

Minutes of the Meeting of the Cabinet held on 11 September 2019 at 7.00 pm

The deadline for call-ins is Monday 23 September at 5.00pm

Present: Councillors Robert Gledhill (Chair), Shane Hebb (Deputy Chair), Mark Coxshall, James Halden, Barry Johnson, Susan Little and Ben Maney

Apologies: Councillors Deborah Huelin and Aaron Watkins

In attendance: Lyn Carpenter, Chief Executive
Sean Clark, Director of Finance & IT
Tim Hallam, Acting Head of Legal, Assistant Director Law and Governance and Monitoring Officer
Roger Harris, Corporate Director of Adults, Housing and Health/Interim Director of Children's Services
Andrew Millard, Interim Director of Place
Julie Rogers, Director of Environment and Highways
Karen Wheeler, Director of Strategy, Communications and Customer Service
Wendy Le, 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.

25. Minutes

The minutes of Cabinet held on 10 July 2019 were approved as a true and correct record.

26. Items of Urgent Business

There were no items of urgent business.

27. Declaration of Interests

There were no declarations of interest.

28. Statements by the Leader

The Leader announced that Thurrock Council had been successful in their application to the High Court for an interim encampment injunction to prevent anyone from establishing unauthorised encampment in Thurrock without full permission and would be enforceable on public and private land. An illegal encampment would result in immediate arrest and would enable the Council

to move encampments on within a few hours as well as giving the police more powers in enforcing this.

The injunction would also act as a greater deterrent to illegal encampments. It was the second stage of a three stage process and this injunction would be in place for a few months as the Council prepared for a final injunction.

The Leader moved on to state that Grays and Tilbury had been selected in the first stages of two exciting government schemes which would help to bring in millions in funding to improve and regenerate the two towns. Grays had been named as one of the additional 50 towns successful in the first round of bidding for the government's Future High Street Fund. This meant that funding would be received to develop a detailed business plan for the Council to bid for a share of the £1 billion government funding which could be used to revitalise Grays High Street through a new infrastructure that would attract new businesses, shoppers and homes.

Tilbury and Grays had also been selected by the government to receive their share of a new £3.6 billion funding pot to help improve infrastructure, drive economic growth and increase job opportunities. Both towns would be one of the 100 towns to benefit from the New Towns Fund and could potentially acquire up to £25 million each to transform the towns through improved transport, broadband connectivity, skills and culture.

The funding for Tilbury and Grays was in addition to the current Council plans for Grays Town Centre which included the Grays Town Centre Regeneration and the Grays Underpass Scheme. In addition, there was already private investment to transform the State Cinema site and plans to create a revitalised shopping centre which owners, New River, say could include a gym, a hotel and food retail.

Moving on to Anti-Social Behaviour (ASB), the Leader said that the Council had been successful in continuously targeting ASB acts with a campaign to crack down on the use of nitrous oxide (laughing gas) canisters and in securing a criminal behaviour order against a nuisance neighbour.

Back in August 2019, the Council had launched a joint campaign between Essex Police and Environmental Enforcement Officers to tackle ASB and nitrous oxide canisters in Thurrock's car parks. The first few weeks of this campaign saw:

- 19 Fixed Penalty Notices (FPNs) issued for littering, fly-posting and ASB;
- 22 community protection warnings for ASB involvement in Grays, Chafford Hundred and Tilbury;
- 8 community protection warnings for cannabis possession; and
- 3 community protection warnings for HGV parking in Manor Way.

There had also been success in securing a 10 year Criminal Behaviour Order against a nuisance dog owner along with £12,000 worth of fines due to the

perpetrator's failure to comply with a noise abatement notice. This would also prevent the perpetrator from owning animals for 10 years and shows that people need to have consideration for their neighbours regarding noise nuisances. The Council will continue to take whatever action necessary to protect residents from all forms of nuisance and ASB.

The Leader gave praise to the Council's Principal Social Worker, Fran Leddra, had been appointed to the position of Chief Social Worker for England in a joint role with Mark Harvey of Hertfordshire County Council. He praised Fran Leddra's talent, expertise and experience as well as the high esteem of the services held in Thurrock.

The Leader announced that the Council had been shortlisted for three categories in the Association for Public Service Excellence (APSE) awards:

- Best Commercialisation and Entrepreneurship Initiative for the Council's financial and commercial success;
- Best Efficiency and Transformation Initiative for customer service; and
- Best Community and Neighbourhood Initiative for the Council's Give A Gift.

The APSE awards were due to take place on 12 September 2019 and the Leader wished the teams good luck.

Regarding Clean It, Cut It, Fill It, the Leader gave the following updates:

- 965 potholes filled within agreed timelines;
- 647 fly-tips cleared;
- 1,245 tonnes of waste collected by street cleaning and grounds maintenance teams combined; and
- 1,820 FPNs issued for littering, dropping cigarette butts and ASB.

29. Briefings on Policy, Budget and Other Issues

Councillor Halden gave an update on the Dedicated School Grant (DSG) and said that Thurrock was in a great position with realistic plans in place following the inherited deficit back in 2016. These plans had been created in partnership with forward thinking schools and through budget planning. Like many other local authorities, Thurrock had a historic DSG debt due to pressures to the service. Some of this pressure arose from an increase in special needs over the last five years and a sustainable long term plan was needed to resolve these pressures.

Councillor Halden went on to announce that the DSG debt recovery plan had seen a drop from £3.5 million in 2018 to £2.6 million in 2019 and was forecasted to eventually drop to zero by 2022. It would require investment in greater efficiency and a recent example was where school transport costs had been capped but was still able to meet obligations. The Council had provided the DSG with additional financial support and a levy had been agreed to meet

the costs of permanent exclusion and will continue to grow an inclusion model to support pupils where possible.

The New Funding Formula implemented in 2018, had enabled an extra £1 million in Thurrock's education system and the attributed funds would be targeted to more prior pupils than before. Additional investment was also provided by the PM for 2022/23 as part of SEND.

The High Needs Block (HNB) was an active service and Councillor Halden had been in discussions with Officers regarding how reserves in DSG could be allocated to preserve the HNB. For example, Cabinet would be willing to provide former reserves if it could be match funded by an annual contribution from the DSG to maintain reserves for extraordinary care needs.

Councillor Halden thanked School Forums, Councillor Hebb, Director Sean Clark and Senior Officer David May in the Finance directorate on untangling the DSG debt. He finished by saying that by the financial year of 2021/22, Thurrock's education system would see further improvements, DSG funds would be directed to prior pupils, the DSG would be balanced and reserves would be established to preserve stability. This would be in addition to investing revenue and capital in mental health, inclusion, SEND, support for care leavers and building new schools. The aim was for Thurrock Council to lead the nation by example through building a more inclusive borough.

The Leader was pleased to hear that DSG was aiming to get to the position that it should be in to enable it to be used effectively.

30. Petitions submitted by Members of the Public

There were no petitions submitted from members of the public.

31. Questions from Non-Executive Members

There were no questions received from non-executive Members.

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

The Leader stated that comments from Corporate Overview and Scrutiny Committee regarding the Grays Town Centre Regeneration: Civic Offices Project Position Statement report, would be considered when the report was discussed.

No other matters had been referred to the Cabinet for consideration by an Overview and Scrutiny Committee.

33. Revenue Budget Monitoring - Quarter 1 2019/20 (Decision: 110516)

Councillor Hebb presented the report which outlined that the Council's position forecast at the end of June 2019 was a net pressure of £1.502m or

1.10% against the General Fund Directorate budgets. Although this reflected pressures in Children's Services, domiciliary care and Adults, Housing and Health, departments that had made savings should also be recognised. Based on this forecast, the overall General Fund Budget still had a projected surplus of £4.301m.

Councillor Hebb continued on to say that Children's Services had a £0.972 million overspend but had long term objectives and efforts should be recognised. The service had potential high cost packages for individualised support packages but with early intervention approaches, this could help to deliver a level of cost avoidance.

Environment and Highways had a small overspend but always had more services to undertake. With domiciliary care, most other Local Authorities (LAs) were in the same position with pressures as well. The Council was under a legal duty to have a balanced budget by the year end and Councillor Hebb stated that this would be achieved.

There had been a drop in external income from Grangewaters Outdoor Activity Centre but mitigations were in place and Grangewaters were anticipating an improvement as they sought corporate bookings. Councillor Hebb encouraged everyone to visit Grangewaters with their families as it had many great activities and was a fantastic site.

There were challenges in the highways infrastructure but a recovery was anticipated. The Housing Revenue Account (HRA) was on track with a 0% variance.

Noting the surplus of £4.301 million, the Leader said that this should be celebrated as the surplus would still be there at the end of the financial year. This enabled works such as the DSG and tackling ASB. Councillor Hebb answered that the lead administration team had always prided themselves in not using the surplus to account for shortfalls in revenues and spending.

Councillor Little commented that her portfolio areas were in red but they were actually overspending the budget by less than 1%. Children's Services had big costs and in Adult Social Care, many people had less funding in care packages but some people were clever in hiding their money through passing owned homes to family members as an example. The service was getting rigorous in their care plans. With the Edge of Care plan in Children's Services, this helped to save on costs and the service worked hard to ensure children stayed at home if possible.

The Leader commented that it was not unusual to see an overspend or underspend in each quarter of the year.

RESOLVED:

That Cabinet commented on the forecast outturn position for 2019/20 and supported the need for further mitigation to outturn within the agreed budget envelope.

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

34. Grays Town Centre Regeneration: Civic Offices Project Position Statement (Decision: 110517)

Councillor Coxshall introduced the report by thanking the Corporate Overview and Scrutiny Committee for their comments. He referred the Executive to paragraph 2.4 which highlighted that Civic Offices extension would cost the Council £1.2 million less than the full CO1 refurbishment. The extension would not be built on Green belt and as a result, it would free up space, deliver arts and culture to the area and provide accessible key services to the public. Thurrock's MP had been pushing for investment in Thurrock for many years.

Councillor Halden started discussions by saying that he was confused over some of the objections that had been raised by the press and opposition party members. The last administration had earmarked almost £10 million for works of which £4.2 million had been spent to update the Council offices before and there had been plans to make use of a redundant space which had not gone ahead. The current administration wished to put the rest of that money as part of the Grays Town Centre Regeneration but the opposition party was objecting to this.

Councillor Coxshall agreed that opposition party members had raised concerns at Full Council and Corporate Overview and Scrutiny Committee and enabled the Executive to be better informed of issues. He went on to say that the last administration had done a good job of updating the Council offices which was good value for money and now the current administration wished to use the remaining money of £4.8 million to deliver facilities for the public to use in addition to new homes in Grays. Councillor Halden agreed but thought it was a misfortune to see opposition to the Civic Offices Project as the leftover money was being put to good use.

Councillor Little was pleased with the report and said that the extension would provide a big office space to presents to be wrapped in for Looked After Children. She continued on by saying that having new homes in Grays would be good for the service's care leavers as they would be close to the station, to town and to the Civic Offices.

Mentioning comments from opposition Councillors, Councillor Coxshall said that the new extension would revitalise the Grade II listed church and would enable it to be more appreciated. There had also been no objections from the church who had also given their support to the project. In addition, Thameside Theatre would benefit from the new extension because the registrar office

would be moved to the new building thus freeing up the space in the Thameside Theatre.

On the running costs on paragraph 2.8, Councillor Maney questioned what the 30% of saved costs would be on. Councillor Coxshall answered that costs would be saved in environmental, energy and maintenance.

Councillor Hebb commented that the current civic offices were not particularly welcoming and did not provide much privacy for people. The new building would give a degree of privacy when needed and there would be cultural benefits to Grays. He went on to mention that Barking and Dagenham had regenerated over the years and had created some great open spaces and that the Civic Offices Project was not just about the offices, it was about regenerating Grays Town Centre.

Agreeing, Councillor Coxshall said that all 49 Thurrock Councillors could see this and the report should allay concerns of costs and show what the project was offering. Thurrock's MP had been lobbying for Thurrock's regeneration and the new PM was supporting the scheme that would bring Grays into the 21st century.

The Leader commented on many regeneration ideas that had been formed for Grays over the years from the last and current administration. With more homes in Grays, it would give families homes and create more business opportunities in Grays which currently had no night economy. He mentioned that the Council offices had been used for filming a BBC comedy show and had been chosen because of its décor that gave the impression of a 1980s design. The Council had evolved over the years and the amount of space originally used were now unused so improvement was needed.

Councillor Johnson agreed and stated that it was time to take action. The Leader agreed and said the planning application for the Civic Offices extension would be reconsidered at Planning Committee on 19 September 2019.

RESOLVED:

That Cabinet noted the contents of this report and recommended how they wish to proceed with the Civic Offices element of the Grays Town Centre Regeneration programme, having regard to any comments provided by the Corporate Overview and Scrutiny Committee at their meeting held on 3 September.

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

35. Proposal to Adopt S34 Duty of Care for Domestic Waste; and S42 Idling Engines in Parked Vehicles

The Leader introduced the report and said that the s42 Idling Engines in Parked Vehicles would help to prevent drivers sitting outside schools from leaving their vehicle engines on while parked. It would help to improve air quality and there was a common misconception that more fuel was used if an engine was turned off then back on. It was actually that fuel costs were already saved when a vehicle engine has been turned off for more than 10 seconds.

On the s34 Duty of Care for Domestic Waste, householders have a duty of care when disposing of their waste and steps have to be taken to prevent their waste from escaping and causing harm to the environment. By following these guidelines, householders would not be at risk of being fined for fly-tipping. The duty of care required domestic householders to take reasonable measures in securing their waste as well as ensuring their waste is removed by an authorised person.

Councillor Little mentioned that she had recently seen a lorry that had not been correctly netted and had resulted in waste dropping out of the lorry. She questioned what actions could be taken to resolve this type of issue. The Leader replied that the issue was a matter for the police and there had been reports of people throwing litter out of their vehicles as well. It would be a matter of writing to the owner company of the lorry to ensure they correctly net their vehicles to secure their waste.

On s42 Idling Engines in Parked Vehicles, Councillor Hebb thought it made a good point and mentioned that train stations in Thurrock also had this same problem. He went on to that in Stanford le Hope west, cars would idle outside a car home causing much pollution. The s42 showed ethical responsibility and would help to improve air quality.

The Leader said that the report had been through the relevant scrutiny committee and that it was a common sense approach to the issues raised.

RESOLVED THAT:

- 1.1 Cabinet approved the adoption and enforcement of S34 – Duty of Care for domestic waste.**
- 1.2 Cabinet approved the adoption and enforcement of S42 – Idling engines in parked vehicles.**

36. Quarter 1 Corporate Performance Report 2019/20

On behalf of Councillor Huelin, the Leader introduced the report which highlighted that almost three quarters of indicators were already achieving target and that 53.5% were already performing better than the previous year. The waiting times for face to face customers had consistently been one minute which was a significant achievement in customer services.

The Leader thanked the Corporate Overview and Scrutiny Committee for overseeing corporate performance and he thought the services had come a long way from meeting a third of KPIs to now almost meeting the majority of KPIs. It was not unusual to have some areas that were hard to maintain a KPI such as filling a pothole within a 24 hour timeframe due to unforeseen weather conditions.

Referring to page 47 of the agenda, Councillor Johnson noted that satisfaction was strong across the board and was confident that the route to green would be achieved.

Councillor Hebb was pleased to hear that Corporate Overview and Scrutiny Committee had put proposals forward for improvements and remembered that there had been some areas that were consistently in the red. He said it was great to see the improvement now and that the gap to achieving a KPI needed to be reduced.

The Leader mentioned that the rate for FPNs had increased and a report would be brought to Cabinet next month which may further influence an increase in payment rates going forward. In Councillor Watkins's absence, the Leader noted the collection of bins within target for the fifth month running and the great work that had been undertaken in recycling, with the service looking at ways to implement recycling facilities in flats.

RESOLVED THAT:

- 1.1 Cabinet noted and commented upon the performance of the key corporate performance indicators in particular those areas which are off target**
- 1.2 Cabinet identified any areas which require additional consideration**

The meeting finished at 8.04 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