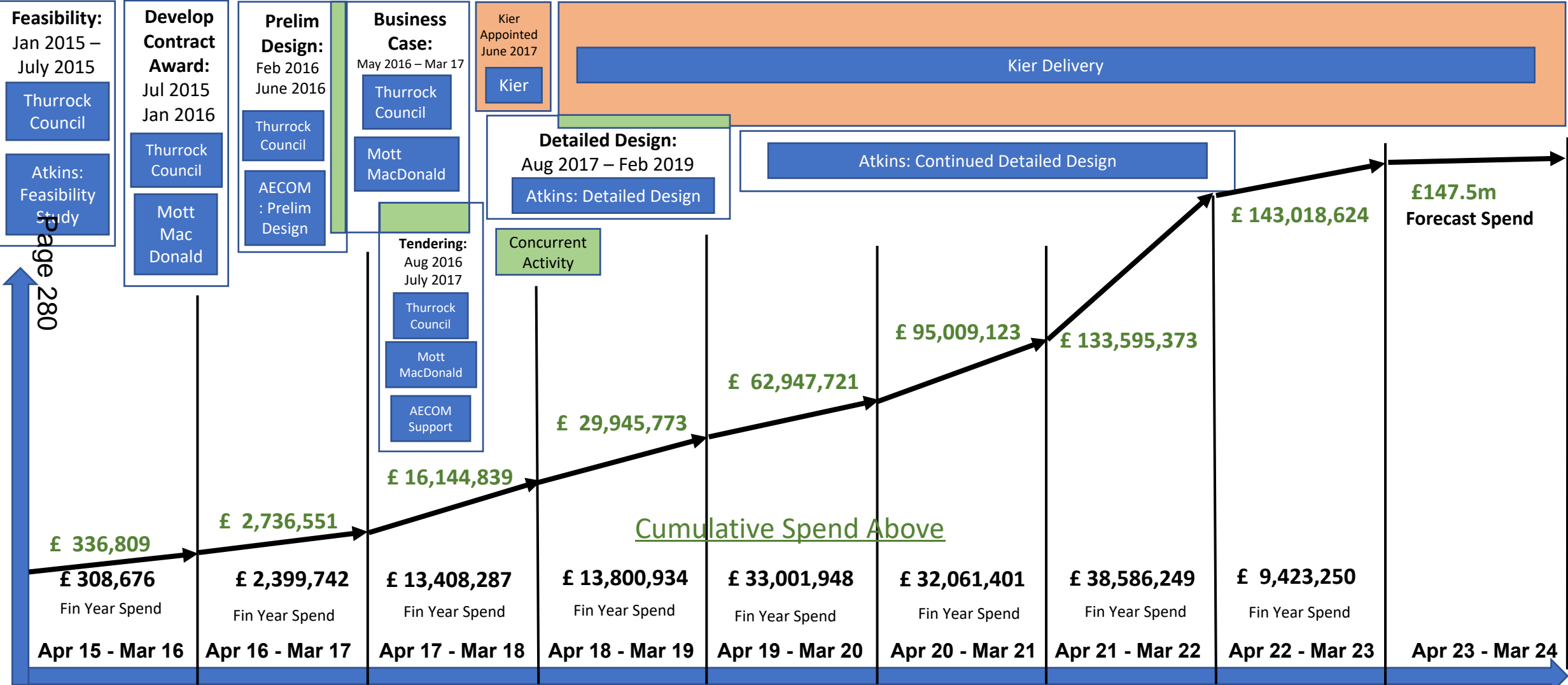
ONGOING DEFINED COST AUDIT BY AECOM

OPEN FOR TRAFFIC - ALL LANES 1st MAY

PLANNED COMPLETION

# Stages and Cumulative Expenditure Graph

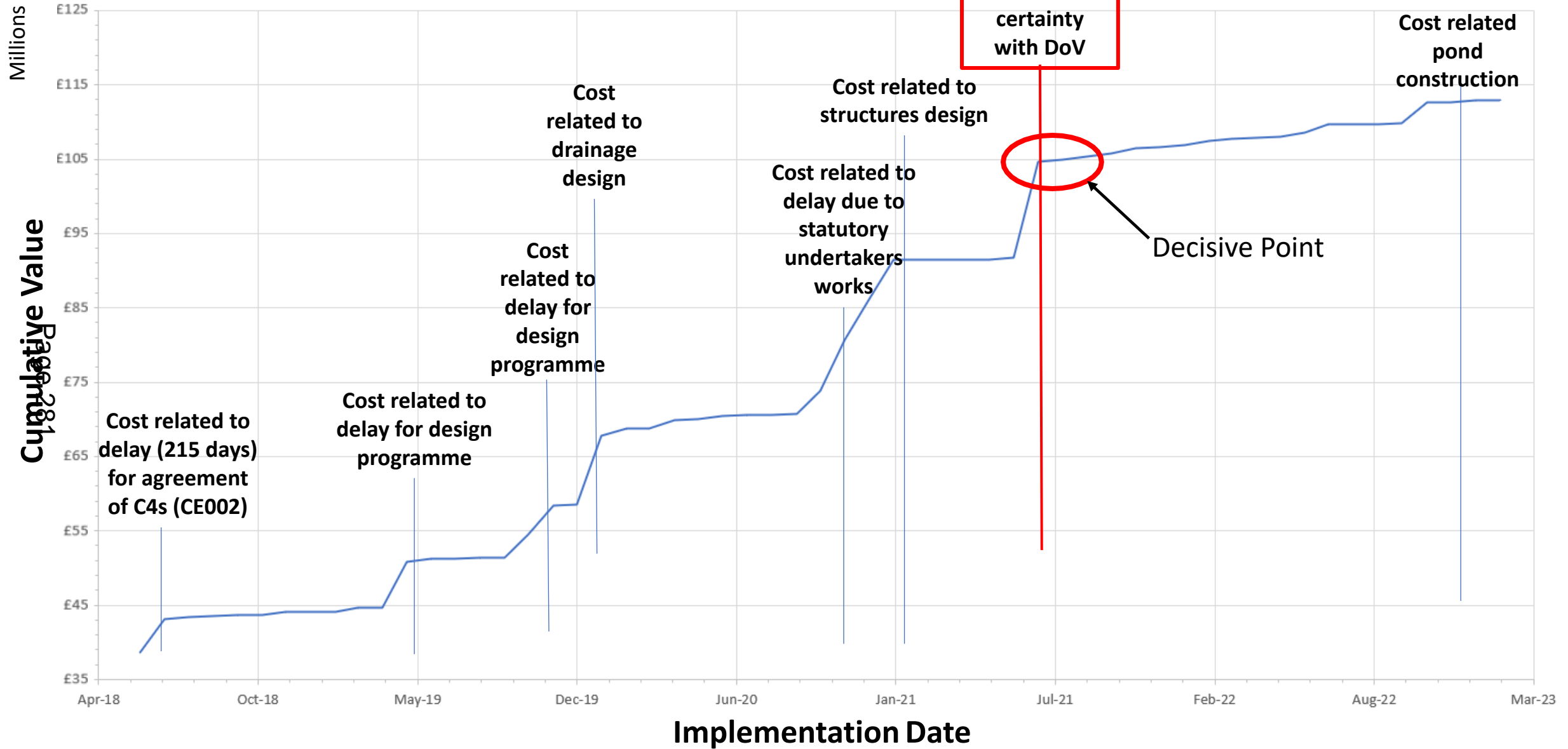
*Needs Updating*



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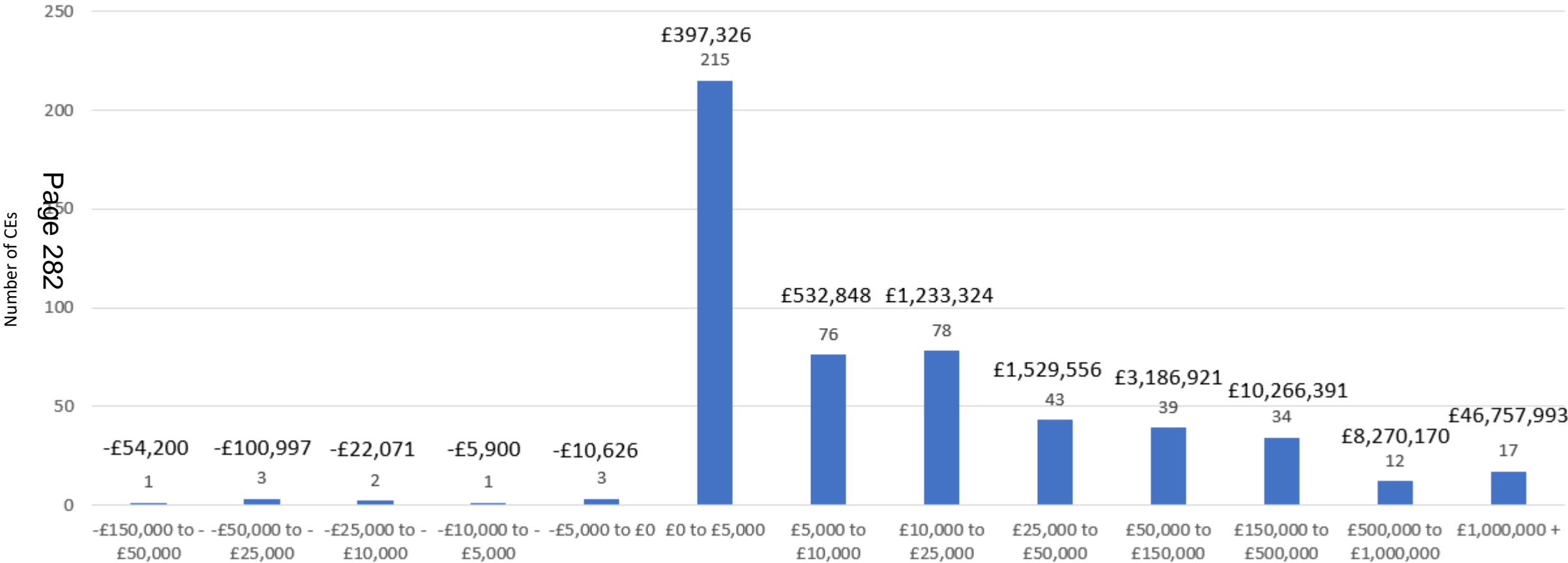


# Cost Chart – Drivers of Change



# Cost Chart – Frequency of Compensation Events by Value

Frequency of Compensation Events by Value - Total Value of Implemented Compensation Events



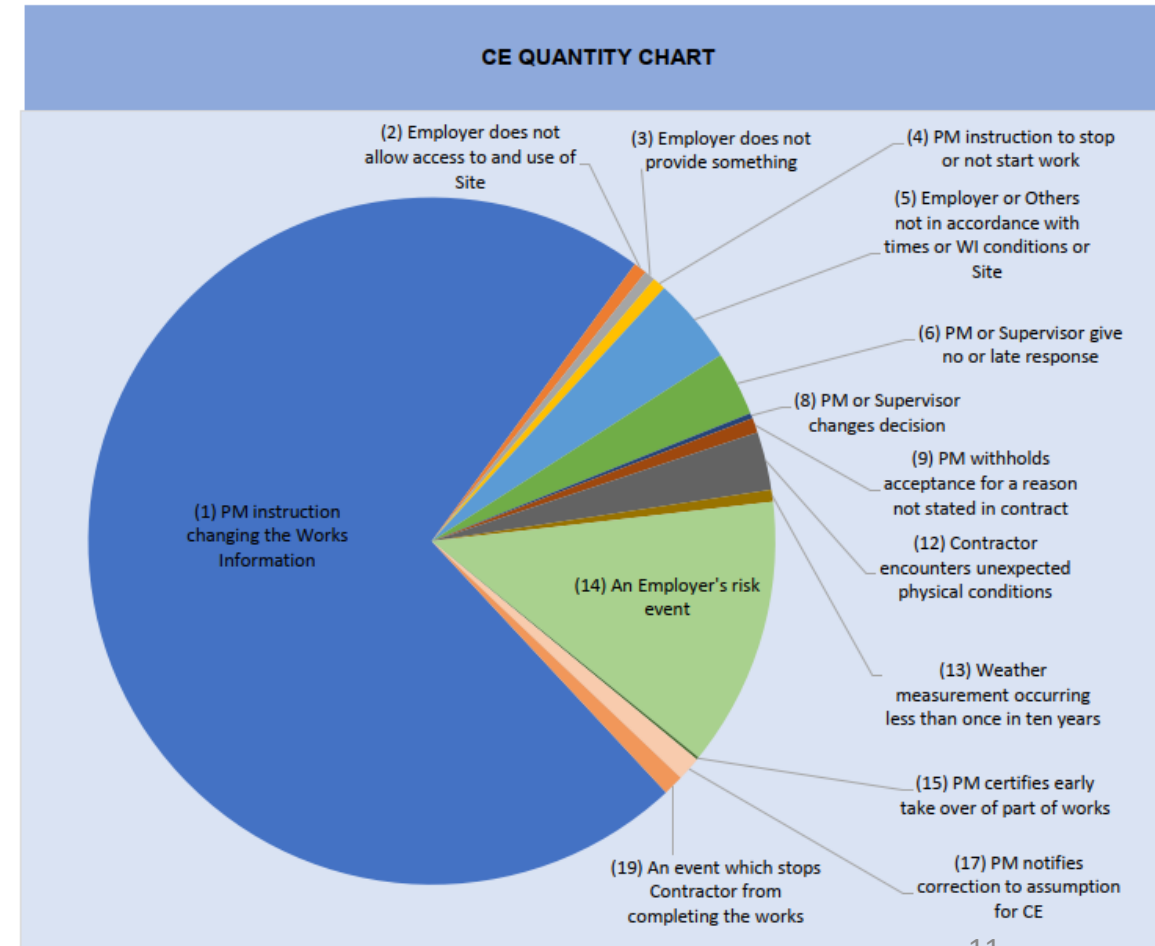
Note: In addition 810 No. Quotations are implemented at £0

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# Cost Chart – Compensation Events by type

A13 COMPENSATION EVENTS TYPE AND QUANTITY GRAPH

CE TYPE	QUANTITY		
	Total	Dov	Post Dov
(1) PM instruction changing the Works Information	1137	621	516
(2) Employer does not allow access to and use of Site	10	10	0
(3) Employer does not provide something	8	7	1
(4) PM instruction to stop or not start work	10	7	3
(5) Employer or Others not in accordance with times or WI conditions or Site	64	51	13
(6) PM or Supervisor give no or late response	48	47	1
(8) PM or Supervisor changes decision	4	3	1
(9) PM withholds acceptance for a reason not stated in contract	11	11	0
(12) Contractor encounters unexpected physical conditions	43	20	23
(13) Weather measurement occurring less than once in ten years	9	6	3
(14) An Employer's risk event	200	160	40
(15) PM certifies early take over of part of works	2	0	2
(17) PM notifies correction to assumption for CE	18	13	5
(19) An event which stops Contractor from completing the works	15	15	0
<b>TOTAL</b>	<b>1579</b>	<b>971</b>	<b>608</b>



# Key Reasons for Project, Programme and Cost change

## Lack of continuity in robust Governance, Controls and Peer Review

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1. Time
2. Total Project Costs
3. Benefits (Financial and Non-Financial)
4. Aims and Scope Risk
5. Governance
6. Skills and Capabilities
7. Key Processes
8. Dependencies
9. Business Readiness to Change
10. Skills and Capabilities
11. Key Processes
12. Dependencies
13. Business Readiness to Change
14. Technical Challenges
15. Commercial
  - a) Lack of implementation of Gateway Processes from outset (coupled with RAG Rating)

# Key Reasons for Project, Programme and Cost change

## Lack of Controls for managing Project Programme and Cost change (SGA – Stage Gate Assessments)

### 1. Time

a) This indicator would reflect the confidence that the project will achieve its declared End Date:

### 2. Total Project Costs

a) This indicator should be based on the figures quoted in the Strategic/Outline/Final Business Case as drawn up in line with HM Treasury Guidance;

### 3. Benefits (Financial and Non-Financial)

a) This indicator is the confidence that the project will realise, or deliver, its intended benefits. For the (rare) programmes / projects whose scope is to only deliver capability and where the delivery of benefits is covered in a different part of the programme, or is deemed to be the responsibility of to Business as Usual (BAU), this element may focus on the quality of the outcome:

### 4. Aims and Scope Risk

a) This indicator considers:

- The boundaries of the project in terms of processes, functional areas and organisations;
- What is included in the scope of the project and what is not;
- The definition of outcomes and benefits, with tangible measures and an understanding of the evidence required by which success will be judged – this will normally include timescales; and
- The degree of clarity, stability and understanding by stakeholders of the above as a solid foundation for the project.

### 5. Governance

a) This indicator considers:

- Whether the project has appropriate decision making processes and structures in place with defined responsibilities;
- Whether mandates at all levels exist so there is clarity over who is responsible for what, and who accounts to whom for what;
- Whether decisions are being made at the appropriate level in accordance with mandates;
- Whether project governance arrangements are evolving as the project matures to reflect varying stakeholder requirements and emerging needs; and
- Whether project governance is linked with the governance arrangements within the parent or target business.

# Key Reasons for Project, Programme and Cost change

## Lack of Controls for managing Project Programme and Cost change (SGA – Stage Gate Assessments)

### 6. Skills and Capabilities

- a) This indicator considers the overall level of skills and capabilities in place within the project now, as well as their projected availability in the future. Specifics include:
  - i. The skills, capabilities and experience required at the various stages of the project;
  - ii. The number of people already on the team compared with those required;
  - iii. The capability of suppliers to deliver what is required to time and quality; and
  - iv. The availability of appropriate capabilities, either by direct employment or through third parties, such as consultants.

The focus of this indicator is whether the skills and capabilities are in place or not. There may be a linkage with financial resources available to secure those skills, or if there are shortages, it may be due to a lack of available skills in the overall market.

This aspect will include the skills, capacity and capability of the SRO, Programme Director, Project Manager Etc. as well as the capacity and commitment of resources that are not part of the formal project team, for example, Board members business resources and specialist resources that might be external to the project:

Example Rating below:

RAG	Criteria Description
Green	The project is fully resourced, and there are no major skill gaps on any of the work streams.
Amber	There are shortages of skills and resources that may cause issues for the project in terms of schedule or quality.
Red	There are significant skills shortages, or lack of resources that are impacting very significantly on project schedule or delivery quality represented/poor attendance/the governance structure is unable to resolve project issues.

# Key Reasons for Project, Programme and Cost change

## Lack of Controls for managing Project Programme and Cost change (SGA – Stage Gate Assessments)

### 7. Key Processes

- a) This indicator considers how well key project processes are established including:
  - i. Project planning, progress monitoring and reporting;
  - ii. Risks and issues management;
  - iii. Benefits management;
  - iv. Communications;
  - v. Dependency management; and
  - vi. Procurement.
- b) Reviews should consider where the project complies with established best practice in project management, while respecting the fact that the unique needs and environment of each project may require individual approaches and additional custom made processes. Furthermore, the review should take into account the lifecycle stage when assessing the processes: i.e., at an earlier stage, processes may not necessarily be fully developed and implemented. The effectiveness, appropriateness and maturity of the processes should be considered, as should the existence of other project assurance mechanisms.
- c) Risk and issue management, as a process, is included in this indicator. However, the actual risks facing the project can potentially fall across all and any of the indicators:

### 8. Dependencies

- a) This indicator considers:
  - i. The major external factors upon which the project depends, and over which it may have little or no ability to manage directly, for example legislation, third party activities (e.g. Trade Unions) or other major initiatives in other Government Departments; and
  - ii. The overall complexity of the project in involving other agencies.

### 9. Business (Thurrock Council) Readiness to Change

- a) This indicator considers the readiness and capability of the parent (Thurrock Council) to manage and support the change, ensuring any required new processes are defined, the affected parties are ready, willing and able to utilise the new processes and systems.

# Commercial: A13 Comparison with Major Schemes

## Reducing the gap between cost estimates and outturns for major infrastructure projects and programmes



### Executive Summary

Major infrastructure projects and programmes suffer from a tendency to cost more or take longer than initial estimates outline. The reasons for this are complex. Projects are themselves complicated undertakings, spanning a development time of years or decades, with unique requirements, bringing together multiple stakeholders and a disparate workforce that spans the entire supply chain.

The nature of major projects and programmes means that their estimation of cost and schedule often carries limited accuracy. The uncertainties prevalent in such large activities and an inability to predict the future, be that changing economic or political circumstances, the availability of materials or labour, or the realities of the location, all work against achieving certainty.

Estimation takes place against the backdrop of cost envelopes, risk allocation, and probability calculations. As such, there will always be things which cannot be foreseen or do not go as planned. The challenge of squaring realistic estimates with a procurement process that may favour those who bid the least only adds to the problem.

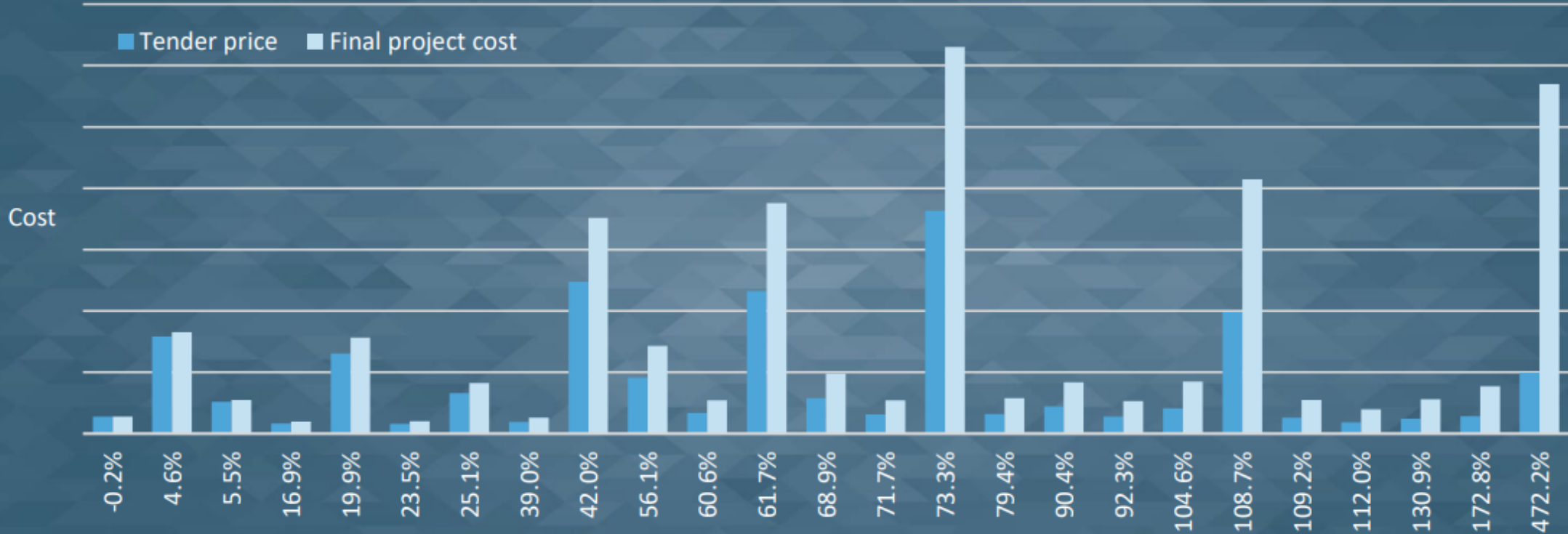
Scrutiny is too often focused on lowest capital cost whilst the whole life benefit of a project is often discarded. A sentiment which, perhaps surprisingly, is not shared by the British public. Indeed, YouGov polling conducted for ICE shows that only 3% of the public view a low overall cost of construction as the most important factor in determining the success of major infrastructure projects. Meanwhile 74% agree that politicians should talk more about the benefits, rather than the costs, of major infrastructure projects.<sup>1</sup>

None of this is to say that steps cannot be taken to reduce the gap between estimates and outturn. Many in the sector are taking steps to move away from a transactional arrangement to an enterprise model, with seven early adopters forming part of the Infrastructure Client Group's Project 13.<sup>2</sup> More collaborative working, better governance, data-led frameworks and sharing of best practice could all support improvements in project delivery.



# Commercial: A13 Comparison with Major Schemes

## Tender price vs final project cost for infrastructure contractor A



Percentage increase between the contract price and final cost of 25 projects awarded to an infrastructure contractor since 2009. The average increase across all projects was 79.8%. The data is anonymised and covers projects in the rail, highways and energy sectors

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<sup>8</sup> Government Commercial Function (2019) [The Outsourcing Playbook](#)  
<sup>9</sup> Bent Flyvbjerg, Mette Skamris Holm, and Søren Buhl, (2002) [Underestimating Costs in Public Works Projects: Error or Lie?](#)  
<sup>10</sup> Gov.UK (2015) [Early financial cost estimates of infrastructure programmes and projects and the treatment of uncertainty and risk](#)  
<sup>11</sup> ICE (2018) [Improving approaches to risk in the built environment sector](#)



# Commercial: A13 Comparison with Major Schemes



## Problem Statements and Recommendations

ICE is making four recommendations for the Government, infrastructure owners and project teams to create healthier expectations and attitudes toward project management, whilst encouraging a narrative shift away from cost only procurement and success metrics. In addition, these recommendations are targeted at instilling collaborative working and adoption of best practice to ensure better outcomes for infrastructure users and the public more widely.

We have set problem statements against each recommendation to clarify what we believe needs to be addressed, and how.

### Scoping projects

- Scope change, scope creep or incomplete designs often occur once work has commenced.
- Too often designers, risk adjusters and contractors work separately or are not brought together at an early stage.
- **Recommendation:** Infrastructure owners should complete scope, design and exploration before commencement of work is allowed, to avoid scope creep or retroactive changes, taking steps to include contractors in design at an early stage.

### Judging success

- Government over relies on cost (and to some extent time) to determine project success and frequently reduces contingency to 'save' money – limiting room for manoeuvre if new information comes to light, or if economic conditions change.
- Scrutiny of projects often focuses on the process of completion against arbitrary budgets and not the wider benefits infrastructure can deliver in the long-term.
- **Recommendation:** The Government and infrastructure owners must move away from capital cost as the most important metric when assessing project benefits, recognising the importance of whole-life economic, social and environmental value.

### Estimating and tenders

- Estimates are often set at a fixed price point, before full project or programme scope and complexity are known
- Tenders are approved based on these early estimates and contracts allocated, potentially years before scope and complexity is understood.
- **Recommendation:** Principles set out in the Outsourcing Playbook should be mandatory for Government infrastructure owners, this includes infrastructure owners undertaking should-cost modelling to help inform their expectations and knowledge of appropriate tender prices during the procurement process.
- **Recommendation:** It should be mandatory for all public infrastructure owners undertaking procurement to award contracts based on a cost estimate range, using a should-cost estimate as a reference point, with an amount of contingency allocated appropriate to the level of project maturity.

# Commercial: A13 Comparison with Major Schemes

## The limitations of estimating major infrastructure projects

Initial estimates which do not match final outturn is not an issue restricted just to the United Kingdom; nine out of ten projects with a value of over \$1bn go over budget or over deadline around the world.<sup>3</sup> Deadline overruns and budgetary inflation are frustrating for clients and contractors alike, even if they are not entirely avoidable: major projects are subject to numerous variables and pressures, are enormously complicated and take years – if not decades – to complete.

## The overreliance on early estimates and the procurement process

Deciding final budgets or tendering at an early stage of the process before design, exploration or scoping is complete represents an industry wide obsession with price driven metrics and, when it occurs, a fundamental lack of understanding of the nature of major projects and their true cost.

## The challenge of estimating for unknown or unpredictable factors

Early estimates are inherently challenging, due to the nature, scale and complexity of major projects and programmes. A lack of data from incomplete design, scoping and investigation and the nature of working in an established built environment all add to this challenge.

## Forecast and outturn at contract level

There are a number of well-known and identified reasons why a project schedule or budget might slip, and which need to be managed, once a contract is awarded. These break down into external and project delivery challenges.

# Commercial

## Project delivery challenges

### Optimism bias and benchmarking

Optimism bias is the tendency for individuals to believe the best-case outcome for any given project. The Green Book supplementary guidance<sup>20</sup> sets out recommended adjustment ranges for different types of works at various stages of completion.

**155%\***

\*The average cost overrun of 5 major projects covering rail and energy provided to us by a major infrastructure contractor

### External factors

#### Political considerations

All major projects can be impacted by political considerations, from the possibility of the need for ministerial planning permission, being owned and financed through departments or weathering changing governments, policies and priorities which might bring new pressures.

#### Economic climate

Economics can affect everything from the availability of finance and labour to increasing costs due to inflation. The IMF found that the 2008 financial crisis impacted on the availability of private capital with more projects facing cancellation or significantly higher financing costs.<sup>19</sup>

### Leadership ability and leader personality

The personality and skills of any leader in a project can dramatically impact performance and care must be taken not to place individuals without experience or an appropriate skillset in senior roles.

### Communication and relationships

Poor relationships, poor co-ordination of design and specification and late updates or revisions are major reasons why project co-ordination and communications break down and change events happen.<sup>21</sup>

### Poor management of project risk

A failure to work more collaboratively, as part of an enterprise as encouraged by the Infrastructure Client Group's Project 13<sup>22</sup> can lead to risk being pushed down the supply chain or managed poorly by those least able to manage it.

### Inadequate scoping

Difficulties caused by an inadequate initial scope, or changes post project commencement, can be costly. These are common drivers of additional cost and delay as found by TfL in a study of its Major Stations Programme<sup>23</sup>

### Procurement

Lowest cost driven procurement can cause enormous problems from project inception, ensuring bidders compete on price to the point that they knowingly put in unrealistic bids and estimates, for fear of losing work. This is compounded by an industry where cash flow, and low margins, are a perpetual issue.

# Scale of the A13 Road Widening Project

## Project Stats at March 2023

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- 362 chambers
- 197 traffic signs
- 104,000m<sup>2</sup> of new surfacing
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- 4 x Bridges
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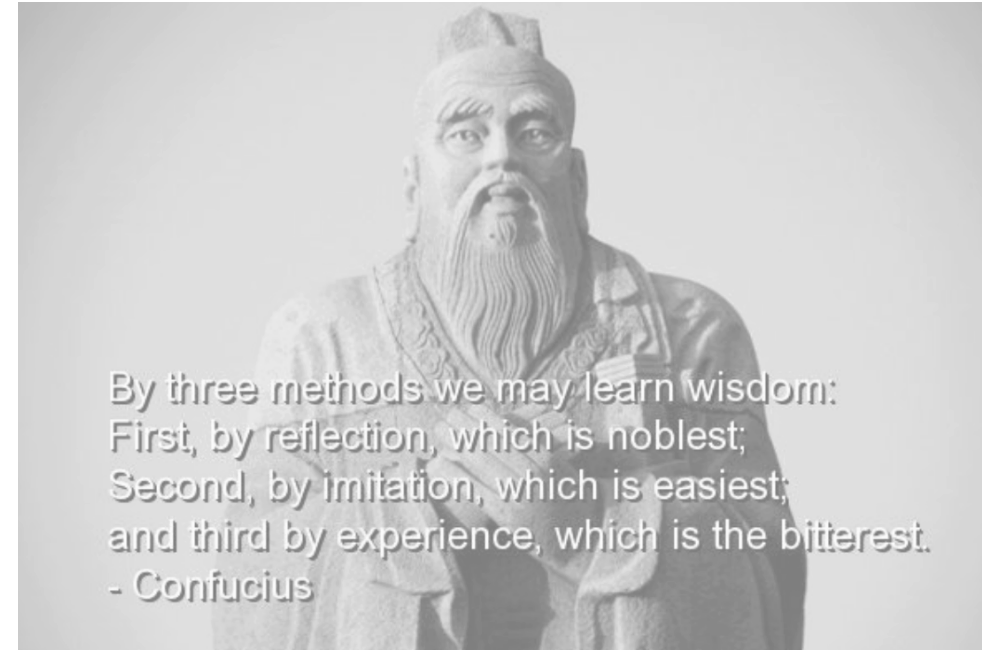


Four bridges lifted into place in 2020 - weighing a total of 685 tonnes = 54 double-decker buses or 114 elephants!  
88% of total structural concrete has now been placed.

# Lessons Learned

*Reflection* allows us to learn from our experiences, either good or bad.

- If we don't take the time to reflect on our *Experience* of what did, or didn't go well, then we'll be bound to repeat mistakes or *fail* to repeat specific behaviours that lead to success.



Regular **Lesson Learned** Sessions have been undertaken from 2021 – 2023.

The following observations have been captured and distilled from all the sessions.

The lessons Learned sessions dealt with the following areas:

- Business and Strategic Case
- Procurement and Tender
- Post Contract and Delivery
  - Completion, Handover and Business as Usual (scheduled for 21/3/2023)

# Lessons Learned (Lesson Learned Sessions undertaken annually from 2021 – 2023)

## Procurement & Tender

- Limited Site Investigations, Utility surveys undertaken before construction
- Design not sufficiently mature to provide Cost Certainty for Pre-Tender and Tender Estimate
- Potential Design Risks not identified sufficiently and addressed commercially robustly
- Key financial risks not sufficiently well identified in Procurement
- Buildability risk & issues not clearly highlighted in Tender
- Risk mitigation strategy not sufficiently developed & in place at Tender
- Unclear resourcing strategy (skills, competency & availability) of consultants
- Roles / Responsibilities of consultants & Client parties not clearly defined at Tender stage
- Form of Contract (NEC3) was suited for the scheme however no punitive measures.
- Option C (Target Cost) not reflective level of risk regards behaviours / Utility Providers
- Works Information (Scope) not clearly defined



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# Lessons Learned (Lesson Learned Sessions undertaken annually from 2021 – 2023)

## Procurement & Tender

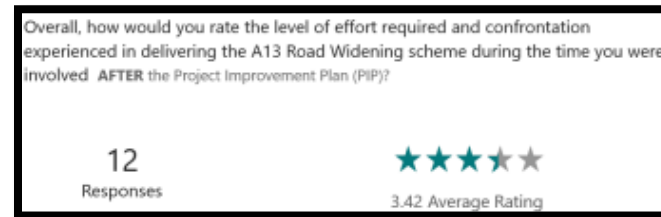
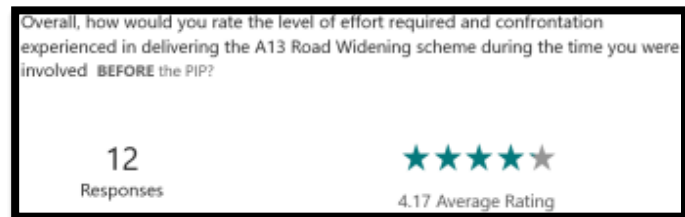
- The works and level of design maturity possibly suited a ‘Design and Build’ Form of appointment. (NEC3 Option A – Lump Sum)
- Budgetary and Design challenges not clearly identified in the contract documentation
- Targeted Value Engineering areas not clearly identified in Documents / Risk register
- The level of contingency for the form of contract was insufficient
- Financial risks were not clearly identified, comprehensively reviewed and corresponding mitigation strategy not clearly identified
- Reporting of budgetary issues / Challenges were not clear from the outset
- Value Engineering items / areas were not clearly identified by Tenderers during tender stage.
- Allow more time to develop tender / preliminary design
- Flawed baseline clause 31 Programme: The delta between Planned Completion and Completion was initially determined by the Contractor and not challenged, as they held Terminal Float.
  1. Delayed commencement of the main construction works (Employers risk)
  2. Delayed receipt and changes to the Works Information (Atkins design/Employers’ risk)
  3. Impact of the Employers statutory undertaker works (Employers risk)



# Lessons Learned (Lesson Learned Sessions undertaken annually from 2021 – 2023)

## Post Contract

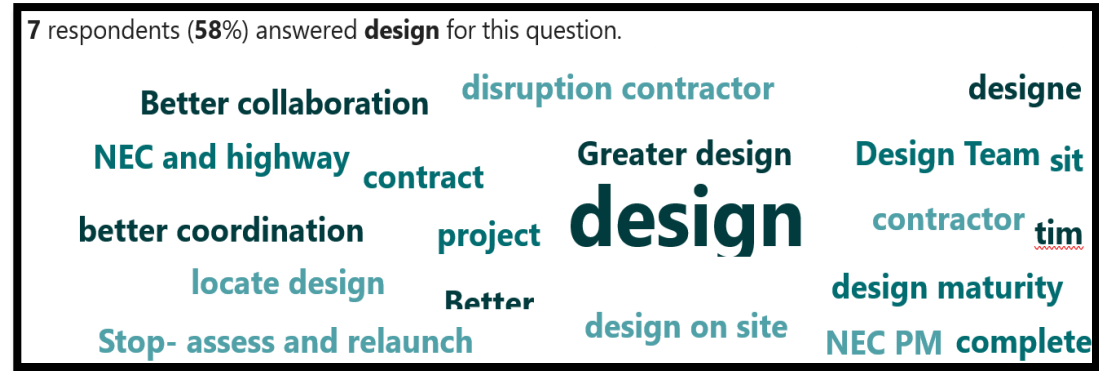
- PM appointed initially with little / no experience in the form of contract
- Limited Site Investigations and Utilities, trial pits
- Letting a construction and design contract separately with limited means of integrating
- No Kick-Off workshop where structure, governance and project processes were reviewed was held
- Contract management processes and Terms of Reference not clarified and shared
- Not all parties agreed and stuck to an agreed project plan and governance process
- Programme and cost certainty was not achieved because of lack of activities undertaken during early planning
- No visibility whether Lessons Learned from previous / similar scheme was reviewed and measures implemented
- Projects that are early adopters of integrated technology solutions will be able to make more robust decisions using analytics and will be able to deliver significant benefits from automation, thereby leading to better project outcomes, as well as asset performance improvements. Consider Cloud based management tools.
- Amount of Effort to manage scheme before Project Improvement Plan PIP: 83%. After 68%: **Reduction of 15% in Effort**



# Lessons Learned (Lesson Learned Sessions undertaken annually from 2021 – 2023)

## Post Contract

- What simple things could have been done differently and would potentially have had a positive impact on the project during the Delivery Phase of the scheme before the Project Improvement Plan was introduced and implemented?



- Let contract as D&B or allow more time for design
- 1) Refresh Workshop showing processes and 2) RACI reviewed and agreed
- 1. Greater design. 2. Alternative procurement route based on design.
- Checks on the understanding and competencies of those involved. Greater emphasis on knowledge retention and sharing.
- Better design maturity, and better coordination of programme between detailed designer and contractor.
- Have a complete design & have enough resource at the beginning of the project especially pre-contract
- Better collaboration, behavior from Contractor and design maturity
- Stop- assess and relaunch
- Replace disruption contractor team members/Change NEC PM to someone with NEC and highway experience. Co-locate design on site.
- Additional attendance by the Design Team on site. Open discussions about best way forward on site decisions, rather than commercial gain being the sole purpose.

# Lessons Learned (Lesson Learned Sessions undertaken annually from 2021 – 2023)

**Before:** Project Improvement Plan (22 October 2020)

The greatest Obstacles / Challenges faced that had the biggest negative effect on the scheme were:

- Lack of clarity regarding Roles and responsibilities within Consultant team/s
- Lack of clarity regarding Roles and responsibilities within Contractor team/s
- Lack of collaboration between Employer and Contractor Teams
- Lack of Design maturity in Works Information (Bridges)
- Lack of Design maturity in Works Information (Drainage)
- Lack of Design maturity in Works Information (Pavements)
- Lack of Design maturity in Works Information (Lighting)
- Lack of Design maturity in Works Information (VRS)

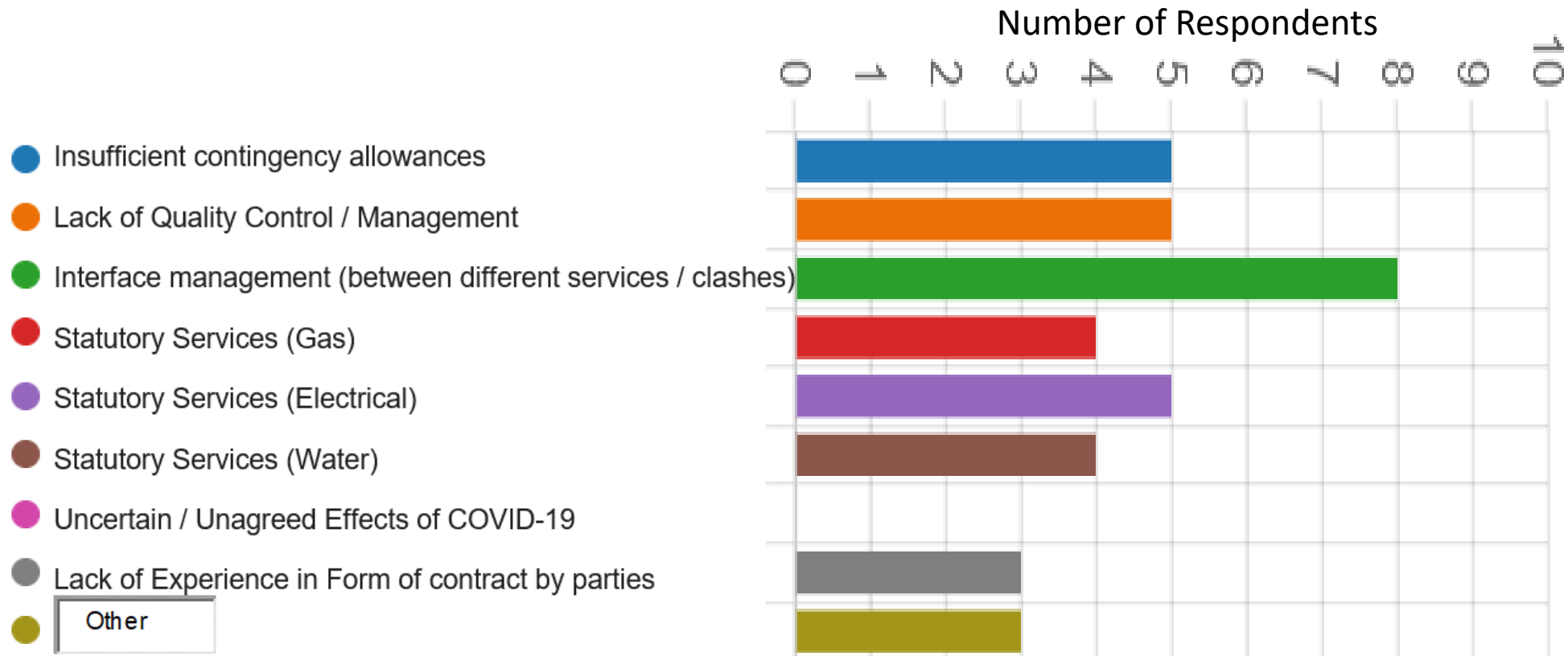


# Lessons Learned (Lesson Learned Sessions undertaken annually from 2021 – 2023)

**Before:** Project Improvement Plan (22 October 2020)

The greatest Obstacles / Challenges faced that had the biggest negative effect on the scheme were:

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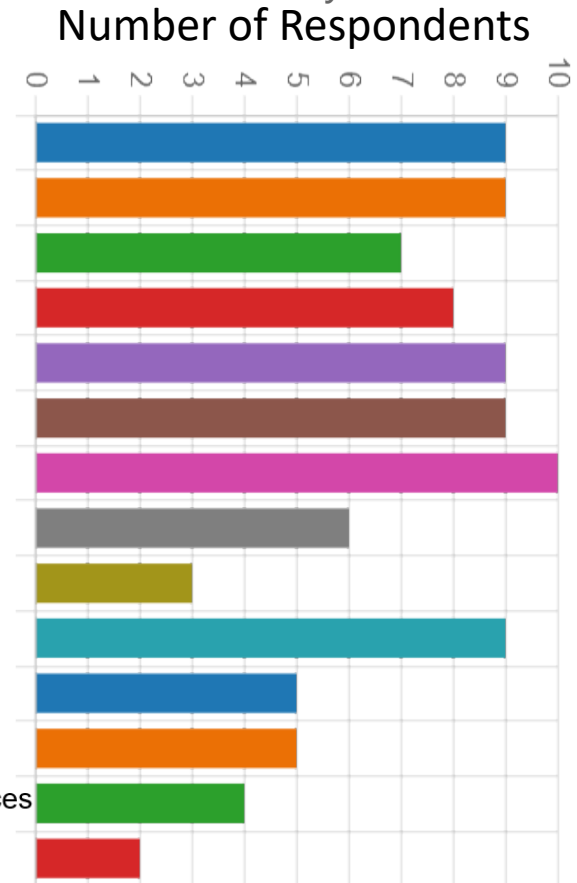
# Lessons Learned (Lesson Learned Sessions undertaken annually from 2021 – 2023)

After: Project Improvement Plan (22 October 2020)

Perception of the benefits the Project Improvement Plan had on the scheme: (May 2022 LL Session)

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- Clarity achieved regarding Roles and responsibilities within Consultant team/s
- Clarity achieved regarding Roles and responsibilities within Contractor team/s
- Positive Collaboration between Employer and Contractor Teams
- Settlement Agreement and DOV of 31 Dec 2020
- Changes made in resourcing (AECOM side)
- Change in Client Representative (Mace)
- Client / Contractor Liaison role (AECOM) via Principal Meetings
- Time taken for key decisions to be made
- The level of Employer driven change minimised
- Greater Clarity in Financial Reporting made to the client
- Increased Quality Control / Management of Defects
- Better interface management (between different services / clashes)
- Appointment of an intermediary facilitating agent by Thurrock for Statutory Gas Services
- Other



# Lessons Learned (Lesson Learned Sessions undertaken annually from 2021 – 2023)

## After: Project Improvement Plan (22 October 2020)

The key measures from the Project Improvement Plan (PIP) that had the greatest positive impact on the project (May 2022 Lessons Learned Session)

Greater collaboration Change in NEC pm Making Thurrock aware of real reasons for overruns

PM Change - NEC savvy RACI and Org AECOM Commercial team

1. DoV reduced backlog of change. 2. More improved resourcing & inclusion of key roles such as a planner. 3. Opportunity to look forward rather than back.

A greater understanding of the expected role was obtained from the client. Appreciation of the scope of the works to be undertaken by AECOM. High level review across all parties to resolve and discuss issues.

Level of resource, capability of resource, better working processes.

-Better resource - experienced PM - DoV being agreed and signed

Changes in AECOM resourcing, positive collaboration between Employer and Contractor teams and the DoV agreement.

Clearer R&Rs Additional resource to manage the contract (management, programme and supervision)

Shared information on the original project, and its issues. Setting a baseline. Improved openness in the team.

From an outside perspective joining when the Project Improvement plan was implemented it was clear that greater site resource had been required and this had a positive effect on the on site works and providing a fresh set of eyes from both quality and safety perspectives. Additionally the new project manager with an outside perspective with the determination of working collaboratively with the contractor appeared to help.

# Lessons Learned (Lesson Learned Sessions undertaken annually from 2021 – 2023)

## Question to all participants:

- What are the key takeaways to take from this project and implement / influence in your next highways scheme or infrastructure project?

Clearer procurement strategy Competent NEC PM Drive collaboration into project at all stages

Project Setup period - Design + Consultant team Clarity on Skillsets and Experience Robust Governance and Change Control

1. Greater involvement in the procurement / tendering phase. 2. Clear contract documentation from the outset to minimise conflict. 3. Have a defined scope to reduce change.

Ensuring the scope of the works is fully understood by all parties. Ensuring that appropriate levels for discussion are maintained. A greater understanding of the stages that the scheme is to pass through.

Better coordination of procurement of different suppliers. Get the right level of resource capability. Agree contract management processes and reporting drumbeat.

- Have the right / good amount of resource from the start - where possible - Have a finished design (mainly if Option C) - Have a clear file storage system for all docs / original contracts

Better collaboration with Contractor, Suitable PM team for the scheme and design maturity.

Regular auditing early on in the project.

Fix scope, get right team doing the right things at right team by teamwork

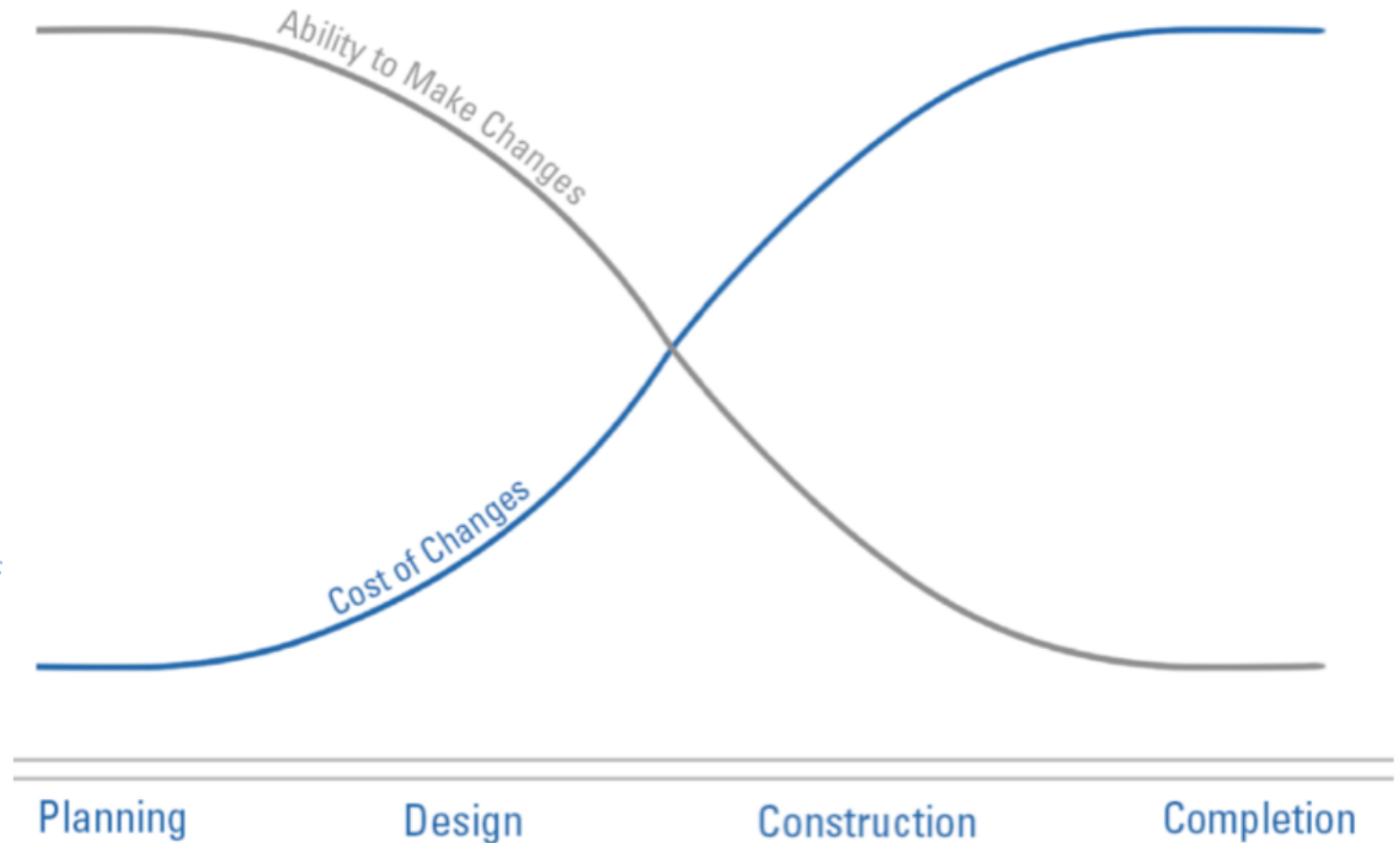
RACI matrix/R&Rs Important of procurement strategy Level of design maturity required

Thorough checking process / gateways agreed up front. Clarity of scope.

Agree more robust ITP plans at the outset with greater responsibility on the contractor to notify inspections to the supervisors team with ramifications if they do not comply with this requirement. This could greatly decrease the number of defects. Collaborative working is the most important aspect of progressing works and any challenges with this aspect of the construction process should be ironed out and rectified where possible.

# Lessons Learned

- **Changes.** The one all encompassing word that describes what has affected this project to the greatest degree. Thurrock Council allocate a substantial number of resources, effort and budget into projects and want to make sure you get what is planned.
- The below chart illustrates the relationship between the Cost of Changes to the design and the ease of ability to make these changes as one moves through the phases of the project.





# Lessons Learned *(Key Take aways)*

1. The Project original contract let sum did not take into account the level of change and risk residing within the scope at the time of appointing the Contractor, as captured in Lesson Learned sessions
2. The project was lacking in areas at time in terms of governance and behaviours. Addressed by intervention & measures implemented as demonstrated by the information within this pack
3. Covid-19 had a substantial impact on the scheme, not only in cost and programme, also in lack of experience for all parties (1<sup>st</sup> time event), exacerbating already troubled Project Team relationships
4. Once robust governance and controls were established, Regular audits and KPI's for reporting agreed, the controls and performance improved noticeably
5. Robust Gateways not evidenced in early stages (See
6. The scheme out turn cost would have been substantially higher if a scheme reset had not taken place (DoV - Dec 2020). This intervention yielded great benefits and off-set the potential lack of value gained due to lack of robust controls and governance prior to December 2019
7. The ultimate out turn cost is a fair representation of what the scheme value is, due to the many challenges, level of change and commercial shortcomings identified in the Lesson Learned sessions.
8. Ensure funding constraints don't lead to optimism bias / group think. Independent review required.

# Lessons Learned *(Key lessons to be implemented in future schemes)*

Stage Gate / Gateway Reviews / Robust Gateways not evidenced in early stages. Recommended

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#	Classification	Definition
1	Governance	Recommendations related to the oversight, structure and decision making of a project. This theme also includes recommendations relating to alignment with pan-government priorities, strategies and controls.
2	Stakeholder Management	Recommendations related to relationships with all parties with an interest in the outcome of the project, whether internal to the agency, internal to government or external.
3	Programme and Project Management	Recommendations related to all aspects of project, programme and portfolio management, but excludes recommendations on Risk, Issues and Dependency Management (Theme 9) and Resource Management (Theme 10)
4	Change Management & Transition	Recommendations related to the Management of Business Change – all the work required with and in the business and with the customer to make ready for the initiative, in terms of changes to business processes including: business continuity planning, changes to work processes and resourcing, changes to organisational structures and staffing to support transformational or process changes to business delivery to ensure a smooth transition to BAU It does not include Technology Readiness for Service (Theme 12).
5	Financial Planning and Management	Recommendations related to financial planning, organising, directing and controlling of financial activities.
6	Benefits Management & Realisation	Recommendations related to the identification, ownership, measurement and realisation of benefits and dis-benefits. Benefits can be either financial or non-financial.
7	Commercial Strategy & Management	Recommendations related to the end-to-end procurement process including: Procurement strategy and planning, Approaches to the market, Contract negotiation and Contract management.
8	Context, Aim & Scope	Recommendations that are aimed at the clarity of the change to be implemented. It covers alignment to vision, strategy and policy; the purpose, objectives, justification and description of the change; and the determination of success and the necessary environment to ensure success.
9	Risk, Issues & Dependency Management	Recommendations related to the identification, analysis, impact assessment, response and the on-going review and management of Risks, Issues and Dependencies (i.e. outputs that are required by a project to succeed, but which will be delivered by parties not under the direct control of the project).
10	Resource & Skills Management	Recommendations related to all aspects of the identification, supply, optimisation, prioritisation and maintenance of resources and appropriate skills.
11	Knowledge Management	Recommendations related to the process of capturing, developing, sharing, and effectively using organizational knowledge. It includes sharing knowledge and experiences or Lessons Learnt.
12	Technology	Recommendations related to all technology issues, including the alignment of the technology solution to the technology and business strategy, the integration of one or more technology solutions, the operational readiness of the solution (including testing of the solution), and all aspects of security relating to the technology solution.
13	Other	To be used only when other classifications do not apply.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1002373/Guide\\_to\\_Preparing\\_an\\_Assurance\\_Review\\_Report\\_Version\\_1.2021\\_1\\_.docx](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1002373/Guide_to_Preparing_an_Assurance_Review_Report_Version_1.2021_1_.docx)

# Lessons Learned *(Key lessons to be implemented in future schemes)*

1. Review *Lessons Learned* for EVERY stage (From Concept, Feasibility etc - A standing Agenda Item)
2. Early Site / Ground Investigations (risk is greatest below ground / utilities / environmental)
3. Design maturity to provide acceptable level of Cost Certainty at appropriate stage
4. Buildability risk & issues to be reviewed robustly, with appropriate contingency allowances
5. Scope / Works Information, Design fixity, Site Conditions and Constraints clearly defined
6. Earliest identification of expertise required in RACI, implement / develop robust governance
7. Develop robust Interface management plan (Utilities, services, clash detection, risk and mitigation)
8. Risk Register, Contingency and Optimism Bias factored in commercially as soon as possible
9. Procurement Strategy clear with route to market (i.e., Form of contract /appropriate risk allocation)
10. Planning / Briefing / Kick-off / Refresh Workshops throughout to manage stakeholder expectations
11. Adopt appropriate tools (collaborative administrative software) to manage information and reporting requirements and to facilitate more robust decisions. Online platform: *1 version of truth*
12. Establish project drumbeat (clear meeting/s and reporting strategy for life of project)

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