

Minutes of the Meeting of the Council held on 19 June 2019 at 7.00 pm

Present: Councillors Terry Piccolo (Mayor), Sue Shinnick (Deputy Mayor), Qaisar Abbas, Abbie Akinbohun, John Allen, Alex Anderson, Chris Baker, Gary Byrne, Daniel Chukwu, Gary Collins, Mark Coxshall, Tony Fish, Mike Fletcher (*arrived 7.11pm*), Oliver Gerrish, James Halden, Shane Hebb, Victoria Holloway, Deborah Huelin, Andrew Jefferies, Barry Johnson, Cathy Kent, John Kent, Martin Kerin, Angela Lawrence, Steve Liddiard, Susan Little, Fraser Massey, Allen Mayes, Sara Muldowney, Bukky Okunade, Jane Potheary, David Potter, Shane Ralph, Joycelyn Redsell, Gerard Rice, Elizabeth Rigby, Sue Sammons, Jennifer Smith, Luke Spillman, David Van Day, Aaron Watkins and Lynn Worrall

Apologies: Councillors Colin Churchman, Jack Duffin, Robert Gledhill, Garry Hague, Tom Kelly, Sue MacPherson and Ben Maney

In attendance: Lyn Carpenter, Chief Executive
Sean Clark, Director of Finance & IT
Roger Harris, Corporate Director of Adults, Housing and Health
Julie Rogers, Director of Environment and Highways
Karen Wheeler, Director of Strategy, Communications and Customer Service
David Lawson, Assistant Director of Law & Governance
Kerry Thomas, Chief Executive Business Manager
Tim Hallam, Deputy Head of Legal
Matthew Boulter, Democratic Services Manager and Deputy Monitoring Officer
Jenny Shade, Senior Democratic Services Officer

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

13. Minutes

The minutes of the Meeting of Annual Council held on the 22 May 2019 were approved as a correct record.

14. Items of Urgent Business

No items of urgent business were received.

15. Declaration of Interests

Councillor C Kent made a non-pecuniary interest in regard to Item 11 Report of the Cabinet Member for Education and Health and Item 12 Questions from Members as she worked at Treetops Special School.

16. Announcements on behalf of the Mayor and the Deputy Leader of the Council

The Mayor congratulated Olivia Busby a young lady who Thurrock Sports Council and Recreation Charity had sponsored who had become the European Champion and achieved two world records in the USA for power lifting. The Mayor stated that Olivia would be invited into the Mayor's Parlour to receive a gift on behalf of the Council.

The Mayor announced that by the end of June he would have attended 22 events with the month of July looking even busier.

The Deputy Leader of the Council, Councillor Hebb, updated Members by stating that on Saturday, Thurrock residents and communities across the United Kingdom would be celebrating Windrush Day to honour the men, women and children who stepped off the Empire Windrush at the Port of Tilbury on 22 June 1948, as well as the legacy of the 'Windrush Generation' and their descendants. Councillor Hebb detailed that Caribbean migrants on board the Empire Windrush, comprising of painters, musicians, farmers and carpenters, spent 30 days at sea in order to come to the UK and seize the opportunity to influence sport, culture, health care, industry and our communities. Some had served alongside the Allies during the Second World War, with many then providing much-needed labour to assist in the rebuilding efforts of post-war Britain. Thurrock was the point where they disembarked and took their first steps on British soil as they set off on their new lives. Thurrock were proud of the role they played in this important story and would mark the anniversary of this important event. With Government funding of £50,000 being allocated annually to a Windrush Day grant scheme, of which Thurrock had benefited from this year. Educational workshops had been held over the past few months and Windrush Day celebrations would conclude with the Tilbury Carnival on Saturday 20 July. This would be hosted by local groups including the Tilbury-on-the-Thames Trust, Kinetika, Port of Tilbury, Tilbury Riverside Project and One Community Development Trust alongside Thurrock Council.

Councillor Fletcher entered the council chamber at 7.11pm.

Councillor Hebb reminded Members that next week's Armed Forces Day would be commemorated with a series of events around the borough. On Monday 24 June a flag would be raised at the Civic Offices with a special event taking place at Coalhouse Fort on Sunday 23 June and the Thurrock Museum would be holding a special exhibition looking at Thurrock's place in the peacetime events which immediately followed World War One. As part of this year Thurrock remembered the events of 75 years ago when thousands of brave young men stormed the beaches at Normandy in one of the largest

amphibious assaults in history and going on to liberate France and much of Europe and begin the events which brought an end to the Second World War.

Councillor Hebb stated Councillors and Officers would be attending the Municipal Journal Local Government Achievement Awards next week where the Council would be shortlisted in four categories, including the most prestigious of all the awards, the Local Authority of the Year. Councillor Hebb stated that Thurrock Council had deservedly earned a place amongst the best of the best local authorities thanks to the hard work and innovative approach taken by all elected Members and Officers. Thurrock Council had also been shortlisted for Care and Health Integration, Innovation in Finance and Senior Leadership Team. Making all these shortlists was testament to the Council's well-earned reputation for cross-party engagement and working closely with partners in the community, business and third sectors, as well as taking an innovative approach to tackling the challenges facing local government. Councillor Hebb stated that for Thurrock to make the shortlist was an honour and the winner would be announced next week.

Councillor Hebb provided an update on the Clean Air Scheme where work was currently taking place on an exciting new competition with two Thurrock schools where pupils were being asked to design a poster encouraging parents to turn off their engines when waiting to collect their children from school. Judging of the competition will take place next month and looked forward to seeing the winning design. Councillor Hebb stated that the Council were committed to doing all that they can to improve air quality in Thurrock and encouraged everyone to consider how they can reduce their own vehicle emissions.

Councillor Hebb provided a Clean it, Cut it, Fill it update and stated that since April 2019:

- 649 potholes had been filled, every single one within agreed timeframes
- 328 fly-tips had been cleared
- 469 tonnes of waste collected by street cleaning and grounds maintenance teams combined
- Over 99% of household waste bins had been collected on the correct day

17. 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.go.uk/thurrock> and are attached at Appendix A at these minutes.

18. Petitions from Members of the Public and Councillors

The Mayor informed Members that in accordance with the Council's petition scheme, two requisite of notice had been given to present a petition at the meeting.

Mr Norrington presented a petition with regard to improving sport facilities as part of the Thurrock Sports Council.

Councillor J Kent presented a petition calling for a pedestrian crossing around the junction of the Broadway, Gipsy Lane and East Thurrock Road, in Grays.

At 7.28pm, Councillor Gerrish called a Point of Order, by questioning whether the Thurrock Sports Council petition met the threshold for a report to be brought back to Council. Matthew Boulter, Democratic Services Manager, stated that the petition would need to be verified by his team and once it had been confirmed that there were 1500 valid signatures a report would be brought to Council for debate.

19. Petitions Update Report

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

20. 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 by Committees and Outside Bodies, statutory and other panels.

The Deputy Leader of the Council, Councillor Hebb, informed the chamber that he had no changes to make.

Councillor Pothecary, Leader of the Labour Group, informed the chamber that she had no changes to make.

Councillor Spillman, Leader of the Thurrock Independence Group, informed the chamber that he would like to make the following changes:

For Councillor Byrne's seat on the Lower Thames Crossing Task Group to be gifted to the Independent Group. To which Councillor Massey accepted.

For Councillor Ralph to be removed from the Health & Wellbeing Board and replaced with Councillor Spillman.

Roger Harris left the council chamber at 7.30pm.

21. To Approve the Appointment of the interim Director of Children's Services

The Mayor informed Members that an update copy of the report had been emailed to Members and a copy had been tabled.

At 7.32pm, Councillor Pothecary called Point of Order, in relation to Chapter 2, Part 2, Paragraph 16(m) to request a short adjournment to seek further

clarification of the updated report with the Chief Executive and Officers. The Mayor agreed to adjourn the meeting for 10 minutes. The meeting reconvened at 7.51pm.

Councillor Hebb introduced the report to seek the agreement of Council to approve the Appointment of the interim Director of Children's Services and stated that Roger Harris had demonstrated absolute capability and care and spoke on behalf of all 49 Members that they held Roger Harris with the highest regard and with the highest esteem. Councillor Hebb stated that the Council found themselves in a unique situation where 49 Members had been given less than a 48 hours deadline to appoint a Director of Children's Services which the Council knew would be vacated some three months ago. The recommendation would see a significant remodelling of services. Councillor Hebb stated the democratic oversight had been nil but in reality there was a need to have a Director of Children's Services in place by midnight on Sunday. Councillor Hebb explained that elected members did not have the authority or control over appointments and general structures which would be in the remit of the Head of Pay Service in line with the constitution. Those 49 Members had been asked to approve this appointment but not had the time to challenge, provide opinion or examine the contents of the report. That it was the duty of all those 49 Members as Corporate Parents that they were satisfied that the place holder, structure underneath and around were in place to help to deliver what was required and have a duty of care for that person undertaking the role. Councillor Hebb was sure that the above had been considered. The updated report had come about following interactions between Councillor Hebb, the Leader of the Opposition, Councillor Potheary, Councillor Spillman, Councillor Okunade and Councillor Little where concerns had been raised. Councillor Hebb stated that an interim Director of Children's Service could be appointed by Head of Paid Service but more importantly the matter should be called into General Services Committee as soon as possible for a full examination of the structure. Councillor Hebb concluded that Members this evening had to look at the report where cross party comments had been made to ensure safeguard measures were in place and to examine the proposal so that it can go ahead.

Councillor Potheary stated it was Member's duty to ask difficult questions. Councillor Potheary had reservations to have Children's and Adult Services, Health and Housing under one director and questioned the protection, care and safeguarding of children and adults under this proposal. Councillor Potheary urged Members to think long and hard to ensure that their decision was the best thing for vulnerable adults and children in care and for those Members that had any concerns on whether this was the right decision should vote against the recommendation.

Councillor Spillman stated he held Roger Harris with the highest regard but asked why the three groups had not had sufficient time to scrutinise the report. With the proposed combination of all the directorates scrutiny was vital to ensure that the layers underneath this major change were in place and to ensure the safeguards were there. Councillor Spillman stated his concern there was no democratic accountability and going forward to ensure that this

did not happen again on any upcoming appointments with better communication between groups.

Councillor Okunade wished Rory Patterson well in his retirement. Councillor Okunade reluctantly agreed to support the recommendation as this was where the Council was at this time and that going forward better processes should be put in place. Councillor Okunade had confidence the interim director appointment would comply with the Children's Act but would be overstretched as one directorate.

Councillor Halden stated that as Portfolio Holder for Education and Health he had not been consulted for his opinions on the report and had expected a General Services Committee to meet. Councillor Halden stated that decisions in the future need to be across party and to strike the right balance where conversations between Members and Officers had to be held to re-align the internal process so that this situation did not happen again.

Councillor Fletcher stated he had nothing against Roger Harris but it was essential the right support and structure were in place to do the job. Councillor Fletcher questioned the lack of consultation and what had been undertaken between the period of receiving Rory Patterson's resignation to now. Members had a free vote for no right answer to which Councillor Fletcher concluded the decision had been taken out of Members hands.

Councillor Little stated her support to the recommendation as there was a legal obligation by the Council and all 49 Corporate Parents to have a Director of Children's Services in place by Sunday and comments made would not reflect badly on Roger Harris. Councillor Little stated she had worked with Children in Care for a long time but agreed the process should be looked at differently and a report be presented to the General Services Committee as soon as possible.

Councillor J Kent stated he had known Roger Harris since 2008 and he had fantastic qualities and hoped the report would not damage his reputation. Councillor J Kent stated that lots of questions had arisen as to why Members and even Portfolio Holders were not consulted or asked on the processes of the report. Members were informed that Rory Patterson's resignation was received in March 2019 and the consultation with key staff was undertaken in May 2019 with discussions taking place with Leaders only two days ago. Councillor J Kent stated this was not acceptable and it had treated Members with contempt. Councillor J Kent stated that the Head of Paid Staff should have been responsible for the appointment of officers and the interview process and stated he was disappointed that Members had been consulted earlier. Councillor J Kent agreed with Councillor Halden that a good authority ran when there was a good partnership between senior Members and senior Officers and stated this partnership was not working in Thurrock at this time and some hard work had to be undertaken to get this back on track. Councillor J Kent stated that he did not believe that appointing a person to the Director of Children's Services role, even for only 6 months, was good enough

for this authority or good enough for the children of Thurrock and would not be supporting the recommendation.

At 8.18pm, Councillor Halden called Point of Order, to confirm that he had known initially about the report but knew that Officer were capable to do their role and a report should have gone to the General Services Committee as reports had always done so in the past.

Councillor Gerrish stated he had struggled to come to any conclusion on the report and had no confidence, however talented that person may be, that there should be one single director of Children, Adults, Housing and Health even for a period of 6 months as it was too much for one person. Councillor Gerrish stated the updated report had the same outcome just a change to the job title. That the process had not given Members options or alternatives. Councillor Gerrish urged Members to think long and hard before making any conclusions.

Councillor Coxshall stated this was the first time in his third term as a Member that he was unsure which way to vote. Councillor Coxshall noted the good points made by Councillors Kent and Gerrish and stated that the process was in place to undertake interviews for internal roles.

Councillor Abbas opposed to the recommendation so that a clear message could be sent that Members would not be put on at the eleventh hour.

Councillor Hebb stated this was a low point for the Council. The points made by Councillors were clear and professional and called the report to the vote.

The Mayor called a vote on the recommendation to which Members voted:

For: 15, Against: 26, Abstained: 0

Whereupon the Mayor declared the Motion not carried.

RESOLVED:

Members did not approve in accordance with the Council's Constitution the appointment of Roger Harris as interim Director of Children's Services for six months pending the presentation of a report to General Services Committee to consider options for the future of this role.

Roger Harris entered the council chamber at 8.27pm.

22. Report of the Cabinet Member for Education and Health

Councillor Halden was proud to be presenting his fourth Portfolio Holder for Education and Health and thanked all staff, teachers, governors, parents, general practitioners, nurses and everybody who had helped to make Thurrock such a success story and thanked Roger Harris, Ian Wake and

Michelle Lucas. Councillor Halden briefly highlighted the following services included within that portfolio:

- In Education nearly two thirds of children got their first choice of school place this year
- £4 million had been spent on new school buildings and sport facilities
- In Health, Thurrock was up to 25 “Good” General Practitioners
- £80 million on new estate plan – now known as the “Thurrock Model”
- £1 million put into adolescent mental health services
- Engage in sports and other recreational activities that would support the ambitious agenda in reducing obesity levels across communities
- Not as much as progress made on the Integrated Medical Centres due to a political referral to the Secretary of State
- A new school building continued to be a challenge
- Plans for a massively expanded Thurrock Hospital once the referral to the Secretary of State had been resolved
- Concerns raised on the SEND service
- Expand and relocate the Youth Offending services
- To improve the mental wellbeing and resilience in our young people
- Expanding the current skills and host a skills summit with partners later this year
- Plan to build more homes and schools to include sports facilities

Councillor Holloway noted the passion of the Portfolio Holder’s report but stated that the report was not good and understood that not everything could be included but information should be available to Members such as information on the Sustainability and Transformation Partnership and the acute reconfiguration of hospitals and its impact. There was nothing in the report on Primary Care Networks which was an important piece of work to happen in the borough. The report also contained little information on the Health and Wellbeing Board. Councillor Holloway was pleased to see the work being undertaken as part of the Mental Health Transformation and questioned the proposed reduction in the control total for the Mid and South Essex Sustainability and Transformation Partnership to assist the Peterborough and Cambridgeshire Sustainability and Transformation Partnership which would result in a reduction of £480K to the Thurrock’s Clinical Commissioning Group’s budget for 2019/20 and explained how this would impact on and delay projects, especially those around mental health services, that had already been agreed for the local authority. And asked what the Portfolio Holder was undertaking to stop Thurrock’s money from being taken and what work was being undertaken with Jackie Doyle-Price and Parliamentary Undersecretary of State for Mental Health to stop Thurrock residents suffering at the benefit of Peterborough and Cambridge.

Councillor Halden stated that the referral to the Secretary of State by Councillor Holloway to transfer services out of Orsett Hospital had been made 6 months following the report being presented at the Health and Wellbeing Overview and Scrutiny Committee which had wasted six months. That Primary Care had been mentioned extensively in the report and provided

members with examples. Councillor Halden referred to the Peterborough and Cambridge Sustainability and Transformation Partnership by confirming that adolescent money for mental health had already been committed and had been ring-fenced. In regard to the adult reconfiguration the phasing would change slightly with the rollout slightly delayed by a few months and the community mental health work would continue regardless.

Councillor Okunade stated that the Council had a statutory duty to ensure that every child had a school place and asked for the number of children who were educated at home where no school could be found for them. Councillor Halden stated that every school child had been offered a school place in the borough. That the figures for those children home educated had increased due to parents elected to do this and figures may be reduced once the new Tree Tops School had been built.

Councillor Potheary focused on KPI for good schools and requested assurances that KPIs for schools in Thurrock would be good or outstanding going forward. Councillor Halden stated that Ofsted judgement had become more vigorous and the challenges were to work harder and to look at the successes and to roll those out across the borough.

Councillor Spillman stated his disappointment on the decision to remove some of the mental health services and stated that early intervention for those suffering from mental health issues was vital and could be dealt with more easily. Councillor Halden clarified that services to mental health services in Thurrock were not being defunded. That the Clinical Commissioning Group in Thurrock was in the black with a resilient budget and that it should be the NHS being held to account.

At 8.45pm, the Mayor called time on this item. Councillors Worrall and Kerin said they would contact Councillor Halden outside of the meeting relating to the questions they wished to ask.

23. Questions from Members

The Mayor informed the Chamber that one question to the Leader had been received and 12 questions to Cabinet Members. Those not heard would either receive a written response or have the option to withdraw and resubmit.

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

At 9.16pm the Mayor called time on this item.

Councillor Fletcher requested a written response.

Councillor Akinbohun requested a written response.

Councillor Muldowney requested a written response.

24. Reports from Members representing the Council on Outside Bodies

The Mayor informed the Chamber that no reports had been received.

25. Minutes of Committees

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

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

Members received an information report updating the progress in respect of Motions received at Council.

Councillor J Kent referred to Motion received on 31 October 2018

Thurrock Council notes that since decriminalisation of parking in 2005 residents of Lodge Lane have been able to park on their crossovers – as they had been able to for decades before. The decision to enforce against residents parking in this way has caused significant anger and concern against those affected. Council calls on Cabinet to revisit this decision and find a way of allowing residents to park in the way they have for many, many years without any problem.

Councillor J Kent referred Members to the updated response and questioned why ward Members had not been involved, informed or consulted as part of the process and were now being asked questions by residents of Lodge Lane with regards to a letter they had received to which ward Members know nothing about. Councillor J Kent stated that Members had once again been overlooked and questioned when Members would start being involved in matters, particularly matters in their own wards.

27. Motion submitted by Councillor Potheary

The Motion, as printed in the Agenda was proposed by Councillor Potheary and seconded by Councillor J Kent, to which he reserved his right to speak later in the debate. The Motion read as follows:

Thurrock Council notes opposition to the proposed plans to redevelop the Civic Offices. Thurrock Council calls on Cabinet to abandon this costly and unnecessary project.

Councillor Potheary introduced the Motion by stating there had been serious opposition against the redevelopment plans to Civic Offices which had been evident this evening with a gathering of residents outside Civic Offices demonstrating against the project. That the investment of £10 million should be spent more on community projects with residents against footing the bill for the proposed new chamber and the grand entrance. The project would be to the detriment of local businesses and would isolate the local church. Councillor Potheary urged all Members to support the motion by caring more about residents rather than having a fancy new office.

Councillor Gerrish stated that as Chair of the Corporate Overview and Scrutiny Committee he had grave concerns with the project due to the lack of detail in the business case and what the benefits of this project would be for residents of Thurrock. Residents were told that the new proposed redevelopment of Civic Offices would be good for the regeneration of Grays but Councillor Gerrish stated residents did not want a new chamber or a new entrance they needed to see more improved local infrastructure. That a letter from the Corporate Overview and Scrutiny Committee would be sent to the Leader requesting that a true business case be put forward and for a report to go back to the Corporate Overview and Scrutiny Committee.

Councillor Kerin stated his support for the motion as the project would be spending money needlessly which would affect his ward directly. Councillor Kerin told Members if they wanted to see how money could be spent better in the borough they could speak to himself, Councillor Potheary or residents as they had a "shopping list" of projects that could be addressed instead.

Councillor Coxshall stated that the project would not cost £10 million as the sale of part of the Civic Offices would reduce this spend. Councillor Coxshall reminded Members that two years ago Members had agreed to fewer buildings, better services and stated that was what this project had planned to do. The project had plans to regenerate and make the most of Grays, with new homes being built and enhancing the entrance of the Civic Office so that it was near the station and formed part of the Grays Regeneration Project.

At 9.30pm the Mayor called the close of the meeting. The Mayor stated that the vote would now be undertaken for Motion 1 and the remaining motion would be heard and advised Councillor Huelin that she had three minutes to speak before the motion would be put to the vote.

The Mayor called a vote on Motion 1.

Councillor Potheary requested a requisition vote. The results of which were:

For: Councillors Abbas, Akinbohun, Allen, Baker, Byrne, Chukwu, Fish, Fletcher, Gerrish, Holloway, J Kent, C Kent, Kerin, Liddiard, Massey, Mayes, Muldowney, Okunade, Potheary, Potter, Ralph, Rice, Shinnick, Smith, Spillman and Worrall **(26)**

Against: Councillors Anderson, Collins, Coxshall, Halden, Hebb, Huelin, Jefferies, Johnson, Lawrence, Little, Piccolo, Redsell, Rigby, Sammons, Van Day and Watkins **(16)**

Abstained: **(0)**

Whereupon the Mayor declared the Motion carried.

28. Motion submitted by Councillor Huelin

The Motion, as printed in the Agenda was proposed by Councillor Huelin. The Motion read as follows:

That Thurrock Council establishes a working group for the next 5 years to ensure events of the Second World War are appropriately commemorated in Thurrock.

Councillor Huelin introduced the Motion by stating the working group would be established as an honour to all war veterans who had sacrificed so much for their country in the Second World War.

The Mayor called a vote on the Motion.

Members voted unanimously in favour of this Motion to which the Mayor announced the Motion carried.

The meeting finished at 9.36 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**