

Minutes of the Meeting of the Cabinet held on 11 December 2024 at 7.00 pm

Present: Councillors John Kent (Chair), Vikki Hartstean, Victoria Holloway, Mark Hooper and Sara Muldowney

Apologies: Councillors Lynn Worrall (Vice-Chair), Valerie Morris-Cook and Lee Watson

In attendance:

Ashley Baldwin, Chief Planning Officer
Dawn Calvert, Chief Financial Officer S151
Claire Demmel, Executive Director Place
Michael Dineen, Assistant Director Counter Fraud, Enforcement and Community Safety
Cristina Hall, Chief of Staff to the Commissioners – Thurrock Council
Sima Khroya, Assistant Director of Finance and Procurement
Helen Nicol, Assistant Director Legal and Governance
Dr Dave Smith, Chief Executive and Managing Director
Commissioner
Kerry Thomas, Chief of Staff
Nicole Wood, ECC Best Value Commissioner
Rhiannon Whiteley, 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.

80. Minutes

The minutes of the cabinet meeting held on 13 November 2024 were approved as a correct record.

81. Items of Urgent Business

There were no items of urgent business.

82. Declaration of Interests

No interests were declared.

83. Statements by the Leader

The Leader stated that the White Paper on Devolution was expected on Monday and will likely have a significant impact on Thurrock, Essex and a lot

of other Local Authorities. The Leader commented that they will take some time to analyse what is in the White Paper and will move forward with what is in the best interests of the people of Thurrock when responding to the White Paper.

84. Briefings on Policy, Budget and Other Issues

There were no briefings on policy, budget and other issues.

85. Petitions submitted by Members of the Public

No petitions were submitted by members of the public.

86. Questions from Non-Executive Members

There were no questions from non-executive members.

The Leader welcomed Councillor Andrew Jefferies and Councillor Ben Maney who were present at the meeting.

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

The Leader explained that comments have been received from the Place Overview and Scrutiny Committee regarding Item 14 the adoption of the All Essex Joint Air Quality Strategy and a briefing note had been received and published online.

The Leader requested that Councillor Massey is invited to a future cabinet meeting to provide an update on the Lower Thames Crossing Task Force.

88. Delegated Decisions taken since the last meeting

The Leader explained that a list of delegated decisions made since the last cabinet meeting was provided in the agenda.

89. Thurrock Council's Improvement and Recovery Report

The Leader introduced the report and explained this is the first report on Thurrock Council's Improvement and Recovery that puts outcomes at the front and centre. It is an honest assessment of where the council is. The primary audience for the report is the commissioners and Government, the secondary audience is members and officers of the council. It is important to remember what a bad place the council was in two years ago and how far it has come.

The Leader stated that has been a new approach to Overview and Scrutiny, work has been completed to improve Risk Management. The culture of the organisation is still not good enough and members behaviour is at times not reaching the standard expected.

The Leader commented that he looked forward to sharing the report with commissioners at the Improvement and Recovery Board next week and with all members at Full Council next week.

Councillor Muldowney welcomed the report and the progress it highlights and thanked the officers and members who had contributed to it. Councillor Muldowney highlighted that audit is progressing well but there is still a long way to go. Despite the very large investments risk was not properly assessed previously, good strides have been made this year and she looks forward to it being further embedded in the organisation.

Recommendations:

- 1.1 Cabinet noted the progress made on the Council's improvement and recovery within the context of the Outcomes Framework**
- 1.2 Cabinet agreed to refer this report to Full Council for the consideration of all Members**

90. Planning Local Enforcement Plan

The Leader introduced the report and confirmed that the Council has a responsibility to uphold planning standards and to investigate breaches of planning control. The report sets out how the council will be carrying out its enforcement responsibilities. The policy will provide clarity to stakeholders and residents, ensure they are proactive and responsive to community concerns and ensure they are working in the best interests of those who work and live in the borough.

There were no questions from the cabinet members.

Recommendations:

- 2.1 Cabinet agreed to adopt the Planning Local Enforcement Plan (Appendix 1)**
- 2.2 Cabinet agreed to delegate to the Chief Planning Officer to make amendments to the plan as may be required from time to time in consultation with the Portfolio Holder for Good Growth**

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

91. Gambling Policy Review

Councillor Holloway introduced the report and explained that under the Gambling Act 2005 the council is required as a licensing authority to publish

its policy statement regarding its licensing functions every 3 years. The policy is subject to public consultation and has been to the Licensing Committee already.

Councillor Muldowney welcomed the report and stated that it demonstrated Thurrock Council's responsibility to ensure gambling in the borough is conducted fairly and transparently whilst protecting vulnerable individuals and maintaining the high standards of integrity.

Councillor Hooper also welcomed the report and stated that from a public health point of view he will be requesting that a report goes to the Health and Wellbeing Board to help people with gambling addictions. The policy was very helpful.

Recommendations:

2.1 Cabinet agreed that if no significant relevant responses are received during the statutory consultation, then the policy be referred to Full Council for adoption.

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

92. Adoption of the All Essex Joint Air Quality Strategy

Councillor V Holloway introduced the report and explained that the Place Overview and Scrutiny Committee had raised good questions about the air quality. The policy itself and about the impact of factories in Thurrock. Overview and Scrutiny's comments have been shared with all cabinet members for review.

Councillor V Holloway stated that as part of the Environment Act 2021 there is a need for the council to monitor air quality. Thurrock Council currently has 18 AQMA's but the AMQP is out of date. Whilst work is being completed on a replacement AQMP in the meantime Essex has produced a joint Air Quality Strategy. Air pollution doesn't stop at Thurrock's borders and 50% of air pollution is not omitted locally and working collaboratively is a good way to address this.

Councillor Hooper welcomed the report and stated that bad air affects health in many ways. Councillor Hooper agreed that working with other local authorities should be welcomed. Councillor Hooper expressed concerns about dust pollution and stated that he will be looking at this issue with the Director of Public Health and with other Local Authorities.

Councillor Muldowney stated as ward councillor for Chadwell and as a resident of Tilbury she fully supported the report.

The leader stated that air quality is a major driver of early death in the borough and they need to take a grip of this as everyone wants to see a real difference to air quality.

Recommendations:

- 2.1 Cabinet agreed in principle to adopt the All-Essex Joint AQS, subject to the production of a suitable final version.**
- 2.2 Cabinet agreed that the documents for public consultation can include Thurrock's logo and that the consultation will be promoted to Thurrock residents.**

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

93. Corporate Plan Performance Management and Assurance Report

The Leader introduced the report and stated that it is an essential tool to ensure the council continues to improve and continues to learn lessons. The Leader thanked officers who have quickly identified milestones and metrics. The Leader highlighted that they will be asking the Corporate Overview and Scrutiny Committee to help improve the way performance is reported against the corporate plan.

Councillor Muldowney commented that two indicators are under her name and they should be under Councillor Worrall's portfolio.

Councillor Hartstean welcomed the report and stated that it enables her to challenge and be challenged.

Councillor Hooper stated that is a really useful tool as Portfolio holder to enable him to focus on areas that need work.

Recommendations:

- 2.1 Cabinet noted the quarterly performance update report and progress made up to the end of the second quarter of 2024/25 in delivering the Year 1 priority milestones and metrics of the Corporate Plan.**
- 2.2 Cabinet considered recommending any areas of concern within the remits of the Place and People Overview and Scrutiny Committees to the chairs of those respective committees.**

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

94. Corporate O&S: Budget Scrutiny Discussion & Recommendations Summary

Councillor B Maney as Chair of the Corporate Overview and Scrutiny Committee introduced the report. He explained that at the Corporate Overview and Scrutiny Committee on 20 November 2024 they looked at the proposed budget savings. The vast majority of savings were not contentious. There were 6 recommendations listed in the report from the Committee for cabinet to review. The cabinet members responded to each recommendation in turn.

In response to recommendation 1.1 Councillor Hartstean stated that she had spoken to the Assistant Director for Education to make sure the business case was watertight and the matter will come back to the relevant Overview and Scrutiny Committee. The sum of £50,000 is in the capital programme for Grangewaters.

In response to recommendation 1.2 Councillor Kent stated that the budget had to be sustainable and deliverable. He suggested a Members Working Group is set up to look at revenue generating activities.

In response to recommendation 1.3 Councillor Muldowney thanked Councillor B Maney for chairing the Budget Scrutiny Meeting. She stated that she believes there are ongoing savings to be made in this area which could be provided in different ways and officers are exploring this and will bring something to the Place Overview and Scrutiny Committee meeting in the New Year.

In response to recommendation 1.4 Councillor V Holloway stated that the previous administration introduced the scheme. An options paper has been provided but if they were to offer a concession for one group they would be discriminating against another group. Councillor V Holloway stated that it was not within her gift to reduce the charge for any resident.

In response to recommendation 1.5 Councillor V Holloway explained that this was not a cut to the service but an efficiency. The team are able to maintain the current service at the reduced cost and a note will be provided to the Place Overview and Scrutiny Committee giving further detail around this.

In response to recommendation 1.6 Councillor Muldowney stated that all cabinet members were present at the Budget Scrutiny Meeting to hear the comments made. They have been working on the savings proposals since May and Scrutiny has been valuable to that process.

Recommendations:

- 1.1 Cabinet agreed that a report outlining in further detail the business case for CS02 'Grangewaters: Business Opportunities' will go back to the relevant Overview and Scrutiny Committee in January 2025 for consideration.**
- 1.2 Cabinet agreed to set up a Members Working Group to look at revenue generating activities with a view to increasing income for the council.**
- 1.3 Cabinet agreed to review 'PLA02 Energy Management' and will bring a report to Place Overview and Scrutiny Committee in the New Year.**
- 1.4 Cabinet agreed that they had reviewed the brown bin charges and cannot make any changes at the current time.**
- 1.5 Cabinet agreed to review PLA18 'Reduction in Highways Operational Maintenance budget' and to provide a further detailed report to the Place Overview and Scrutiny Committee in the New Year.**
- 1.6 Cabinet agreed to take into consideration the comments and suggestions of the Overview and Scrutiny Committees on other savings proposals as part of its future budget considerations.**

95. Revenue & Capital budget Monitoring Report Q2 2024-25

Councillor Muldowney introduced the report and explained that in 2020 as a result of the pandemic the Government offered to help. The council overestimated by 100% (they were not the only council to do this) and it should have been paid back two years ago. This has added a further budget pressure this year.

Councillor Muldowney stated that the council is also facing similar pressures to other councils with regard to Children's services and placements and temporary accommodation under the Place directorate.

Councillor Muldowney concluded that she was confident they can meet the challenge and deliver the budget in-budget.

The Leader thanked officers and stated that not delivering a balance budget was not an option as they needed the confidence of commissioners and Government.

Recommendation:

- 2.1 Cabinet noted and commented on the council's Service position and forecast overspend position as at quarter 2 of £2.722m, representing a reduction of £0.348m on the position presented at quarter 1.**

- 2.2 Cabinet noted and commented on the council's overall position and forecast overspend position at quarter 2 of £1.896m, representing a reduction of £0.209m on the position presented at quarter 1.
- 2.3 **Cabinet approved the transfer of £1.381m reserves to a MTFS Delivery Reserve and £1.5m to an Adult Social Care & Children's Social Care Demographic Risk Reserve (as per section 14 of Appendix 1 and 4.7 below).**
- 2.4 Cabinet noted and commented on the progress made on delivery against the savings target for 2024/25 and the remaining red (unachievable) rated savings.
- 2.5 Further to an in-depth review and re-profiling of the General Fund capital projects, Cabinet noted and commented on the capital programme and the anticipated General Fund Capital Programme slippage of £30.627m and £10.157m HRA Capital Programme slippage projected in the report.
- 2.6 **Cabinet approved the addition of the DEFRA grant funding in the capital programme (as per section 16 of Appendix 1).**

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

96. Draft Capital Programme 25-26 to 29-30

Councillor Muldowney introduced the report.

The Leader commented that he was pleased to see the following on the Capital programme; £7 million pounds for road maintenance, the replacement of the Orchard Way bridge and £10 million pounds for Stanford-Le-Hope station.

2. Recommendations

- a.) Cabinet noted the proposed new capital projects in line with the 2025/26 stipulations and criteria as set out in table 3 **Appendix B.**
- b.) Cabinet approved in principle the proposed financing of the additions to the capital programme as set out in table 4 **Appendix C.**
- c.) Cabinet noted the draft Capital Programme of £305.701m over the 5 year period from 2025/26 to 2029/30 as set out in table 4 **Appendix C.**

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

97. Draft HRA Rent Setting and Budget 2025/26

Councillor Muldowney introduced the report and explained that the council rent setting framework ensures rents are capped at LHA rents and should not have rents which exceed residents' benefits.

Councillor Muldowney stressed that for residents who are experiencing financial challenges in paying their rent, the council can help to ensure residents will not face enforcement action without all options being explored.

Councillor Hooper added that nobody wanted to put peoples rent up however they have to fund the repairs which are desperately needed for the housing stock and rent increases help with that. Councillor Hooper stated that he supported the recommendation but with a little bit of reluctance.

Councillor Muldowney agreed with Councillor Hooper's comments but stated that they needed to keep the housing stock in good order.

Recommendations:

- 2.1 Cabinet agreed the approach to setting tenant and leasehold service charges, garage and supported housing charges.**
- 2.2 Cabinet approved the increase in rents, this being the maximum increase possible according to Government Policy.**
- 2.3 Cabinet approved the Rent Flexibility approach of Formula Rent plus 5% for new tenancies in properties governed by formula rent and 10% for new tenancies in supported housing.**
- 2.4 Cabinet approved the increase in service charges and all other changes in HRA fees and charges as detailed in the report and in Appendix 2.**
- 2.5 Cabinet approved the setting of an indicative balanced HRA budget as per paragraph 4.33**
- 2.6 Cabinet approved the 30-year HRA Business Plan as per paragraphs 4.34 to 4.37**
- 2.7 Cabinet noted the ongoing HRA Capital programme composed of two main strands. Transforming Homes and the Demolishments, Rebuilds and Acquisitions programme of which the next five years are presented at £75.6m and £104.3m respectively. Approval of these is sought via a separate cabinet report that will be presented in February 2025 cabinet as part of the council's overall capital programme.**

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

98. Treasury Management Mid Year Report - Report To Follow

The Leader stated that the next 2 items (items 20 and 21) are the treasury management review and draft review of budget 25/26 and medium term financial strategy reports. These were listed on the agenda as being with reports “to follow”. The reports have now been circulated and published. The Council’s constitution, in Chapter 8, provides that no decision shall be taken at a meeting unless it is included on the agenda for that meeting and is accompanied by a report. All agendas and reports must be published at least five working days before the meeting. The two reports at items 20 and 21 do not comply with the dates for publication requirements but have now been made available and published. The Leader stated that he has been informed by officers that the reason for delay of these reports are that there have been a number of plans to work through in determining next year’s budget, that have been subject to change and there have been significant challenges in finalising the reports. The reports predominantly present draft proposals which will be returned to Cabinet and then Full Council in February, following consultation. They need to be considered now in order that consultation can take place in advance of the budget setting process in February. The Leader highlighted that he considered that there are special circumstances that require the items to be considered as a matter of urgency, which he could allow as Chair pursuant to paragraph 5.5 of Chapter 8 of the Constitution. Further, recommendations in the report which relate to decisions are not being pursued and will slip to January and February cabinets respectively, save for the approval of the draft budget so it can be consulted on.

Councillor Muldowney introduced the report and explained that as of 31 March 2024 the external debt was estimated at £1.2 billion.

Councillor Muldowney stated that the breach in the Authorised limit was a technical oversight rather than a systemic failure.

The Leader clarified that recommendation 2.1.1 could not be decided tonight.

Recommendations:

2.1.1 Cabinet noted the Annual Treasury Management Report for 2023/24 and Mid-Year Treasury Management Report 2024/25

2.1.2 Cabinet noted the breach in the Authorised Limit and recommend that Council approve the revised Authorised Limit and Operational Boundary for 2024/25

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

99. Draft Revenue Budget 25-26 and MTFS Strategy to 28-29 - Report to Follow

Councillor Muldowney introduced the report and emphasised it was still a draft. There have been indications from Government some more money is coming which may change the numbers.

Councillor Muldowney stated that two years ago the Council was one week away from not being able to pay council staff. The Council is on a financial recovery journey with additional challenges such as rising costs and rising demand for services in Children's Social Care, Adults Social Care and Housing. There are positive signs Thurrock's position as one of the most deprived areas in the country will be properly recognised. Councillor Muldowney highlighted that there is a lot more work to be done until the report is presented in February and this document shows how far the council has come.

It was agreed recommendation d.) would be slightly altered and the last word 'achieved' would be replaced with the word 'identified'. Recommendation g.) would be removed and could not be decided tonight.

Recommendations:

- a) Cabinet noted that the Expenditure Controls, put in place at the time of the S114 Notice, continue to be robustly adhered to after the expiration of the Notice on 31 March 2024 (para 5.1-5.4)
- b) Cabinet approved the draft budget for 2025/26 and the draft Medium Term Financial Strategy (MTFS) 2025/26 to 2028/29, noting this is subject to further consultation, as set out in Appendices 1 & 2 so that Cabinet may later consider the budget considering the consultation responses and the equality impact assessment (s) before it is referred to Council in February.
- c) Cabinet noted the Autumn Budget 2024 confirmed broad plans for public spending for 2025/26, which will impact on local government, and that the draft budget will be updated when the detail is announced in the Indicative Financial Settlement which is expected week commencing 16 December followed by the Final Settlement no later than January 2025 (paragraphs 6.1-6.3)
- d) Cabinet noted that, at draft stage, the required savings target for 2025/26 of £18.2m has been identified
- e) Cabinet noted the proposal to increase core Council Tax by 2.99% and to increase Adult Social Care Precept Council Tax by 2% in 2025/26 Table 3
- f) Cabinet noted that, at draft stage, the MTFS assumes implementing the Council Tax Second Homes Premium (paragraph 9.5)

- g) Cabinet agreed to refer this report to the Corporate Overview and Scrutiny Committee on 14 January 2025 for consideration.

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

The meeting finished at 8.28 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**