

Minutes of the Meeting of the Council held on 27 July 2016 at 7.00 pm

Present: Councillors Cathy Kent (Mayor), Tunde Ojetola (Deputy Mayor), Tim Aker, John Allen, Chris Baker, James Baker, Jan Baker, Clare Baldwin, Russell Cherry, Colin Churchman, Gary Collins, Mark Coxshall, Jack Duffin, Tony Fish, Leslie Gamester, Oliver Gerrish, Robert Gledhill, Garry Hague, James Halden, Graham Hamilton, Shane Hebb, Clifford Holloway, Victoria Holloway, Roy Jones, Tom Kelly, John Kent, Martin Kerin, Steve Liddiard, Brian Little, Susan Little, Sue MacPherson, Ben Maney, Terry Piccolo, Jane Potheary, David Potter, Joycelyn Redsell (*arrived 7.50*), Barbara Rice, Gerard Rice, Sue Sammons, Angela Sheridan, Peter Smith, Graham Snell, Luke Spillman, Deborah Stewart, Pauline Tolson, Aaron Watkins and Kevin Wheeler

Apologies: Councillors Bukky Okunade and Michael Stone

In attendance: Lyn Carpenter, Chief Executive
Roger Harris, Corporate Director of Adults, Housing and Health
Jackie Hinchliffe, Director of HR, OD & Transformation
Rory Patterson, Corporate Director of Children's Services
David Lawson, Deputy Head of Legal & Monitoring Officer
Matthew Boulter, Principal Democratic Services Officer
Jenny Shade, Senior Democratic Services Officer

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.

The Mayor invited Father Paul of Milton Keynes to lead those present in prayer and a one minute's silence was held as a mark of respect to reflect the recent tragedies that had taken place around the world.

27. Minutes

Councillor Allen requested an amendment to the minutes as it was himself that presented the Petition on behalf of the residents of Lansbury Gardens and not Councillor Collins as stated in the minutes.

The Mayor accepted the requested amendment to which Members indicated their agreement.

The Minutes of the meeting of Council held on the 29 June 2016 were approved as a correct record.

28. Items of Urgent Business

The Mayor informed the Council that she had not agreed to the consideration of any items of urgent business.

29. Declaration of Interests

No interests were declared.

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

Firstly the Mayor invited all those present to reflect and remember Thurrock's fallen of World War One.

The Mayor announced that the itinerary of her mayoral events for this year would be emailed to all members and would be grateful for members' support.

The Leader of the Council, Councillor Gledhill, firstly stated that on behalf of the Administration and the Council he welcomed the appointment of the new Prime Minister, Theresa May, and congratulated her on forming a new government. Councillor Gledhill stated that he would be writing to members of her administration team to secure the best positive outcomes for Thurrock.

He also stated that work to improve the environment across Thurrock was ongoing at a pace with the Administration's commitment to "Clean It, Cut It, Fill It".

At the last Cabinet meeting it had been agreed that tougher enforcement powers to crack down on those blighting the borough with litter would be introduced and a public awareness campaign would shortly be underway to inform residents on how to change their behaviour or risk being fined.

The new Trade Ways Team was working their way through the borough offering business council trade waste as a new business opportunity.

The new Waste Data Systems were currently being installed to allow street and ground maintenance teams to log and see all service requests via the "Report It" mobile application. This would be accessible through the council contact centre, the communications team and be available on the council web site. Councillor Gledhill stated that the Administration was still committed to a weekly bin collection.

Starting next week the Thurrock section of the A13 would be cleaned up with the grass being cut and litter picked up and hoped that the Highways Agency would follow suit.

Councillor Gledhill stated that it would not be possible to pick every piece of litter up and encouraged residents to not drop litter, dispose of larger items appropriately and to report those that do.

Flooding at Grays Beach at the weekend was caused by high tides and the Council was working with Anglian Water to clean up the damage and ensure this did not happen again.

Progress had been made and further works were planned to fulfil the Administration's vision of making Thurrock a safer and cleaner place to live.

Finally, the Leader took the opportunity to thank Richard Parkin, Head of Environment, for his contributions and hard work to the Council and wished him well in his new role.

31. Questions from Members of the Public

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

32. Petitions from Members of the Public and Councillors

The Mayor informed Members that, in accordance with the Council's Petition Scheme, the requisite notice had been given by a member who wished to present two petitions at the meeting.

Councillor Duffin presented a petition on behalf of the residents of Limeslade Close on the lack of parking spaces for residents.

Councillor Duffin presented a petition on behalf of the residents of Southend Road, Plashet Close and Abbots Drive on the introduction of parking permits.

33. Petitions Update Report

Members received a report on the status of those petitions handed in at Council Meetings and Council Officers over the past six months.

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

The Mayor enquired whether Group Leaders wished for any changes to be made to the appointments previously made to Committees and outside bodies, statutory and other panels.

The Leader of the Council, Councillor Gledhill, informed the Council Chamber that he wished to make the following changes:

- For Councillor Piccolo be appointed as member of the Planning Committee
- For Councillor Piccolo be appointed a member of the Standard and Audit Committee.
- For Councillor Ojetola be appointed a substitute member of the Standard and Audit Committee.

Councillor Snell, Leader of the UKIP Group, informed the Council Chamber he had no changes to make.

Councillor Kent, Leader of the Labour Group, informed the Council Chamber that he wished to make the following change:

- For Councillor Liddiard be appointed a member of the Health and Wellbeing Board.

RESOLVED:

- 1. That Councillor Piccolo be appointed a member of the Planning Committee.**
- 2. That Councillor Piccolo be appointed a member of the Standard and Audit Committee.**
- 3. That Councillor Ojetola be appointed a substitute member of the Standard and Audit Committee.**
- 4. That Councillor Liddiard be appointed a member of the Health and Wellbeing Board.**

35. Review of Electoral Arrangements

Councillor Hebb introduced the report which provided members with background information to enable them to make a decision on the recommendation received from the Corporate Overview and Scrutiny Committee that Full Council consider consulting with the communities in Thurrock on the potential changes to the Council's electoral arrangements.

Councillor Hebb pointed out an error in the report on page 37, paragraph 2.8, fourth line down, third word in which it should have said country rather than borough.

Councillor Hebb stated that residents did not feel that their votes counted and made enough of a difference to their lives. He stated that members were close enough to the electorates to know that and that it was time to potentially rectify this. In the past the debate on elections and the future of elections had taken place within the four walls of the Council Chamber. It was now the intention to take the question of electoral reform to the heart of the community to give all residents the opportunity to have their say.

The report proposed that the Council changed its electoral cycle and opt for a whole council election taking place four-yearly, rather than by the current method of elections by thirds and recommended that a public consultation be undertaken before any final decision can be made.

Councillor Hebb stated that this consultation exercise was key and the need to give residents the opportunity to respond. It was proposed that the consultation be carried out using:

- Social media
- Letters
- Reference Point on the Council website
- Forums
- Consultations with elected members and local members of parliament
- Press releases

In early 2017 a hard copy format of the consultation would be sent out as a reminder to all residents with Council Tax notices.

Councillor Duffin stated that he could not see any point or benefit from the four-yearly elections and that a consultation would not work. Councillor Duffin suggested that elections should be left as they currently were.

Councillor Spillman agreed with Councillor Duffin and asked Councillor Hebb how much the consultation would cost. At present there was a real connection between the elected candidates and residents due to the yearly nature of elections and did not see any point or benefit of the consultation.

Councillor G Rice stated that from previous experience of four-yearly terms at Essex County Council members 'go to sleep' and totally disconnect with the public. The public should be able to vote year by year and hold councillors to account.

Councillor J Kent stated that he would support the consultation going ahead and give the public the opportunity to speak but had concerns that the key motivator for changing to four-yearly elections was to save money and democracy should not be done on the cheap.

Councillor Aker stated that there should be more opportunities for residents to get involved and engage more in the voting process but believed the costings of the consultations would be far greater than the projected savings and would not be supporting the recommendations.

Councillor Hamilton believed that members would become disconnected with the public if the four-yearly term were to go ahead.

Councillor Watkins stated he supported the consultation process at this stage as it was up to residents to decide how members get elected.

Councillor V Holloway stated that she supported the recommendation in the report which had been received from an overview and scrutiny committee and that the engagement with residents should continue. Councillor V Holloway asked Councillor Hebb how many responders would be required to make the consultation a valid sample before this was discussed next time.

Councillor Snell stated that he had a different opinion to the rest of the members of his party on this item and that he would vote in favour for the recommendation to give residents an opportunity to speak and that a figure be agreed that could be accepted as a representative sample for responses.

Councillor Gledhill agreed that residents should be given the opportunity to have their say and would be supporting the recommendations.

Councillor Gerrish stated that he would be willing to back the recommendations in respect of the consultation but had concerns over the cost of the consultation. To ensure that the wording in the recommendation was neutral he felt that a valid sample, 33 per cent, could be used as a turn out figure.

Councillor B Rice stated she would not be supporting the recommendations.

Councillor Kerin stated that he agreed with the consultation and debate should be undertaken when feedback was available.

Councillor Jones stated that from experience consultations do not get a good response rate and would not be supporting this recommendation.

Councillor Hebb summed up from his report and thanked those members who agreed that residents should have a say. Councillor Hebb stated that a cross party discussion would need to take place before a final decision and from an operational point of view this discussion had to be informed by feedback from the consultation. The Corporate Overview and Scrutiny Committee could look at the wording of the recommendation relating to the consultation and the costs of consultation. In addition the consultation would be digitalised and hard copies would be sent out with Council Tax notices.

The Mayor called a vote on the report recommendation:

For : 31

Against : 15

The Mayor declared the recommendation be carried.

RESOLVED

That a public consultation exercise be undertaken in accordance with the statutory requirements relating to the proposals to change the cycle of electing councillors to Thurrock Borough Council from elections by thirds to whole-Council elections, with effect from May 2018.

36. Annual Cabinet Member Report for Education and Health

Councillor Halden introduced the report and stated that he was delighted to be presenting this report tonight as the Cabinet Member for Education and

Health and that the mission and overriding priority was to tackle mediocrity to ensure that Thurrock can fulfil its potential.

Councillor Halden stated that the three key areas of tackling mediocrity in Thurrock were:

- Council Leadership – Display true commitment to leadership to improve public services.
- Expectations – Be more rigorous in challenging services and becoming residents' champions to hold poor general practitioners and Primary Care facilities to account.
- Early Years Support – A role as a corporate parent or in the role monitoring the causes of child poverty or neglect and to view poor early years support as a serious threat to the long term future of the borough.

Councillor Halden explained the reason for bringing Education and Health Directorates together as one report which was to ensure that any gaps found between education and employment outcomes with associated poor physical and mental health outcomes were bridged.

Councillor Halden updated members on the number of visits and meetings attended in his time so far as portfolio holder.

Councillor Halden stated he was grateful to be given the opportunity to undertake a job that he relished and would give it his all. Councillor Halden then thanked his party colleagues, officers in his directorates and the residents of Thurrock.

Councillor V Holloway asked what authority the scorecards would have and why general practitioners would sign up to them. Councillor Halden stated that providers would be held to account if services did not improve and peer pressure would be evident amongst providers.

Councillor Gerrish welcomed Councillor Halden to his role and shared his passion with other members that young people do well in education, be set up for life and the healthcare be the best for residents. With regard to the much reduced role in the local authorities post academies, Councillor Gerrish asked Councillor Halden if the educational budget could be radically cut or had he changed his mind now that he was in office. Councillor Halden referred members to past actions of Councillor Gerrish's portfolio holder and that he should not be lecturing him.

Councillor Jones was concerned that there were not enough provisions for senior schools and insufficient monies were being spent on obesity which was at a high level in the borough. Councillor Halden stated the reason his lobby unit was in place was to holistically look at the entire school system and to look at where schools need to plan forward. The redesign of the children's centres and bringing the health and education strands together would ensure that children get comprehensive and joined up care.

Councillor Watkins asked Councillor Halden for a performance update on the schools in his ward. Councillor Halden stated the results at the moment were provisional. Corringham Primary and Gable Hall had been outstanding and showed a good example where multi academy trusts work.

Councillor Fish asked Councillor Halden what other strategies were in place should the plans to enforce disability health checks by general practitioners failed. Councillor Halden stated that general practitioners would be held to account for undertaking these checks and that the scorecard could be used to improve the service.

Councillor Spillman stated that Aveley had a lack of general practitioners, as well as issues in recruiting and retaining general practitioners and that over the last 12 months this area had lost four general practitioners. He asked Councillor Halden how long before key worker housing would be available to encourage general practitioners to the area. Councillor Halden stated he thanked Steve Munday, the head teacher at William Edwards School, who had shown him the key worker housing used on their site and how this had impacted on teacher retention. The final ideas were not known but would be shared with overview and scrutiny when known and members would have the opportunity to feed into it.

Councillor Kerin asked Councillor Halden to guarantee that the many multi academy trusts in the borough would provide school places in the areas they were needed and not where there was already a surplus. Councillor Halden stated that looking at data projections there would not be many areas with surplus places. A vital part of the portfolio holder's role was the building of relationships between council, schools and providers.

Councillor J Kent stated that as the Council were currently in dialogue for free schools in the borough this could put pressure on some schools or even result in the closure of schools. He asked Councillor Halden how he would ensure that this did not happen. Councillor Halden confirmed that parents should be given the choice to decide which school they send their children to. He had the support of officers and the advice given to ensure that support was targeted.

Councillor Collins asked Councillor Halden for an update on Basildon Hospital. Councillor Halden stated that the hospital had much improved since 2010 which had been down to the leadership of governors. There was still a very substantial operational deficit which was being tackled. The Sustainability and Transformation Plan and the Success Regime were important to ensure a system wide transformation would be delivered.

Councillor Snell expressed concern that the Success Regime and the Sustainability and Transformation Plan would result in changes to the health care in the borough and could the portfolio holder ensure that communication was right and that residents were made aware of what was happening. Councillor Halden stated that as part of the Engagement Panel he had already written to express his displeasure on how some of the consultations

had been carried out and the requirement to consult with Thurrock was vital for these projects to work.

37. Questions from Members

The Mayor informed the Chamber that two questions to the Leader of the Council had been received and 7 questions to Cabinet Members, Committee Members appointed to represent the Council on a Joint Committee were received.

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

38. Reports from Members representing the Council on Outside Bodies

There were no reports from Members representing the Council on outside bodies.

39. Minutes of Committees

The Minutes of Committees as set out in the Agenda were received.

Members were informed that the General Services Minutes for the 17 May 2016 should have been included in the agenda item. Copies of these minutes were tabled.

40. Update on motions resolved at Council during the previous year

Members received an information report updating the progress in respect of Motions resolved at Council over the last year.

41. To consider motions from Members in the order in which they were submitted

The Motion, as printed in the Agenda was proposed by Councillor Duffin and seconded by Councillor Aker. The Motion read as follows:

Thurrock Council calls upon the government to introduce legislation to provide for a right of "Real Recall" of underperforming local government councillors on grounds similar to those put before parliament when MPs debated "Real Recall" in 2014.

Councillor Duffin introduced the Motion, and in doing so, explained that if legislation was passed Thurrock Council could then work to implement "Real Recall".

Councillor Duffin explained that if a councillor was underperforming the Council would be able to deal with the matter instantly and not have to wait for their four year term to finish. The recall mechanism would potentially see 20

per cent of registered voters campaigning to get a councillor removed for the following situations:

- Misconduct
- Failure to Represent
- Crossing the Floor
- Breaking Electoral Promises

This motion was to put the power back in the hands of the voters.

A proposed amendment to the Motion had been submitted by Councillor Hebb and seconded by Councillor Gledhill. The amended Motion read as follows:

Thurrock Council calls upon the government to introduce legislation to provide for a right of "Recall" of local government councillors, alongside Thurrock Council also exploring the possibilities to introduce its own local recall scheme.

Councillor Hebb introduced his amendment and stated that it was an important matter to consider and that it was announced at Council last year as an Administration policy to ensure that councillors who do not behave were held to account.

The amendment was made to ensure that the work already undertaken by the Council had not been overlooked.

Councillor J Kent stated that he would be supporting the amendment and stated that the principal behind Recall was right. He stated that over the past 20 years the vast majority of elected members of all parties had stood for election to do the best they could to improve the area they lived in. Councillor J Kent stated that if recall was brought in it would be used very rarely. He stated that the current six month rule can be waived when health matters were involved and that the current regime could be tightened up. The council could also publish the casework undertaken by councillors to show their activity in office. Councillor J Kent went on further to say that some transparency was needed to give residents the tools to hold councillors to account which they currently do not have.

Councillor Aker stated that he supported Councillor Duffin's motion and told members that if the Real Recall were to pass he believed that it would never get used. Having agreed with Councillor J Kent's comment that people get involved with politics for the right reasons Councillor Aker felt that the passing of this motion would demonstrate that councillors were already happy to hold members to account.

At 9.15pm, the Mayor moved a motion to suspend Council Procedure Rule 11.1 to allow the meeting to continue beyond the 2.5 hour time limit until completion of business. Members indicated their disagreement to the proposal and that the meeting should finish at 9.30pm.

Councillor Gledhill also agreed with Councillor Kent's comments and stated that some clarity would be required on what was being done by a councillor and how often this was done. Councillor Gledhill stated that he was in favour of Recall and that it would be used very rarely and would need to be thought through properly which could then be used as a good example for other councils to use. Councillor Gledhill was in favour of the amendment and looked forward to discussing it at the Constitution Working Group and to ensure that residents had an input.

Councillor Hebb stated that all parties were in agreement in a higher accountability of councillors and although there would be a long way to go he stated Thurrock Council should make a start and put Thurrock on the map for open democracy.

Councillor Duffin summed up by confirming that it was 20 per cent of registered voters in the initial motion and not 5 per cent as Councillor Hebb quoted. Councillor Duffin stated that if the Amendment was passed, he would vote against the Bill as this did not allow voters to recall anyone. The amendment did nothing to resolve the issue and urged members to vote in favour of the original motion.

Councillor Duffin requested a requisition vote be undertaken.

The Mayor called a vote on Councillor Hebb's amendment.

Upon being put to the vote, 28 Members voted in favour of the Amendment with 16 Members voted against, whereupon the Mayor declared the Amendment carried.

Councillor Duffin stated that his request for a requisition vote be withdrawn.

The Mayor called a vote on the Motion as amended.

Following a clear majority in favour, the Mayor declared the Amended Motion carried.

The meeting finished at 9.30pm.

Approved as a true and correct record

CHAIR

DATE

**Any queries regarding these Minutes, please contact
Democratic Services at Direct.Democracy@thurrock.gov.uk**

