

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

Council

To the Members of Thurrock Council

The next meeting of the Council will be held at **7.00 pm** on **20 March 2024**

Council Chamber, Civic Offices, New Road, Grays, Essex RM17 6SL

Membership of the Council:

Susan Little (Mayor)

Qaisar Abbas (Deputy Mayor)

John Allen
Alex Anderson
Deborah Arnold
Paul Arnold
Gary Byrne
Adam Carter
John Cecil
Daniel Chukwu
Gary Collins
George Coxshall
Jack Duffin
Tony Fish
Robert Gledhill
Aaron Green
James Halden
Vikki Hartstean

Mark Hooper
Mark Hurrell
Andrew Jefferies
Barry Johnson
Tom Kelly
Cathy Kent
John Kent
Martin Kerin
Steve Liddiard
Ben Maney
Jacqui Maney
Cici Manwa
Fraser Massey
Valerie Morris-Cook
Sara Muldowney
Augustine Ononaji

Srikanth Panjala
Maureen Pearce
Terry Piccolo
Georgette Polley
Kairen Raper
Joycelyn Redsell
Elizabeth Rigby
Sue Sammons
Sue Shinnick
Graham Snell
Neil Speight
Luke Spillman
James Thandi
Lee Watson
Lynn Worrall



Dr Dave Smith
Chief Executive

Agenda published on: 12 March 2024

Agenda

Open to Public and Press

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1 Apologies for absence	
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To approve as a correct record the Minutes of the meeting of the Council, held on 28 February 2024.	
3 Items of Urgent Business	
To receive additional items that the Mayor is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
4 Declaration of Interests	
To receive any declaration of interests from Members.	
5 Announcements on behalf of the Mayor or the Leader of the Council	
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In accordance with Chapter 2, Part 2 (Rule 14) of the Council's Constitution.	
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In accordance with Chapter 2, Part 2(Rule 14) of the Council's Constitution.	
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9 Appointments to Committees and Outside Bodies, Statutory and Other Panels	
The Council are asked to agree any changes to the appointments made to committees and outside bodies, statutory and other panels, as requested by Group Leaders.	

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This report is to follow under urgency procedure in compliance with Section 39 Localism Act 2011.

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In accordance with Chapter 2, Part 2 (Rule 14) of the Council's Constitution.

18	Reports from Members representing the Council on Outside Bodies	
19	Minutes of Committees	

Name of Committee	Date
Hidden and Extreme Harms Prevention Committee	22 June 2023
Planning Transport and Regeneration Overview and Scrutiny Committee	15 November 2023
Planning Transport and Regeneration Overview and Scrutiny Committee	5 December 2023
Housing Overview and Scrutiny Committee	9 January 2024
Health and Wellbeing Overview and Scrutiny Committee	11 January 2024

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Queries regarding this Agenda or notification of apologies:

Please contact Jenny Shade, Principal Democratic Services Officer by sending an email to Direct.Democracy@thurrock.gov.uk

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Information for members of the public and councillors

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DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

Breaching those parts identified as a pecuniary interest is potentially a criminal offence

Helpful Reminders for Members

- *Is your register of interests up to date?*
- *In particular have you declared to the Monitoring Officer all disclosable pecuniary interests?*
- *Have you checked the register to ensure that they have been recorded correctly?*

When should you declare an interest *at a meeting*?

- **What matters are being discussed at the meeting?** (including Council, Cabinet, Committees, Subs, Joint Committees and Joint Subs); or
- If you are a Cabinet Member making decisions other than in Cabinet **what matter is before you for single member decision?**



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

any of your registered interests and in particular any of your Disclosable Pecuniary Interests?

Disclosable Pecuniary Interests shall include your interests or those of:

- your spouse or civil partner's
- a person you are living with as husband/ wife
- a person you are living with as if you were civil partners

where you are aware that this other person has the interest.

A detailed description of a disclosable pecuniary interest is included in the Members Code of Conduct at Chapter 7 of the Constitution. **Please seek advice from the Monitoring Officer about disclosable pecuniary interests.**

What is a Non-Pecuniary interest? – this is an interest which is not pecuniary (as defined) but is nonetheless so significant that a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest.

Pecuniary

If the interest is not already in the register you must (unless the interest has been agreed by the Monitoring Officer to be sensitive) disclose the existence and nature of the interest to the meeting

If the Interest is not entered in the register and is not the subject of a pending notification you must within 28 days notify the Monitoring Officer of the interest for inclusion in the register

Unless you have received dispensation upon previous application from the Monitoring Officer, you must:

- **Not participate or participate further in any discussion of the matter at a meeting;**
- **Not participate in any vote or further vote taken at the meeting; and**
- **leave the room while the item is being considered/voted upon**

If you are a Cabinet Member you may make arrangements for the matter to be dealt with by a third person but take no further steps

Non-pecuniary

Declare the nature and extent of your interest including enough detail to allow a member of the public to understand its nature

You may participate and vote in the usual way but you should seek advice on Predetermination and Bias from the Monitoring Officer.

PROCEDURE FOR MOTIONS

No speech may exceed 4 minutes without the consent of the Mayor [Rule 19.8], except for the proposer of any motion who shall have 5 minutes to move that motion (except on a motion to amend where the 4 minute time shall apply) [Rule 19.8(a)]

All Motions will follow Section A and then either Section B or C

- | | | | |
|-----------|----|--|----------------------------|
| A. | A1 | Motion is moved | [Rule 19.2] |
| | A2 | Mover speaks | [Rule 19.8(a) (5 minutes)] |
| | A3 | Seconded | [Rule 19.2] |
| | A4 | Secunder speaks or reserves right to speak | [Rule 19.3] (4 minutes) |

Then the procedure will move to either B or C below:

B.		C.	
IF there is an AMENDMENT (please see Rule 19.23)		If NOT amended i.e. original motion	
B1	The mover of the amendment shall speak (4 mins).	C1	Debate.
B2	The seconder of the amendment shall speak unless he or she has reserved their speech (4 mins).	C2	If the seconder of the motion has reserved their speeches, they shall then speak.
B3	THEN debate on the subject .	C3	The mover of the substantive motion shall have the final right of reply.
B4	If the seconder of the substantive motion and the amendment reserved their speeches, they shall then speak.	C4	Vote on motion.
B5	The mover of the amendment shall have a right of reply.		
B6	The mover of the substantive motion shall have the final right of reply.		
B7	Vote on amendment.		
B8	A vote shall be taken on the substantive motion, as amended if appropriate, without further debate.		

Our Vision and Priorities for Thurrock

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

1. **People** – a borough where people of all ages are proud to work and play, live and stay
 - High quality, consistent and accessible public services which are right first time
 - Build on our partnerships with statutory, community, voluntary and faith groups to work together to improve health and wellbeing
 - Communities are empowered to make choices and be safer and stronger together

2. **Place** – a heritage-rich borough which is ambitious for its future
 - Roads, houses and public spaces that connect people and places
 - Clean environments that everyone has reason to take pride in
 - Fewer public buildings with better services

3. **Prosperity** – a borough which enables everyone to achieve their aspirations
 - Attractive opportunities for businesses and investors to enhance the local economy
 - Vocational and academic education, skills and job opportunities for all
 - Commercial, entrepreneurial and connected public services

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WW2 in Memoriam

Remembering Thurrock's Fallen : Civilian Deaths due to enemy action and Roll of Honour

Today we share names on the Roll of Honour. These are people whose home address was shown as Thurrock who lost their lives during the Second World War whilst serving with the armed forces or merchant navy.

In recognition of the adversity and bravery experienced by ordinary people in Thurrock civilian deaths are also noted here in relevant months. 101 non-combatants were killed in Thurrock between 1939 and 1945 who will also be remembered.

A special thanks to Museum volunteer Pam Purkiss for compiling the Roll of Honour information. Civilians added by Valina Bowman-Burns from Thurrock Museum.

The names have been listed in date order.

March 1944

WHITE Edward C P
SMITH Thomas O
EVANS George A
GODSALVE Frederick G
HUBBARD Stanley O
DAWSON Walter
MATON Ronald J

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Mayoral Roll of Honour

The Roll of Honour has been introduced to recognise and celebrate charities, businesses, individuals, and community groups that have strived to make Thurrock a greater place to live, work, learn and play.

March 2024

Kamran Siddiqui - Services to the communities of Belhus and Ockendon



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Minutes of the Meeting of the Council held on 28 February 2024 at 7.00 pm

Present: Councillors Susan Little (Mayor), Qaisar Abbas (Deputy Mayor), John Allen, Alex Anderson, Deborah Arnold, Paul Arnold, Gary Byrne, Adam Carter, John Cecil, Daniel Chukwu, Gary Collins, George Coxshall, Jack Duffin, Tony Fish, Robert Gledhill, Aaron Green, James Halden, Vikki Hartstean, Mark Hooper, Mark Hurrell, Andrew Jefferies, Barry Johnson, Tom Kelly, Cathy Kent, John Kent, Martin Kerin, Steve Liddiard, Ben Maney, Jacqui Maney, Fraser Massey, Valerie Morris-Cook, Sara Muldowney, Augustine Ononaji, Srikanth Panjala, Maureen Pearce, Terry Piccolo, Georgette Polley, Kairen Raper, Joycelyn Redsell, Elizabeth Rigby, Sue Sammons, Sue Shinnick, Graham Snell, Neil Speight, Luke Spillman, James Thandi, Lee Watson and Lynn Worrall

Apologies: Councillor Cici Manwa

In attendance: Dr Dave Smith, Chief Executive
Claire Demmel, Interim Director Public Realm
Asmat Hussain, Director of Legal and Governance and Monitoring Officer
Alix MacFarlane, Communications Advisor - Intervention and Improvement, Interim Director
Steven Mair, Interim Chief Financial Officer/Section 151 Officer
Patrick McDermott, Chief of Staff to the Thurrock Commissioners
Jayne Middleton-Albooye, Assistant Director Legal & Governance
Alex Powell, Assistant Chief Executive
Kerry Thomas, Chief of Staff
Ian Wake, Executive Director of Adults, Housing and Health)
Nicole Wood, ECC Best Value Commissioner
Matthew Boulter, Head of Democratic, Scrutiny and Member Services
Jenny Shade, Principal Democratic Services Officer

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

123. Minutes

Minutes of Extraordinary Council held on the 31 January 2024 were approved as a correct record.

Minutes of Council held on the 31 January 2024 were approved as a correct record. Councillor Speight voted against these minutes.

124. Items of Urgent Business

There were no urgent items of business.

125. Declaration of Interests

There were no declarations of interest.

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

The Mayor acknowledged the official portrait of His Majesty King Charles III was now being displayed in the chamber and on behalf of all members wished him a speedy recovery.

The Leader made the following announcements:

- Since last full council meeting, the council in partnership with the Department of Transport and other councils had launched a new initiative to tackle crime and anti-social behaviour on railways and secured £490,000 from the Department of Transport for new transport safety officers.
- A joint operation with Essex Police to tackle dangerous drivers and car cruising in West Thurrock, using a mobile CCTV van to enforce the public space protection orders.
- Heard today that Jetstream had decided not to continue running the ferry crossing service from Tilbury to Gravesend. The Leader gave his reassurance that every effort would be made to ensure that a new ferry supplier would be found.

127. Questions from Members of the Public

The Mayor informed the chamber that three questions had been received from members of public.

From	To	Subject
Ms Hattle	Councillor B Maney	Money spent via S106 on bus stops/shelters.
Ms Byrne	Councillor Snell	Allocation of Transformational Fund money.
Ms Ramdenee	Councillor B Maney	Cutting of essential services.

128. Petitions from Members of the Public and Councillors

A petition was presented in respect of a request to sell small piece of land, title number EX798887, at Market rate to Grays Gurdwara, Sikh Temple. Councillor B Maney provided a response.

129. Petitions Update Report

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

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

There were no changes to appointments made.

131. Amendment to Polling Place and Station

The report presented informed Council of a Polling Place amendment within Belhus Ward.

No points arose.

RESOLVED

That members noted the new polling arrangements for Belhus Ward, polling districts E2 and F and the new polling place is Belhus Park Scout Hall, Faymore Gardens.

132. Update on Appointment of Interim CFO, Section 151 Officer

The report provided background and details of the decision taken by Commissioners to appoint Dawn Calvert as Section 151 Officer in line with the powers transferred to them by the Secretary of State for Levelling up, Housing and Communities. This appointment was also considered and recommended to Commissioners at the meeting of General Services Committee on 13 February 2024.

Members thanked Steven Mair for all his hard work in his role as acting Section 151 Officer and wished him well for the future.

RESOLVED

That Full Council noted the decision of Commissioners to appoint Dawn Calvert Interim Chief Finance Officer as Section 151 Officer.

Meeting was suspended at 7.45pm

Meeting reconvened at 7.51pm.

133. Section 25 Report

Under Section 25 of the Local Government Act 2003 there was a requirement for the Council's Chief Finance Officer to report to Council on the robustness of the estimates made for the purposes of the calculations of the budget and the adequacy of the proposed level of financial reserves.

The following points were raised:

- The report confirmed that the Council was not yet on the path to sustainability by the end of the next five-year period.
- The report had listed the range of risks.
- Very difficult to bring the budget in May next year but will be something all members will be working hard to achieve.
- The budget put forward had shortfalls and required solutions to be found.
- The report highlighted the council was still in a very precarious financial position.

Members approved the recommendation.

RESOLVED

That Council had regard to this report when making decisions about the calculation of council tax requirement.

134. Medium Term Financial Strategy

The Council's financial position was virtually unprecedentedly challenging and would remain so for several years. The position was forecast to improve considerably in the next five years, via the divestment of assets, the implementation of a challenging savings programme, working differently and service delivery changes. The report presented the council's financial position.

The following points were raised:

- There was no option but to approve the report.
- This was a clear strategy document for all members to see.
- There was no clear route to set the budget without Government support.
- Labour welcomed and would support the recommendation.

Members voted to approve the recommendation with 46 votes in favour, 0 votes against and 2 abstained votes.

RESOLVED

That Council approved the Medium-Term Financial Strategy (MTFS) and in doing so agreed the financial targets summarised in paragraph 1.3; the financial assumptions / deliverables as summarised at paragraph 1.4

to 1.7; that if any of the above targets or assumptions adversely vary, alternatives to the same timescale and value would need to be identified and implemented; the treatment of the MRP calculations was based on recent KC guidance and was subject to approval from the Councils auditors and there was an inherent risk that these numbers could change.

135. Capital Strategy Programme 2024/25

The report set out the proposed changes to the Council's capital strategy from 2024/25 to 2028/29.

The following points were raised:

- The document made sobering reading.
- Element of the improvement journey to financial sustainability had been overlooked.
- The report highlighted how the Council had ripped the heart and soul out of the borough and was a sad landmark point in the Council's history.
- Welcomed some of the lessons that appeared to have been learnt as a result of the Government intervention.
- Report highlighted issues how the Council had been prior to the run up to the point of intervention.
- There were now reassurances that capital projects must be agreed in the open and with more money security behind them.
- Looking to the future the Council needed to enable the community to do more.

Members voted to approve the recommendation with 45 votes in favour, 0 votes against and 3 abstained votes.

RESOLVED

That Council approved: (a) the revised capital programme and 5-year capital programme for 2024/25 to 2028/29 as set out in this report (b) that the capital projects: currently "on hold" totalling £119.0m were not included in the Capital Programme and the associated borrowing of £62.9m was not required; the capital schemes that have not started totalling £3.3m were also formally confirmed as removed from the capital programme and the associated borrowing of £3.3m was not required and those schemes assessed and considered no longer necessary totalling £60.1m were confirmed as removed from the capital programme and the associated borrowing of £56.5m was not required (c) the proposed financing of the capital programme (d) delegation to the Interim Director of Finance s151, in consultation with Commissioners, all decisions surrounding the financing of expenditure within the revised capital programme, in a manner which achieves the most effective use of Council's resources (e) that any future changes to the capital programme should be approved by Council, whilst ensuring that external funding was able to be used in a timely manner, with any new

borrowing requirements subject to Commissioner approval (f) that the Capital Programme Board review and receive updates on the action plans put in place to address the further improvements identified and to note progress on continued delivery of these improvements.

136. HRA Business Plan

The report set out the proposed 30-Year Business Plan for the Housing Revenue Account (HRA) and considered both the Revenue and Capital position.

The following points were raised:

- Identified the need to increase rents, but the Council must continue to offer a good service, keeping the staff costs down at all times.
- Increase the number of homes that the Council inspected.
- Be prepared for dealing with damp and mould legislation.
- Confident that housing would continue to perform the day-to-day delivery to a very good standard.
- The report made no mention of the 500 new homes.
- This would affect every person on the housing list waiting to move from a flat to a house.
- Since the report had been published the use of right to buy receipts to purchase additional homes would not be used to support a temporary accommodation offer.
- The Council needed to find a way to bring new, affordable homes to Thurrock potentially working with housing associations and developments.
- Appealed to commissioners to allow the Council to borrow to enable the council to purchase properties from the market to use as temporary accommodation, which would save money as most would be paid out of housing benefit which would avoid a significant number of cuts to the Council.
- Questioned what the limits were that the commissioners and Government could offer to Thurrock.
- The business plan offered a lack of ambition, omitted details and made no references to the fundamental part of the Council's future.
- Questioned whether any attempt to consider new partnerships such as housing associations.
- Questioned whether this was a 30-year-old business plan or a snapshot in time.
- Concerns raised in the HRA was where presumptions were being made on the procurement of items such as the repairs contract.
- Concern that scrutiny was unable to keep pace with the procurement exercise.
- Concerns also raised on the delivery of new council homes.
- Referred to the social housing scheme recently presented at Planning Committee that could now be in jeopardy and urged commissioners to take another look at that.

- Referred to Blackshots and how this project was progressing well and should not be lost and urged commissioners to look further into that.
- Praised the work of housing officers on the Blackshots project.
- Referred to the delivery of social and affordable housing and questioned whether those land assets owned by the Council could be sold to lease developers.

Members voted to approve recommendations 1.1 and 1.2 with 46 votes in favour, 0 votes against and 2 abstained votes.

Members voted to note recommendations 1.3, 1.4, 1.5, 1.6 and 1.7 with 48 votes in favour, 0 votes against and 0 abstained votes.

RESOLVED

Council approved:

1.1 The HRA revenue budget for 2024/25 (Table 1 & Appendix A)

1.2 The HRA 5-year capital programme for a total of £175.069m (Table 3 & Appendix C).

Council noted:

1.3 The HRA 5-year revenue budgets for 2024-25 to 2028-29 (Table 1 & Appendix A);

1.4 The HRA 30-year revenue budget for 2024-25 to 2053-54 (Appendix B);

1.5 The 30-year capital programme for 2024-25 to 2053-54 (Appendix D);

1.6 The draft HRA reserves and balances for the 5-year business plan (Appendix E)

1.7 The submission of the two requests to the Secretary of State. The outcome of it would be reported to Cabinet / Council.

137. HRA Rent Setting 2024/25

This report was approved at Cabinet held on the 21 February 2024.

138. Council Tax Base for 2024/25 and determination of Collection Fund

The report presented set out the number of properties within Thurrock that were chargeable for council tax and classified them into Band D equivalents for budget setting purposes. The report also referred to the Collection Fund Balances 2023/24 where regulations required a local authority to estimate the balance on its Collection Fund as of 31 March each year. Any such balance

relating to Council Tax was to be distributed to/borne by the Council and the Essex Police and Fire Authorities in proportion to the value of their respective precepts.

Labour stated their support for the recommendations and that it made sense to move back to the previous way with cabinet looking at the base before the council budget setting meeting.

Members voted to note recommendation 1.1 with 48 votes in favour, 0 votes against and 0 abstained votes.

Members voted to approve recommendations 1.2, 1.3 and 1.4 with 48 votes in favour, 0 votes against and 0 abstained votes.

RESOLVED

Council noted:

1.1 That under existing delegated authority the Council Tax Base for 2024/25, calculated in accordance with legislation, has been set by the Interim Chief Financial Officer at 53,322 properties.

Council approved:

1.2 The proposal that in future years Cabinet would be required to approve the Council Tax Base and change the Constitution accordingly;

1.3 The proposal that: (a) the estimated 31 March 2024 balance of the Council Tax Collection Fund to be a surplus of £326,924 (before distribution to major precepting authorities) and (b) allocated the surplus to the three main precepting bodies in proportion to their precepts for 2023/24 as follows: Thurrock Council £272,910; Essex Police £40,193 and Essex County Fire £13,821. Police, Fire & Crime Commissioner, but each had an individual precept balance.

1.4 The proposal that: (a) the estimated 31 March 2024 balance of the Business Rate Collection Fund to be a surplus of £7,272,612 (before distribution to Central Government and Essex County Fire) and (b) allocated the surplus to the three main precepting bodies in the proportion set out in legislation: (i) Thurrock Council £3,563,580; (ii) Central Government £3,636,306; and (iii) Essex County Fire £72,726.

139. Council Tax Premium 2024/25

This report provided details and impacts of the current level of council tax premiums charged within Thurrock and provided further information to allow consideration of the recommendation that the council introduced changes to these premiums in line with the amended legislation.

The following points were raised:

- Labour agreed these were sensible measures that would be supported.
- Questioned how the council would monitor where the properties were being actively marketed.
- What measures would be put in place for properties undergoing major repairs.
- Councillor Speight proposed to defer recommendation 1.2 for further consideration.

Members voted to approve recommendation 1.1 with 47 votes in favour, 1 vote against and 0 abstained votes.

Members voted unanimously in favour to defer recommendation 1.2 for further consideration.

Members voted unanimously in favour to approve recommendation 1.3.

RESOLVED

The Council approved:

1.1 That from the 1 April 2024 a council tax premium was charged (in addition to normal council tax) on long term empty and substantially unfurnished properties as follows: Properties empty after 12 months and up to 5 Years = 100% Premium; Properties empty between 5 and up to 10 years = 200% Premium; Properties empty over 10 years = 300% Premium;

1.2 That from 1 April 2025 a 100% council tax premium was charged (in addition to normal council tax) on properties classed as 2nd homes – DEFERRED FOR FURTHER CONSIDERATION.

1.3 That from 2024/25, Quarterly outturn reports to Cabinet would include a clear and transparent summary on the council tax performance, including additional income secured through the proposed changes to the premium.

The meeting was suspended at 9.05pm.

The meeting reconvened at 9.19pm.

140. Local Council Tax Scheme 2024/25

The Local Council Tax Support (LCTS) helped support council taxpayers who had a low income by providing a reduction to the actual amount of Council Tax payable. The Council was required to consider the scheme annually and consult on any changes before they were introduced. The current LCTS scheme was implemented on the 1 April 2017 following consultation and had been agreed for each subsequent year up to the current financial year with no changes.

Labour welcomed the extension of the existing scheme and for the full review to be carried out.

Members voted unanimously in favour to approve recommendations 1.1 and 1.2.

RESOLVED

That Council approved:

1.1 The current Local Council Tax support scheme for 2024/25 which has been in place since 2017/18 with no changes as detailed in section 3.1.

1.2 A full review of the scheme in 2024/25 and completed by autumn, to enable inclusion within the budget setting process for 2025/26 and to comply with the Commissioner's recommendation above.

141. Revenue Budget Savings 2024/25

This report was approved at Cabinet held on the 21 February 2024.

142. Revenue Budget 2024/25

The Leader

As members are fully aware, the Council has had serious financial challenges over the last few years. We have to be aware of these challenges and we have to face them head on. We've had to make some tough decisions in this budget to secure a viable long-term future for Thurrock. We have made great progress in securing the viability of this Council. When you consider two years ago we were in a place where we did not know if Thurrock would be able to continue as a Council, I want to thank officers for their time, effort, and advice in helping to secure this budget. I know that it was a hard budget to work on, and I want to thank everyone who worked on putting it together. By supporting this budget today, all 49 members are taking responsibility for the future of this Council. They are saying yes to securing a future of fiscal responsibility and they are proving they have learned the lessons from the BVI and are willing to make the tough decisions that decades of different Thurrock administrations showed that they were unwilling to make. Thurrock has come a long way, and this should be applauded and all Members who have contributed to the positive development of Thurrock should be congratulated. It's only by gritting our teeth and making decisions that are challenging are we able to secure the future of Thurrock, simply saying no, and offering no alternative, as has happened in the past, can't happen again. We all have the responsibility to the residents of Thurrock to help deliver a well-run local authority. This budget has received more scrutiny than any in Thurrock's history and I would like to thank Councillor Kerin for chairing all the extraordinary O&Ss meetings and all Members who offered

fair challenge and questioned the many parts of this budget. This again showed that we were learning the lessons from the BVI which have challenged the Council scrutiny process. I personally thought that the two meetings were truly a good concept and should be done every year, although I might like to consider booking a day of work the next day. My administration is committed to making the correct decisions for a better future for Thurrock, these have not been easy, but we have secured the future of our libraries and saved our school crossing patrols in order to keep the services that matter to the residents of Thurrock. The council was asked to increase council tax by 10% this was deemed unfair by myself and my administration to Councillor Snell, Councillor Maney and I had a very challenging discussion with ministers. I am pleased to say he recognised that we were not prepared to increase the tax by 10% and if his budget is passed this evening council tax will be increased by 7.99%, this means that Thurrock will no longer have the lowest council tax in Essex, but we will in fact be the third lowest. This was a hard decision that we've had to make to secure the viability of the council. A 7.99% increase protects the services for the most vulnerable whereas increasing council tax by less puts those services at risk and that is not something that I nor my administration is willing to do. There's been much speculation on the budget both in the media and on social media, and many were led to believe that there would be swingeing cuts to services that are most vulnerable residents rely on. The budget before you this evening will ensure that children's services and adult social care are protected, will not be losing even one child social worker, our grass will still be cut in our parks and open spaces and our streets will be cleaned and our public bins will be emptied. In comparison to our nearest competitor council with nearby unitary authorities, Thurrock will have a council tax that is lower than the average, this really highlights Thurrock past inability to make difficult decisions, since it became a unitary, the second lowest council tax in the country was never where we should have been with the services that we provide. We continue to maintain a low council tax with this budget but is the acknowledgment that the record lows of the past were not sustainable. This budget does not solve all of our problems, there are still tough decisions to make in the future. My overriding priority with this budget is to protect the most vulnerable in Thurrock, and I do believe that we have achieved this. However, whilst this budget is a good step forward for a better future, there are more difficult and tough decisions to make in the future, and this budget does not make right all the wrongs of the past. This budget, I believe, is the right thing for the Council to adopt the administration, has tackled our challenges and is committed to delivering a relatively low council tax, as well as good services, particularly protecting the services that are used by the most vulnerable. This budget recognises the difficulties of the Council's finances but sets out a positive way forward for the next year. I would urge all 49 Members to support this budget today is really not a day to play party politics but a time to do the right thing for Thurrock and its residents. My administration has and will continue to tackle the many challenges that we face, and we are committed to delivering as lower council tax as possible whilst also protecting services. Thank you, Madam Mayor.

Councillor J Kent

I want to start by joining with Councillor Jefferies actually on the process we have been through to get here this evening when we formally set the council's budget. Those two joint scrutiny sessions were, I think a real step forward, they were, despite the excellent chairing of Cllr Kerin, very long, very arduous and, at times, utterly chaotic but they were a huge step forward and every member in this chamber this evening has had every opportunity to have their say in the formation of the budget before us tonight before it has got to this stage. It has, clearly, been a better, more inclusive, and more transparent process than those we have unfortunately grown used to over recent years. We welcome that and I just genuinely want to acknowledge it. To set a balanced budget this evening the cabinet has nodded through a package of savings that come to more than £19 million and we heard a lot of talk from the leader of the council about securing services for the most vulnerable, protecting the most vulnerable, yet they include cuts that will hit some of the most vulnerable in our community scrapping the Hardship Fund for instance, charging to get disabled youngsters to college, charging for dispersed alarms that help our vulnerable elderly live independently and more besides that. Cuts that will hit the weakest and cuts that frankly shame the Conservatives. We will also see fortnightly bin collections, an £80 charge for garden waste and a huge rise in a raft of fees and charges. These are cuts and charges that will hit every resident of Thurrock. There are, of course, savings included here that we unreservedly welcome; the reductions in spending on agency staff, improvements to the Trade Waste service and entering into a business pool, where business rates pool that brought in millions of pounds to this authority and I am still genuinely baffled as to why we haven't entered into a new arrangement before now but welcome the fact that we are. But we will also see another punishing, above the cap, to Council Tax increase of 8%. But once again it's the residents who will be paying the price of the Tory financial disaster and it means that the level of Council Tax has gone up by practically half since the Conservatives first formed an administration back in 2016 and the Band D Council Tax charge will pass £2,000 a year for the first time in Thurrock. Even with all that, what we have before us this evening isn't, frankly, proposals for a balanced budget. There is still that gap of some £850k to be identified by the 22 March and I would ask the leader when he responds to tell us how he proposes to plug that gap. Will he return to the closure of the Thameside, will it be closing libraries, will be crossing patrols, the fact is we just don't know, and the Leader needs to come clean on what more he is looking at. Even after all of that, we will still need exceptional government support of £68.6 million in order to set a balanced budget. That, Madam Mayor, is the incredible scale of the financial catastrophe for which the Tories are responsible and the consequences of which the people of Thurrock will have to live with through higher Council Tax and fewer and diminished front-line services for years to come. Tonight, although there is much that we really do strongly oppose in this budget, we accept that we must do the responsible thing and allow the budget to pass. To do anything else would risk turmoil, uncertainty, and deeper government intervention and that is not something we are prepared to do Madam Mayor, so we shall, therefore be abstaining and allowing the Conservatives to have their budget and let's be in no doubt, that's

what it is, the Conservative's budget. Madam Mayor, I would like to turn to the future and the fact is, that having divested the council of the Tories disastrous Toucan investment, at what appears to be a loss of £250 million, we will not be able to set a budget without that exceptional government support, in the lifetime of the MTFs that we agreed earlier. That is up to the year 2028/29. This year we are paying the equivalent of 138% of our revenue budget on servicing debt, next year that reduces to closer to 33% and by 2028/29 will still be paying a quarter of our revenue on servicing this toxic Tory debt and that just isn't sustainable. We have to look at different ways of working, different ways of running the council and delivering council services. That means embracing a new operating model for the council and searching for real innovation. Innovation that will once and for all, tackles the issues of silo working, will embrace the opportunities afforded by artificial intelligence and up to the minute Customer Relationship Management tools, meaning that we put the resident at the centre of what we do helping to cut down on waste and unnecessary duplication and if we are going to be able to ensure a good level of services for all our residents, we just have to accept that we just can't afford to do that in the traditional way. Generally, we think of resources in terms of money, but it has to be so much more than that. We have to harness the skills, the passion, the experience, and energy of the whole community of businesses, the third sector, community groups and residents so that working together we will be able to, not only ensure a good level of services but will be able to start to tailor services more closely to the needs of our different communities allowing us to ensure consistency across the borough but not uniformity. All of this has to be done at pace and, rather than be seen alongside next year's budget setting process, the new operating model and the budget must be seen as one and the same thing. And finally, Madam Mayor, we have to continue to rebuild the credibility of the council in the eyes of our residents, in the view of our commissioners and in the judgement of government. If we can do those things, we can start to have a different conversation with government one where we can offer a different proposal around how we deal with the toxic level of debt that we would still have in 2028/29 in a way that gives us a chance of being self-sustainable council and leave intervention more quickly than looks likely at the moment.

Councillor Speight

I have given a great deal thought about what to say this evening that reflects not just my thoughts on this budget, but those of my independent colleagues. We are not a political party, and we are a collective of differing opinions so what I am saying reflects my view although it has been seen beforehand by my colleagues how I vote will be my own choice. Colleagues may go a different way. But what I think is a communality between us is that the recommendations before us are, in the main, the product of a fractured, broken council that has shown little by way of humanity and compassion in the way it has gone about the business of putting a budget together. Firstly, let me say on behalf of myself and colleagues, we have no issue with supporting a 2% increase for adult social care. If we have a concern, it is that the figure is not enough nor does its ring fence stretch far enough. It should surround children's services as well. As for the rest, it's largely a matter of

irrelevance. We have to set a budget by law, and it has to balance. Which is exactly what the highly paid number crunchers have put before us. As to its validity, I question it deeply. It is a fiscal plan created with all the finesse of a battlefield butcher, rather than the precision of a surgeon trying to heal and piece together a wounded patient. It shows little humanity, and it has little strategic value. I regard it as a mark in the road rather than panacea aimed at progression. It's a budget of slash and burn, not of creativity. It does a job but not a very good one. Of course it's easy to be critical when you're not the one making the decision so it beholds me to offer some thoughts about what the budget planners could have done. They could have shown vision, talked to prospective stakeholders and investors, to housing associations, for example. They could have laid foundations that would have made an immediate financial implication. They could definitely have questioned more. I look every month with ever-increasing anguish at what we spent online pages. I see not just profligacy but a huge lack of quality control. Buyers of services opt for the cheapest cut, so I go back to my butcher analogy. A good butcher may charge you more at the outset, but what you are served up with will last longer, feed more and end up being much greater value for money. We continue to approach procurement with a belief that the longer a contract is, the better value the council will get. There is no guarantee that equation works. And, as we have seen from our rising cost experience, I think the spreadsheet of damning invoices proves it did not work. So for me this is a poorly conceived, badly thought-out mere scratching of numbers by pen pushers - albeit very expensive ones. Its only merit is getting us past a 31 March mile pole. A statement made earlier by Councillor Snell about a budget which moved somewhere in the region of £31.5 million between the 14 February and today just shows how much of this is guesswork. But let's look forward on 1 April work needs to start on a new, strategic, humanitarian budget based on the needs of the people in this borough; not a group of non-invested accountants trying to make an arbitrary set of numbers add up. I cannot support this year's budget personally, but I have the luxury of being able to make a protest vote. Colleagues on other benches do not have that and I respect their position. I am sure this budget will pass without my support but then let's consign it to theoretical history and start again on a better one.

The following points were raised:

- Concern on lack of join-up strategic thinking on budgets that all local authorities had found themselves in.
- More guidance from Government was required to find a solution which was systemic across local government.
- Money continued to be poured into unnecessary projects, expensive services with the council repeatedly failing residents.
- Questioned whether next year could see a deduction on the brown bin charge if there were to be a good take up by residents.

The Leader

First of all, I would like to say I agree entirely with what leader of the opposition said about the workings of the Council, and it should becoming

more of an enabling council, and you'll be pleased to know that there is work taking place at the moment at pace, trying to bring about those changes, I agree entirely with what Councillor Spillman said and that was, on one hand, you say that these budget proposals were nodded through by cabinet, but then you also praised the fact that we had the two O&Ss and on that subject I think you had the two O&Ss but there were other meetings with people with councillors having the opportunity to question the budget. This budget does protect the most vulnerable in our communities. I've said that repeatedly and I wouldn't be putting my name to something that wasn't protecting the most vulnerable and, as I said in my speech, you mentioned libraries and school crossing patrols. We have protected those, they are still there, libraries will stay open, and our children will be safely cross the road. I am disappointed that neither political party have come forward with an alternative budget. one is going to actually abstain. I don't know what the others are going to do. I'm not quite sure they're going to vote against, abstain, I'd probably make up their mind when it comes to it, but no one has put forward an alternative budget. Time and time again you were offered the opportunity to put forward alternative budgets with other ideas, but you haven't done it and tonight I've not heard one opposition councillor come forward with any decent proposal that we could listen to and use as an alternative. What I have heard is a councillor talking about things that were bought years ago, but it certainly wasn't what anyone within this administration, and it's that kind of thing that we've been trying to put right. Councillor Redsell with regard to brown bins, I think just like any charges and fees that we do, they're always reviewed every year, and I would love to say yes, they will come down in price, but that is something that will review in 12 months' time when they system has been up and running for a period of time. Thank you, Madam Mayor.

Members voted unanimously in favour to note recommendation 1.1.

A recorded vote was undertaken on recommendation 1.2:

For: Councillors Qaisar Abbas, Deborah Arnold, Paul Arnold, Adam Carter, Gary Collins, George Coxshall, Robert Gledhill, James Halden, Andrew Jefferies, Barry Johnson, Tom Kelly, Susan Little, Ben Maney, Jacqui Maney, Augustine Ononaji, Maureen Pearce, Terry Piccolo, Georgette Polley, Joycelyn Redsell, Elizabeth Rigby, Graham Snell, Luke Spillman and James Thandi (23)

Against: Councillors John Allen, Alex Anderson, Gary Byrne, Jack Duffin and Neil Speight (5)

Abstain: Councillors John Cecil, Daniel Chukwu, Tony Fish, Aaron Green, Vikki Hartstean, Mark Hooper, Mark Hurrell, Cathy Kent, John Kent, Martin Kerin, Steve Liddiard, Fraser Massey, Valerie Morris-Cook, Sara Muldowney, Srikanth Panjala, Kairen Raper, Sue Sammons, Sue Shinnick, Lee Watson and Lynn Worrall (20)

Whereupon the Mayor declared recommendation 1.2 carried.

Members voted unanimously in favour to approve recommendation 1.3.

A recorded vote was undertaken on recommendation 1.4:

For: Councillors Qaisar Abbas, Alex Anderson, Deborah Arnold, Paul Arnold, Adam Carter, Gary Collins, George Coxshall, Robert Gledhill, James Halden, Andrew Jefferies, Barry Johnson, Tom Kelly, Susan Little, Ben Maney, Jacqui Maney, Augustine Ononaji, Maureen Pearce, Terry Piccolo, Georgette Polley, Joycelyn Redsell, Elizabeth Rigby, Graham Snell, Luke Spillman and James Thandi (24)

Against: Councillor Speight (1)

Abstain: Councillors John Allen, Gary Byrne, John Cecil, Daniel Chukwu, Jack Duffin, Tony Fish, Aaron Green, Vikki Hartstean, Mark Hooper, Mark Hurrell, Cathy Kent, John Kent, Martin Kerin, Steve Liddiard, Fraser Massey, Valerie Morris-Cook, Sara Muldowney, Srikanth Panjala, Kairen Raper, Sue Sammons, Sue Shinnick, Lee Watson and Lynn Worrall (23)

Whereupon the Mayor declared recommendation 1.4 carried.

At 10.01pm, the Mayor extended standing orders.

Members voted unanimously in favour to approve recommendation 1.5.
Councillor Speight voted against this recommendation.

Members voted unanimously in favour to approve recommendation 1.6 and 1.7. Councillor Speight voted against this recommendation.

Members voted unanimously in favour to note recommendations 1.8, 1.9 and 1.10.

RESOLVED, Council

1.1 Noted the statutory Section 25 report of the S151 Officer when considering this report and in determining a) the proposed budget for 2024/25 and b) the level of reserves as set out in section 13.

1.2 Approved the 2024/25 Budget to enable the Council Tax requirement for 2024/25 to be set at £91.266m (as per section 5), a 7.99% increase on 2023/24. The result of which was:

1.3 Noted the Council Tax Resolution 2024/25 as set out in Appendix 2 which showed that the Police, Fire & Crime Commissioner had increased Council Tax for Band D property to: £246.42 per annum (a 6% increase on 2023/24) for the Essex Police precept; £82.62 per annum (a 3% increase on 2023/24) for the Essex County Fire precept.

1.4 Members approved to work with officers to identify the full £1.7m in additional savings by 22 March 2024, potential actions were presented in Table 18. The result of which was:

1.5 Approved the 2024/25 Budget based on the estimated financial deficit to be funded by a capitalisation direction of £68.6m.

1.6 Approved the submission of business cases by services to secure approval to utilise budgets earmarked for contract inflation, use of contingencies and budgets earmarked for pressures (Section 10, Table 21) for approval by the Chief Finance Officer and the Finance Commissioner in conjunction with the Portfolio Holder for Finance, Human Resources and Payroll to allow in-year budget adjustments.

1.7 Approved the submission of a spending plan by services before the newly announced additional grant funding for Social Care can be utilised (£1.4m). This would require approval by the Chief Finance Officer and the Finance Commissioner in conjunction with the Portfolio Holder for Children & Housing to allow in-year budget adjustments.

1.8 Noted the savings of £18.2m as identified in the budget, as approved at Cabinet on 10 January 2024 and 21 February 2024;

1.9 Noted the Dedicated Schools Grant settlement for 2024/25 and the Thurrock allocation of £61.6m as set out in Section 11;

1.10 Noted the continued use of measures to control expenditure as set out in section 14.

At 10.09pm, Councillor Collins left the chamber.

143. Treasury Management - Mid Year Report

The report presented updated Members on the delivery of the 2023/24 Treasury Management Strategy approved by Council on 1 March 2023.

Members voted unanimously in favour to agree recommendations 1.1 and 1.2.

RESOLVED

Council agreed:

1.1 That there was a revision to the Counterparty Limits in that investments placed with the Debt Management Office (DMO) were changed from £5m to unlimited.

1.2 Amend the Minimum Revenue Provision policy to revert back to Option 1 in respect of supported capital expenditure in line with the Statutory MRP Guidance.

144. Treasury Management Strategy 2024/25

The Council was required to approve a Treasury Management Strategy before the start of each financial year. This was in accordance with the Chartered Institute of Public Accountancy Code of Practice on Treasury Management 2021. The Council's Treasury Management Strategy set out the parameters for the Council's planned treasury activity during 2024/25 under which the Treasury Team would manage activity. The strategy reflected the Council's proposed Capital Programme 2024/25 to 2028/29.

Members voted unanimously in favour to approve recommendations 1.1, 1.2, 1.3 and to note recommendation 1.4.

RESOLVED

That Council approved:

- 1.1 The proposed Treasury Management Strategy for 2024/25;
- 1.2 The proposed MRP Policy for 2024/25 as set out in Section 9;
- 1.3 The proposed Borrowing Strategy as set out in Section 7.

That Council noted:

- 1.4 The requirement within the Prudential Code 2021 for quarterly reporting on the Council's Treasury Management activities. These reports will be presented quarterly during the year.

145. Questions from Members

The Mayor informed the chamber of the questions received to cabinet members.

From	To	Subject
Councillor Byrne	Councillor B Maney	Total spend of the demolished Stanford Le Hope station. This question was withdrawn.
Councillor J Maney	Councillor Carter	Clarity on RAAC guidance.

146. Reports from Members representing the Council on Outside Bodies

No reports were presented.

147. Minutes of Committees

The minutes of committees as set out in the agenda were received.

148. 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 Redsell referred to her Motion raised at October 2023 council meeting to establish a task and finish group to look at options for tackling school parking across the borough and stated the lack of response had been unacceptable.

Councillor Speight referred to his Motion raised at September 2023 council meeting to commission a full independent inquiry into the management and achievements of Thurrock Council's planning department since 2015. Following the closure of a significant police investigation now cleared the way for no further delay for the council to undertake a thorough independent investigation into the planning department.

149. Motion submitted by Councillor Piccolo

This item was deferred to the 20 March 2024 council meeting.

A full recording of the meeting can be viewed from the following link:

[Council - Wednesday 28 February 2024, 7:00pm - Thurrock Council committee meeting webcasts \(public-i.tv\)](#)

The meeting finished at 10.30 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

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QUESTIONS FROM MEMBERS OF THE PUBLIC

1 question received from members of the public.

1. From Ms Sisterson to Councillor B Maney

In the name of transparency and accountability, how do you propose engaging with local communities in the decision-making process regarding the uses of s106 money arising from developments in their area?

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Petitions Update Report

Petition No.	Description	Presented (date)	Presented (at)	Submitted (by)	Status
584	Request to sell small piece of Land, title number: EX798887, at Market rate to Grays Gurdwara, Sikh Temple - We the undersigned, Sikh community, members of other faiths, and residents of Thurrock, request the Thurrock Borough Council to sell the above land at market rate to Grays Gurdwara for community usage and not to commercial buyer. We undertake to use this space for community purposes only.	28 February 2024	Council	Resident	Response sent to Lead Petitioner

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20 March 2024	ITEM: 10
Council	
Overview and Scrutiny Function	
Wards and communities affected: Not Applicable	Key Decision: Key Decision
Report of: General Services Committee	
Accountable Assistant Director: Not Applicable	
Accountable Director: Daniel Fenwick, Executive Director of Corporate Services	
This report is public	
Version: Final	

Executive Summary

This report presents the progress and decisions required to action improvement activity around the Overview and Scrutiny (O & S) Function. The report asks Members to support the introduction of a new Overview and Scrutiny Committee Structure with a view to further developing culture, skills, work programming and constitutional procedures of the function in future months.

Commissioner Comment:

None.

1. Recommendation(s)

- 1.1 Agree the restructuring of the Overview and Scrutiny Function to consist of three committees: People, Place and Corporate, as detailed in this report and appendices.**
- 1.2 That the new Overview and Scrutiny committee structure starts for the municipal year 2024/25.**
- 1.3 Subject to the addition of two substitutes per political group to be added to each committee, agree the terms of reference of these committees at appendix 1 and delegate authority to the Monitoring Officer to include them in the Constitution.**
- 1.4 Cease the Local Development Plan Task Force and the Hidden and Extreme Harms Prevention Committee from the 2024/25 municipal year in accordance with Centre for Governance and Scrutiny's (CfGS) findings and recommendations.**

Version Control (delete as appropriate)

Version 1 - First draft ready for DMT, SLT and Commissioner input; **Version 2** - Second Draft ready for Portfolio Holder, Leader and other Member Input; **Version 3** - Third draft for any further comments; **Version Committee** – Draft ready for submission to public committee; **Version Cabinet** – Final version ready for Cabinet/Executive decision

- 1.5 Formally adopt the Overview and Scrutiny Protocol attached at appendix 2 and incorporate it into the constitution as part of the forthcoming revised Overview and Scrutiny Chapter.**
- 1.6 That the Lower Thames Crossing Task Force continues as a body until such time the Place Overview and Scrutiny Committee considers creating a Lower Thames Crossing Task and Finish Group.**
- 1.7 That the Place Overview and Scrutiny Committee be able to create two task and finish groups in addition to a Lower Thames Crossing Task and Finish Group.**

2. Introduction and Background

- 2.1 The Overview and Scrutiny function is a key element of the Council's improvement following Government intervention in 2022. The Council engaged with the national body, the Centre for Governance and Scrutiny (CfGS), to lead a review and progress change activity throughout 2023.
- 2.2 The CfGS is the leading national body for advising councils on O & S work and operations. The CfGS is engaged in collaborating with Thurrock Council's Members to reassess the shape, priorities and culture of the O & S function. This project has been split into two phases:

PHASE 1: Up to March 2024	<ul style="list-style-type: none"> • Review the current O & S function in collaboration with officers and Members. • Produce an options report signposting potential new committee structures and work programming aims. • Produce a new protocol for O & S at Thurrock • Conduct work programming sessions for chairs and vice chairs to re-prioritise future work programmes. • Consult Members on the proposals with a view to gaining an agreement on a new structure at March Council.
PHASE 2: March 2024 onwards	<ul style="list-style-type: none"> • Implement the new committee structure. • Develop Member skills and approach to ensure the new function is effective and efficient, • Undertake further work programming support

- 2.3 The CfGS has undertaken an extensive consultation with Members and officers to best identify the needs of the Council's Scrutiny function and to offer the appropriate recommendations. The key consultation activity has been:

July 2023

- 2.4 The CfGS attended on site in July 2023 to meet key Members holding two training sessions to support Members in i) O & S during intervention and ii)

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Chairing skills for O & S during intervention.

Summer 2023

- 2.5 CfGS held virtual catch up sessions with Members to discuss an O & S Protocol, as well as holding a number of 'Lunch and Learn' sessions for key officers to learn more about O & S and best practice from an officer perspective.

November 2023

- 2.6 The CfGS provided two budget scrutiny training sessions for Members in advance of the first round of budget scrutiny, followed by a further training session directed to chairs and vice chairs in January 2024.

January 2024

- 2.7 Three work programming sessions were organised to guide chairs, vice chairs, committee members and key officers through the potential new three committee model and to understand practices in compiling effective work programmes through prioritisation and aligning them with the Corporate Plan and improvement activity.
- 2.8 The sessions were constructive and a number of comments were received in relation to the proposed People Committee:
- Members and Officers thought the role of bringing the NHS to account was vital and needed to be considered. There was a suggestion that an additional Health Overview and Scrutiny Committee (HOSC) could be created to deal expressly with NHS matters.
 - The role of Healthwatch representatives and Looked After Children were valued within the current structure and Members and Officers felt there was merit in including them within the membership of the People Committee in an appropriate way.

New Committee Structure

- 2.9 Through the CfGS's consultation activity and independent assessment, a number of recommendations were formed, which are included in the CfGS report attached at appendix 3. The highlight recommendations of this report were:
- O & S needed to refocus its activity into a more efficient and responsive structure with a reduced number of core committees.
 - Work programming is similarly refocussed to closer align to the key priorities of the Council during intervention and that the work programming process be given suitable profile and support.
 - A new scrutiny protocol is developed and launched to codify roles and responsibilities within the Function.
 - That the Function is appropriately resourced.
 - That the Lower Thames Crossing Task Force, the Local Development Framework Task Force and the Prevention of Hidden and Extreme Harms Committee are not continued into 2024/25 in order that their remits can be appropriately resumed into the O & S Function, adding weight and relevance to the core O & S activities.

Version Control (delete as appropriate)

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- 2.10 Following the CfGS activities throughout 2023/24 the structure of the Function was developed to recommend three main committees, People, Place and Corporate. This base structure could then be supplemented by task and finish reviews which added value to the council's strategic aims.
- 2.11 The terms of reference for each of the proposed committees is attached at appendix 1.
- 2.12 The CfGS came to the view, following consultation, that certain committees and task forces currently set up were better served within the new O & S structure and by being brought back into the remit of O & S, gave weight and importance to the primacy of O & S as the review function of the council. Changes to the wider committee structure will therefore be reflected in the Annual Council report on committees in May 2024.

Overview and Scrutiny Protocol

- 2.13 The O & S Protocol was developed by the CfGS in close collaboration and consultation with Members. The new protocol expands on the 'Executive-Scrutiny protocol' which was developed by the Corporate O & S Committee in 2019. The new protocol sets out expectations and behaviours linked to good scrutiny and will act as a reference for Members and officers when conducting O & S business in the future. The protocol will be a reference document and, if desired by Members through consultation with the constitution working groups and General Services Committee, can be recommended to Full Council for inclusion in the constitution.

General Services Committee Consideration on 13 February 2024

- 2.14 General Services Committee considered this report at its meeting in February 2024 and made two key recommendations, which are contained within the recommendations to Full Council:
- That substitutes be permitted on the three O & S committees as it provided learning opportunities for new Members, as well as a failsafe should there be significant illness amongst Members. The Committee felt two substitutes was appropriate.
 - That the Lower Thames Crossing (LTC) Task Force should continue in some guise as it represented an important interface between Members and residents. The Committee agreed that the Place Committee should consider establishing an ongoing task and finish group for the LTC, which would not affect that committee's ability to convene a further two task and finish groups if it so wished.

O & S Constitution Procedure Rules

- 2.15 The development and drafting of the associated procedure rules in the constitution, to sit alongside this new structure, is a longer process which involves Members both informally but across an array of committees (General Services Committee) and working Groups (Officer and Member Constitution Working Group). Therefore, the delivery of a refreshed O & S chapter

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within the constitution will follow in the 2024/25 year and Members are simply asked to agree the structure in this report.

3. Issues, Options and Analysis of Options

- 3.1 The CfGS has brought external specialist resources into the council to ensure the reviews reflects national best practice whilst collaborating with Members and officers to ensure the recommendations and findings are owned by the Council.
- 3.2 Members and officers have had the opportunity, through the formal boards, working groups, committees and the consultation exercises to contribute to the design of the final recommendations found in this report.
- 3.3 The CfGS, with Members, has explored alternatives to the committee structure and what should be included or not in the new protocol.
- 3.4 the establishment of a restructured and refreshed O & S Function is only half the project and Members will be required to engage further in training, development and collaboration to ensure the refreshed function is effective and efficient for the resources available to the council.

Health Overview and Scrutiny (HOSC)

- 3.5 At the January 2024 workshops Members and officers considered whether there was a case to amend the three committee model to include a fourth committee (HOSC) to focus on NHS items. The Council, in accordance with the Health and Social Care Act 2001 and 2012, is required to have facility to scrutinise the Health Service. The CfGS considered this and has recommended that these functions can be appropriately accommodated within the proposed People Committee.
- 3.6 In December 2023, Thurrock was invited to begin discussions with Southend Council and Essex County Council to establish a joint HOSC to deal with regional NHS matters. An initial discussion has taken place but no further action taken.

4. Reasons for Recommendation

- 4.1 The recommendations reflect the work of an external national body in collaboration with Members and officers. The recommendations represent the changes required to deliver the Council's Improvement Recovery Plan to ensure stronger governance in decision making and the effective discharge of the O & S function.

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

- 5.1 The consultation activities are covered in previous sections of this report. O & S Chairs and Vice-chairs have been consulted by the CfGS throughout their project with the wider Council Membership being kept updated and informed through the Member newsletter.

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

6.1 The recommendations directly address the Council's improvement journey and plan, putting in place developed systems of governance and decision making.

7. Implications

7.1 Financial

Implications verified by: **Rosie Hurst**
Interim Finance Manager (12/3/24)

The cost of engaging the CfGS in this work has been covered by the corporate funding provided through the Local Government Association (LGA) for improvement activities following the Government intervention. Members Allowances in relation to the proposed new committees remain unchanged and would be subject, upon Members request, to an independent review from the Remuneration Panel which is due to take place in March 2024.

7.2 Legal

Implications verified by: **Gina Clarke**
Governance Lawyer and Deputy Monitoring Officer (21/12/23)

The importance and legitimacy of the scrutiny function is afforded by the law to act as a check and balance on the Council's Executive. It is a statutory requirement as set out in sections 9F to 9FI of the Local Government Act 2000 as amended by the Localism Act 2011 for all authorities operating executive arrangements to establish overview and scrutiny committees.

Statutory Guidance has been issued by Government which Local authorities and combined authorities must have regard to it when exercising their overview and scrutiny functions. This means that not all sections of statutory guidance have to be followed in every detail, but that they should be followed unless there is a good reason not to in a particular case. In addition, authorities may have regard to other material they might choose to consider, including that issued by the Centre for Public Scrutiny, when exercising their overview and scrutiny functions.

Overview and scrutiny legislation gives the Council the power to determine which overview and scrutiny arrangements best suit its needs, and so gives the Council a great degree of flexibility to decide which arrangements to adopt.

As to the proposed Overview and Scrutiny Protocol, Statutory Guidance states that Councils should consider how to adopt a protocol, e.g. formal agreement at scrutiny committee and Cabinet, then formal integration into the Council's constitution at the next Annual General Meeting. The protocol, as agreed, may contain sections on:

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- The way scrutiny will go about developing its work programme (including the ways in which senior officers and Cabinet members will be kept informed);
- The way in which senior officers and Cabinet will keep scrutiny informed of the outlines of major decisions as they are developed, to allow for discussion of scrutiny’s potential involvement in policy development. This involves the building in of safeguards to mitigate risks around the sharing of sensitive information with scrutiny members;
- A strengthening and expansion of existing parts of the code of conduct that relate to behaviour in formal meetings, and in informal meetings;
- Specification of the nature and form of responses that scrutiny can expect when it makes recommendations to the executive, when it makes requests to the executive for information, and when it makes requests that Cabinet members or senior officers attend meetings; and
- Confirmation of the role of the statutory scrutiny officer, and Monitoring Officer, in overseeing compliance with the protocol, and ensuring that it is used to support the wider aim of supporting and promoting a culture of scrutiny, with matters relating to the protocol’s success being reported to full Council through the scrutiny Annual Report.

Full Council to consider whether it would be beneficial for any further work to be carried to address the above matters which at the time of writing these implication are not included in the proposal protocol, in particular bullet points 2, 3 and 4. The Council will need to consider how to formally adopt the proposed protocol.

The proposed changes to the Council’s existing scrutiny arrangements will enable the Council to discharge its scrutiny functions in a more effective and efficient way. The legal implications set out in this report will be reviewed and updated as required prior to this report being presented to Council to approve new scrutiny arrangements.

7.3 Diversity and Equality

Implications verified by: **Roxanne Scanlon**
Community Engagement and Project Monitoring Officer
(14/12/23)

The new O & S Function does not present any equality or diversity implications, although it is noted that the CfGS led process has been inclusive and considered all Members of the Council regardless for their political allegiance or position within the Council.

7.4 Risks

There are significant corporate risks relating to decision making and governance if the O & S Function is not revised in line with directions set out through the intervention. This report is represents the first step in refreshing the function in line with national best practice, the intervention and Member aspirations. The review and refresh of the culture, practice and procedures surrounding the Function will further reduce this risk in coming months.

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

The improved efficiency, functionality and ability of the Function to add value to the decision making process will impact on all services of the council in a positive way.

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

- None

9. **Appendices to the report**

- Appendix 1 – New O & S Committee Terms of Reference
- Appendix 2 – New O & S Protocol
- Appendix 3 – CfGS Report on O & S Function

Report Author:

Matthew Boulter

Head of Democratic, Member and Scrutiny Services

Legal Services

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Proposed Overview and Scrutiny Committee Responsibilities

January 2024

Following a review of scrutiny arrangements, the council is planning to consider new arrangements from its March council meeting.

Changes to the council's constitution will therefore be necessary.

We suggest that meetings operate in accordance with current arrangements in terms of procedure but changes are made to the structure and responsibilities of the committees as follows:

1. Membership

(a) Each Overview Committee and each Scrutiny Committee shall consist of 10 Members including its appointed Chair and Vice Chair.

(b) The quorum of each Committee is 4 members of the committee who are Councillors.

(c) To the extent that the law requires an Overview and Scrutiny Committee to include a person who is not a Member, then the membership shall be made up of 10 Members plus the number of additional persons required, provided that for the avoidance of doubt this provision does not apply to any joint arrangements entered into by the Council.

(d) In relation to the exercise of overview and scrutiny functions relating to education matters, the membership of "People Overview & Scrutiny Committee shall include: (i) a person nominated by a Diocesan Board of Education for a Church of England diocese falling wholly or partly within the area of the Council; (ii) a person nominated by the Bishop of any Roman Catholic diocese falling wholly or partly within the area of the Council; and (iii) two parent governors from maintained schools within the area of the Council 20230116

(e) No Overview & Scrutiny Committee or task & finish group shall include any Member of the Cabinet-Executive whilst so appointed.

(f) Subject, where appropriate, to relevant provisions set out in a scheme made by the Council for such purposes and to any other relevant legislative limitations an Overview Committee and a Scrutiny Committee may include persons who are not Members to act as advisors or non-voting contributors.

(g) There shall be no power to appoint substitutes to any Overview and Scrutiny Committee

2. Appointment of Chair and Vice Chair

(a) The Chair and Vice-Chair of each Overview Committee and each Scrutiny Committee shall be appointed annually by Full Council unless Full Council determines otherwise.

(b) The Chair and vice-chair of each Scrutiny Committee shall be nominated at the Annual Council each year where Full Council will be asked to agree appointments.

Sub-Committees and task and finish groups

(a) Overview Committee and Scrutiny Committees may not appoint Sub-Committees.

(b) Each OSC may appoint up to 2 task and finish groups per year, providing these can demonstrate a positive and necessary contribution to the council's priorities. Task and finish groups to comprise of up to 6 members and should complete its work within 10 weeks.

(d) The Proper Officer shall maintain a list of all task & finish groups, including: (i) membership; (ii) terms of reference; (iii) objective (iv) reporting deadlines

Meetings

(a) The number of ordinary meetings of each Overview Committee and each Scrutiny Committee in a year will normally be 8 unless otherwise determined by Full Council.

(b) The Chair of each Overview and Scrutiny Committee shall have the power to call one or more special meeting(s) of the Committee of which s/he is the Chair.

(c) The Chair of an Overview and Scrutiny Committee may determine that any of its meetings should be cancelled for insufficient business.

Functions

(1) Policy development ("pre-decision scrutiny"). Committees may undertake 'pre-decision scrutiny' in areas which will assist the Council and the Cabinet in key areas of policy or corporate improvement – this should be with the agreement of the Cabinet but there may be a small number of extraordinary circumstances where such agreement is either not appropriate or possible; (ii) investigate areas and issues of emerging concern in the Borough with a view to making recommendations to the Cabinet.

(2) Scrutiny committees may:

(i) review and scrutinise decisions made by the Cabinet and/or Council officers, and the impact of these decisions, both in relation to individual decisions as well as the aggregated impact of multiple decisions; (ii) take a strategic approach to reviewing organisational performance against council improvement.

Committee responsibilities

The three proposed new committees would therefore have the following responsibilities:

Place

This committee will consider and hold to account the relevant cabinet member(s) and Director(s) for the delivery of the council's plans and financial strategy as they relate and impact on the Borough's amenities, infrastructure, local economy, development, and community-based services, such as libraries and leisure facilities.

Its focus will be on improvement in these areas to support the council's recovery plans, including service transformation, financial and savings targets and asset management or disposal.

It will need to have oversight and scrutiny of policy as it relates to local services, development and community well-being but will retain overall financial recovery in these areas as a priority.

It will also challenge through constructive scrutiny the Cabinet's proposals and plans and their impact and effectiveness of proposed improvements or changes on communities, and individuals.

People

This committee will consider and hold to account the relevant cabinet member(s) and Director(s) for the delivery of the council's plans and financial strategy as they relate to children and adult social care, health, education and wellbeing.

The remit of the committee will therefore cover;

Children's Social Care & wellbeing:

Including; safeguarding, children in care, early years, childcare, learning and school effectiveness, special educational needs, and disability (SEND), School admissions, organisation and place planning and transport.

Adult Social Care:

Including; commissioning and delivery of social care services for adults and older people, support for carers, safeguarding vulnerable adults, public health.

Health Scrutiny:

Review and scrutinise matters relating to the planning, provision and operation of health services in Thurrock through exercising the powers under Section 244 of the National Health Service Act 2006 as amended by the Health and Social Care Act 2012, Protocol for Health Overview.

Corporate

This committee will consider and hold to account the Leader of the Council and Cabinet Member for Finance, Chief Executive and Director of Finance (Sec 151) for the delivery of the council improvement and recovery plans and financial strategy.

Its focus will include:

Council budget, medium term financial plan, capital programme and budget monitoring. This committee will also provide scrutiny oversight of; transformation plans, assets disposal and disinvestments.

Additionally the committee will provide constructive challenge to Cabinet on organisational change and development of council policy, corporate plan and improvement plans to add value, through early pre-decision scrutiny and shaping. It will also take account of community impact of corporate and financial plans.

Matters that are considered cross-cutting and which may affect more than one scrutiny committee will, by agreement of committee chairs be referred to the Corporate Scrutiny Committee, to avoid duplication or the issue being overlooked.

Ian Parry | Director

Centre for Governance and Scrutiny | 77 Mansell Street | London | E1 8AN

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Thurrock Scrutiny Protocol – Working Document

The purpose of this document is to set out how the Overview and Scrutiny function will operate in Thurrock from May 2024/5 municipal year. This is to allow Members, officers and partners to have a Council adopted document to provide clarity over ways of working and relationships between those stakeholders who hold a relationship with the Overview and Scrutiny function.

This document is being drafted in advance of a comprehensive review of the existing Constitution.

Responsibilities of Overview and Scrutiny

The key responsibilities of overview and scrutiny at the Council are to:

- Support the Council to implement the enhanced Improvement Recovery Plan with a focus on financial sustainability, governance, leadership, and culture following the Best Value Inspection.
- Ensure effective political accountability for the executive and senior council officers, as well as providing a space for Commissioners and partners to be scrutinised.
- Contribute to the development of policy by the council and its partners, making proportionate and deliverable recommendations to key local stakeholders;
- Review certain executive decisions before they are made and implemented;
- Review how decisions, and Council policies, are implemented based on insight from a range of sources, including local people.

Role of this Protocol

- To complement the Constitution and establish a positive framework for scrutiny to work effectively.
- To maximise the effectiveness of Scrutiny Members, Lead Members, and officers by enabling them to understand their powers, roles, and responsibilities in relation to the scrutiny function.
- To promote and maintain an ethos of mutual respect and trust in the relationships between Scrutiny Members, Executive Members, and officers in a climate of openness to enable a constructive and challenging debate.
- To support scrutiny councillors to hold the Executive to account by monitoring the effectiveness of policies and through regular, proportionate, and focused review of performance in relation to services.
- To ensure that scrutiny is able to maximise its value and impact by aligning its work with that of the Leadership Team, and Commissioners.

The Scrutiny Work Programme

The development of a work programme to guide scrutiny activity over the course of the year, or to a longer timescale, is essential. All Scrutiny Committees must have a work programme. The process, content and execution of the work programme must be led by Scrutiny Members.

Work programming is a continuous exercise but there should be a burst of activity in quarter four of the municipal year in which to start to develop the significant contents of that plan for the municipal year ahead.

Work programmes must be developed taking account of feedback and suggestions from a range of sources. As a general principle, scrutiny will focus its efforts on:

- matters where there is a critical business need,
- matters which have a direct impact on the council's delivery of services to vulnerable people (for example, children and those in receipt of adult social care services);
- matters of particular local contention (including political contention);

Matters that have a particular level of complexity arising from their being cross-cutting, and/or involving a wide range of local partners/stakeholders. In coming to a judgement on whether subjects proposed to be considered meet these criteria, members will have regard to:

- The priorities of the Council.
- The contents of the Council's Forward Plan of executive decisions (on which "pre-scrutiny" might be conducted).
- The opinions of the executive, senior officers, and Commissioners.
- Insights from the public, either provided directly or via members' ward work.
- Business being undertaken by other bodies, especially the Audit Committee.
- Information relating to risk, service performance and finances.

In bringing together a work programme, Scrutiny Members must develop a long list of topics and agree a process for the creation of a shortlist which should have regard to the criteria set out above. As part of that shortlisting process Members must ensure the topics:

- are clearly understood,
- with a defined purpose and scope,
- are placed onto the work programme at the most valuable time and that scrutiny is undertaken in the right way (at Committee or within a task and finish group).

Ultimately, Members must be confident that the work they will undertake over the course of the year will add value to public services in Thurrock and lead them out of intervention.

In refining the work programme, Members should ensure flexibility and create time for business that could 'crop up' in year. This is especially relevant for scrutiny of local health and care services.

The work programme will be managed through regular meetings of Chairs, Vice Chairs and relevant officers. This meeting should identify forthcoming issues, Cabinet decisions and topics which might be usefully added to the work programme, subject to the framework agreed at the start of the year.

In respect of forthcoming decisions, following this process will ensure that the Cabinet Member attends the relevant Scrutiny Committee in sufficient time that any recommendations made by scrutiny can be considered ahead of the decision being made.

Meetings of Committees – Agenda Planning and Conduct

The agenda for each meeting will be prepared by the Statutory Scrutiny Officer, following close liaison with the relevant Chair, the Committee and

- The relevant Executive Director(s) and/or Directors and Cabinet Member/s.
- Where appropriate, other relevant persons such as partner organisations.

In finalising those items that will comprise each agenda, the Chair will have careful regard to the Committee's terms of reference and:

- The Committee's agreed Work Programme.
- The criteria and information set out above.
 - The need to identify a modest number of items (ideally no more than three per meeting) on which the Committee can 'add value' in terms of developing or reviewing policies; proactive work on strategic issues; scrutinising performance where there is evidence of concern.
- The exclusion from agendas of routine items or those that are simply 'for noting' or 'for information' : in normal circumstances such items should be circulated separately.

The Conduct of Meetings

Scrutiny Members

All Scrutiny Members must ensure that they attend meetings prepared and wish to engage in the meeting in an independently minded fashion.

Members must lead by example in their behaviours and general conduct at meetings in accordance with the Council's code of conduct and the Nolan Principles.

Relevant for the conduct of Scrutiny Committees, Members must be mindful to operate with respect towards those attending Committee and to whom they may be holding to account, regardless of the topic under discussion.

Cabinet Members

The Overview and Scrutiny Committee and any of its task and finish groups can require the attendance of the relevant Cabinet Members. Requests for Cabinet Member attendance will be made, as far as possible, in good time to facilitate that Member's attendance and any of their officers. The Chair will normally invite the Cabinet Member and/or the relevant Executive Director to present the report and answer questions. They are free to bring any other officers with them.

More generally, Cabinet Members:

- can attend all Scrutiny meetings and may, with the Chair's permission, speak on any item under discussion;
- can attend presentations made to committees and take part in the subsequent discussion, with the permission of the Chair;

Executives must have regard for the need to ensure a healthy separation between Cabinet and Scrutiny and be mindful of the need to visibly demonstrate such separation else it becomes unclear of roles and responsibilities and specifically who is undertaking scrutiny and who is receiving it. In practical terms this will involve sitting at the meeting, at a seat or table set aside for witnesses, and making it clear at the start of the meeting of their status and the role they expect to perform both in assisting the committee and being held to account.

It is essential for the Executive Member and their officers to have regard to the fact that their attendance is at the request of the Scrutiny Committee. There will be other pressing matters of business on the Committee's agenda and to keep any presentations short and introductory and questions answered succinctly and with candour.

Partners

The Overview and Scrutiny Committee or its tasks groups can request the attendance of relevant partners to present reports and / or give evidence.

Requests for their attendance will be made, as far as possible, in very good time to facilitate that Member's attendance and any of their officers. The Chair will normally invite the Cabinet Member and/or the relevant Executive Director to present the report and answer questions. They are free to bring any other officers with them.

The Role of the Chairs and Vice Chairs

The role of the Chairs and Vice Chairs is to lead the scrutiny function within the Council, with partners and across the Borough. Key elements of their roles is contained at **Appendix 1**.

All Chairs and Vice Chairs will work together in a collegiate fashion to ensure that Scrutiny is seen positively and a source of good governance within the organisation.

Chairs and Vice Chairs will meet to a regular timetable to discuss the performance of scrutiny and any issues preventing it from operating to a high standard, as well as the work

programme and matters which could cut across the work of all three Committees. On occasion, this informal group should invite the Chair of Standards and Audit to contribute to conversations, specifically on issues which could overlap scrutiny and audit and to share insight to inform each other's work programmes.

Responses to Scrutiny Recommendations

Recommendations can be made through two routes.

The first is at Committee, arising from a discussion in which it is evident that Members wish to draw the Cabinet's attention to an issue and/or to affect a change. With the support of the SSO, or the Scrutiny Officer supporting the Committee, precise wording of a recommendation/s would be made and endorsed by the Committee. If it were not possible to do this, the Chair should move a resolution in which to arrive at the wording of a recommendation/s in consultation with the Vice Chair and relevant Scrutiny Officer. That wording will be shared with Members of the Committee via email.

The second route is via a task and finish group. At the conclusion of a review undertaken by the group recommendations should be made to Cabinet, Council and/or partners. Those recommendations should be drafted by the SSO further to the objectives of members of the group and presented to the task group for endorsement.

The final report and recommendations made will be presented to the Committee which agreed to establish the task group. The recommendations will be endorsed in full, in part or not. Those recommendations will then go to Cabinet, Council, or partners.

On the receipt of recommendations to Council or Cabinet, Scrutiny Members must expect a response within two months (LGA 2000, s9FE). That response should state whether the recommendations have been accepted, partly accepted or not accepted alongside an accompanying explanation and plan of action for how those accepted recommendations will be delivered. Where Council and/or Cabinet determines that they will not accept the recommendations, reasons should be given.

Once the responses have been supplied to the Statutory Scrutiny Officer, the Committee will be made aware, and it will be considered at the next available meeting of the Scrutiny Committee where the relevant Cabinet Member will attend to present the response.

Participation of The Public

Participation of Members of The Public at Committee Meetings

Local and interested persons can, with the permission of and at the discretion of the Chair, speak at Committee meetings on any item of the agenda, in accordance with the Council's Constitution.

The Chair and other members of the Committee will consider, with the support of officers, how to promote public attendance and participation at meetings of the Committee and of meetings related to scrutiny reviews.

Role, Responsibilities and Governance of Task and Finish Groups

It is essential to recognise that how overview and scrutiny is undertaken, is as important as what issues are selected. Members and officers must recognise the value in pivoting between formal (Committee) settings for certain types of business and informal (task and finish) settings for others.

In establishing the Committee's work programme, discussions should take place at the earliest opportunity on whether a task and finish group should be used, when it should commence and what is within scope and who should sit on it.

When To Use

Issues that require extensive exploration, the use of experts/witnesses and matters which could be sensitive in nature may lend themselves to be better placed for inquiries within a task and finish group. Task and finish groups will convene through informal meetings, not Committee meetings. Meetings of task and finish groups will generally be held in private and are not accompanied by the usual formality that a Committee meeting brings. However, they should be accurately noted, and the notes of meetings should be submitted to the commissioning Committee to be placed on the public record once the group's work has concluded.

Establishment of a task and finish group should be undertaken by a resolution to do so at a Committee whose terms of reference fit with the scope and objectives of the work to be undertaken by that group. The Committee must agree who will chair that task and finish group and seek nominations from the wider Committee to sit on it. The Chair may also wish to seek nominations from wider backbenchers who may have the time, authority, and expertise to contribute.

Practically, task and finish groups should have a membership of between 4-7 members. They need not be perfectly politically balanced because of their small number of members. Members must, however, agree to operate within these groups in an independently minded fashion.

The Relationship Between Commissioners and Overview and Scrutiny

The relationship between Government appointed Commissioners and Overview and Scrutiny must be based on mutual trust and recognition of each other's roles within the governance of the Council. The Chairs and Vice Chairs of the Committees should, to a reasonable timetable, meet with Commissioners to keep abreast of their activity, progress and concerns and seek out ways to add value to each other's work.

Commissioners are primarily accountable to the Secretary of State, but recognise that importance of answering to local people, and to local politicians, in how they carry out their work. The way that they engage with scrutiny committees will reflect and acknowledge these relationships.

Commissioners may wish to identify opportunities to request that O&S look into issues on their behalf and O&S should consider such referrals. There should be no expectation that the requests of commissioners will automatically accepted.

The Relationship Between the Executive and Overview and Scrutiny

The relationship between the Executive and Overview and Scrutiny must be based on mutual trust and recognition of each other's roles within the governance of the Council.

The Chairs and Vice Chairs of the Committees must meet with the Executive as part of setting the Committees' work programmes for the year ahead, establishing priorities, necessary timings of the delivery of such priorities and ultimately areas of shared interest. In year engagement should also be welcomed.

The Executive will work openly and transparently with those Chairs to identify areas that Scrutiny may wish to review and investigate, and that Scrutiny will have regard for the Executive's timings in respect of decision making. The Head of Paid Service and principal statutory officers should ensure that senior officers recognise the need for accountability to scrutiny committees as part of their wider member engagement. This includes ensuring that scrutiny Members and Officers are treated with respect, provided with information and supported to undertake their enquiries.

The Executive must support scrutiny by providing relevant information directly, or via its Officers, to allow Members to be actively involved in pre-scrutiny. That is, involvement at the early stages in the formulation of new policies, strategies etc where scrutiny can add value well in advance of a decision being made. The same principle applies also to scrutiny's work undertaking post decision work that is ensuring that the performance management of services.

The Committees will remain non-political and be effectively led by Members who take responsibility in their role to drive service improvements.

Executive Members will be given reasonable notice of a request to attend a Scrutiny Committee and those Members can be accompanied by a relevant member/s of staff. Executive members will be asked to submit a report and to take questions at Committee. It is essential that the executive recognise their attendance is at the invitation of the Committee at the same time recognising that these are public meetings. The Executive member(s) need not stay for the whole meeting.

The Cabinet's response to Scrutiny's recommendations will be published in the agenda of the next available relevant Committee meeting. The Overview & Scrutiny Committee will monitor the effectiveness of services and undertake regular reviews of performance in relation to the Council's services.

The Relationship Between Council and Overview and Scrutiny

Council has a key role in which to receive and discuss the Scrutiny Annual Report so to draw Members' attention to the work undertaken by the function over the course of the municipal year.

Council, on occasion, may request O&S to review matters on its behalf. A referral to the relevant O&S Committee can be made by Council but the decision to accept that referral is a matter for the Committee itself.

If the referral is accepted, any reports and/or recommendations would then be made to the decision maker.

Access to Information

See attached appendix 1

Health Scrutiny

- **Relationship between Healthwatch Thurrock and the People Overview and Scrutiny Committee**
- **Relationship between the ICB, ICP and the People Overview and Scrutiny Committee**
Responses to recommendations
- **Substantial Variations and Developments to Services**

Ensuring Compliance with the Protocol

The Statutory Scrutiny Officer, and Monitoring Officer, are the responsible officers for overseeing compliance with the Protocol and ensuring that it is used to support the wider aim of supporting and promoting a culture of scrutiny. The Scrutiny Annual Report will include an assessment of the effectiveness of the Protocol.

Appendix 1 Role Description

Chairman

The main functions of this role are:

Chairing

1. Can confidently, and orderly, lead a Committee meeting and its Members through an agenda in a public facing setting.
2. Can facilitate conversations within a time limited environment ensuring all voices are heard, no matter how challenging.
3. Can set a positive and productive tone even in challenging circumstances.

Leading the Scrutiny Function

1. A visible, respected leader within and outside the organisation who advocates for good scrutiny and a culture of openness, transparency and securing good outcomes for the people of Thurrock.
2. To have strong individual and collective relationships with the Deputy, Committee Chairs, Executives, Chair of Audit and Commissioner and officer community across the Council and key partners.
3. Has a clear grasp of the strategic issues facing Thurrock (the Council and the place) and is able translate that into relevant scrutiny action.

Developing the Committee's Work Programme and Advocating Best Use of Available Resources

1. Ability to convene a diverse set of internal and external stakeholders (elected, officer and appointed) towards a shared set of scrutiny priorities and outcomes.
2. To work in concert with the Statutory Scrutiny Officer to rigorously prioritise, and ultimately reprioritise, the workload of the Committee and its Members in a dynamic fashion.
3. To personally maintain an overview / watching brief of the strategic dimensions of Council business and issues facing Thurrock to develop own understanding and support the understanding of others.

Vice Chairman

1. To fulfil all the functions above and especially so in the event of the Chair's absence.
2. To be a close and trusted support to the Chairman.

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Centre for Governance and Scrutiny

Thurrock Council

Governance Recovery Board – 12 September 2023

Author: Helen Mitchell, Senior Governance Consultant

Introduction

The Centre for Governance and Scrutiny (CfGS) has been commissioned by the LGA and Thurrock Council (the Council) to repurpose the overview and scrutiny function, and associated scrutiny-related, activities further to the Best Value report and the Council entering intervention under the Local Government 1999 Act.

The CfGS has over twenty years' experience of working with Councils across the UK to establish good governance, inc. an express competence in overview and scrutiny. In recent times, we have worked with Councils in intervention (Slough, Northumberland, Rotherham, Croydon et al) and have recommended fit for the future scrutiny arrangements.

This paper sets out findings and recommends specific actions that will accelerate the implementation of firm foundations from which to build a successful O&S function. These foundations will be amplified, codified and accompanied by an Overview and Scrutiny Protocol which will set out *how* the function will work in practice and, amongst many other things, the roles and responsibilities of Members, officers and partners. This protocol will be co-produced principally by Scrutiny Members, the CfGS and the Scrutiny Team at Thurrock over the Autumn.

In summary, recommendations relate to restructuring the function to have fewer Committees with wider connected remits. Task and finish groups would be utilised to undertake more detailed investigations where needed and opportunities to be briefed by executives and officers should be taken to maintain an oversight over the strategic dimensions of Council business. Work programming must be recalibrated to drive prioritisation and better outcomes and the process must command the attention of senior officers and Executive Members. Lastly, resources aligned to the function are to be clarified and confidence of Members increased via trust placed in the ready flow and quality of information they receive.

It would be prudent to review the implementation of these changes. This structure could be in place for a year from the date it is implemented (1 January 2024) with an independent review by the CfGS after 9 months to test its efficiency and effectiveness and make any changes within three months.

The CfGS are willing to bolster the capability and capacity of this system over the period by providing support to officers and Members at key periods (transition to new arrangements, setting the work programme, brokering conversations with internal and external partners, laying foundations for budget scrutiny and assessing impact all through a programme of bespoke action learning).

This report and the energies of the Council to accelerate improvement provide a significant opportunity to fundamentally reset Overview and Scrutiny at Thurrock. Such energies should not be wasted.

Recommendation

- That the report, recommendations and approach to moving forward are considered and endorsed by the Governance Recovery Board;
- That the new scrutiny model 'goes live' from 1 January 2024;
- That GRB endorse the coproduction of an Overview and Scrutiny Protocol and an implementation plan that covers all CfGS related activity for the remainder of 2023/24;
- That Group Leaders consider implications for SRAs and consideration be given to model SRA change given the IRPs ongoing work on SRAs at the present time;
- That the terms of engagement with the CfGS are refreshed based on the outcome of this work to ensure our contract with the LGA and the Council remains relevant;
- To surface any other issues that could stall or prevent implementation.

Background

The brief between the Council and the CfGS completely rests on the Council being in active intervention. The best value report frames the challenge as;

*'Significant weaknesses in the Council's scrutiny function. Scrutiny members told us, and we agree, that at present scrutiny **does not add significant value** to the work of the Council. Scrutiny at Thurrock **consumes a lot of member time** with the Council having **a large number of committees**, which meet infrequently, follow **work programmes that are largely controlled by officers**, and spend a disproportionate amount of time **reviewing forthcoming cabinet reports** in a way which does not comply with best practice or add value. **Members are not given the information** they request and when Scrutiny make **comments these are frequently not recorded properly** and are not passed to decision-makers. **Senior officers and members do not engage with scrutiny**. Such was the lack of engagement that early in the inspection it became clear that there was **no one appointed to the statutory role of scrutiny officer**. These factors limit committee members' ability to engage meaningfully with key issues, undermining the extent to which they can provide meaningful scrutiny of council activity.*

It would therefore be prudent to focus change on the challenges highlighted in the BV report and those raised in conversation with the Senior Governance Consultant so to repurpose the function and contribute overall to the Council's recovery efforts leveraging all available, but limited, resources (Member and officer) to very best effect.

The rapid method that the CfGS have used:

1. Leveraging over 20 years' experience working with Councils to enhance O&S arrangements, most recently with those in intervention;
2. Interviews with Chairs and Vice Chairs of Scrutiny Committees, related Committees and taskforces, Senior Members and Officers closet to the O&S function;
3. A small randomly sampled review of meetings, reports and work programmes.

Opportunities to Repurpose Overview and Scrutiny

There are two clear and interlinked programmes of work that could recalibrate the function and better support the Council's Members to hold decision makers to account on the public's behalf.

Theme 1: Adding Value, Time Consuming and Number of Committees

At present, O&S at Thurrock has a 'heavy' Committee structure. There are 6 formal Overview and Scrutiny Committees with the associated powers and 3 other structures (two taskforces and a Committee) covering Hidden Harms, the Local Development Plan and the Lower Thames Crossing.

These operate in a *scrutiny fashion* but are not Scrutiny Committees with relevant powers. This lacks clarity of role and responsibility. Some of these groups meet every other month, give or take, and others to a more irregular timetable. There's no mention of these structures in the Council's Constitution. The matters they consider may be a priority but it doesn't appear advantageous to have separate structures to consider such issues given their wider impacts.

This structure has been in place for some time and could be reflective of the 'silo working' issues raised within the BV report. A recalibration of Overview and Scrutiny to look at matters across a broader portfolio of work could support the Council to change its outlook.

The function generates significant activity whether that be report writing, preparation for the committee, member attendance and ultimately member expenses. It is for the Council to decide how it spends its capacity, but the activity generated by that capacity at present doesn't lead to clear value or outcomes. This was firmly articulated by Members. There are significant opportunities in which to unlock and realign *existing* capacity within the current system towards matters where scrutiny Members can make a difference.

We would strongly encourage the Council to reduce the number of Committees and options are below for further consideration. The CfGS would wish the Council to strongly consider option 2 or 3.

Option 1 – Reducing to one Committee

This would involve lifting and shifting the functions of all Scrutiny Committees and their current task groups into a single Committee. This arrangement is in place at Slough Borough Council (a similar size Council to Thurrock and also in active intervention). There are opportunities here to consolidate work and heavily prioritise issues for the work programme.

It is understood that there is a corporate ambition for Thurrock Council to be more outwardly focussed, to engage partners broadly and a single committee with a relentless focus on prioritisation may struggle to do this to the requisite breadth.

Option 2 – Reduce to three Committees to cover cross cutting portfolios (such as People, Place and Corporate)

This would involve lifting and shifting relevant functions of existing Committee's into three new Committees. This suggestion has already been made within the Council. During interviews, some Members highlighted that a similar structure is in place at a neighbouring Authority and the report author has worked under similar structures in previous Councils.

This would involve sharing the existing functions of all Committees and other structures into three as highlighted below. Coopted Members of the Health and Housing Committee (Healthwatch and Thurrock Coalition) would be invited to join People O&S Committee. Cooped Members on the Children's Services Committee would also be invited to join the People O&S Committee.

Current Structure	Future Structure
Childrens Services	People O&S
Cleaner, Greener, Safer	Place O&S
Corporate	Corporate O&S
Health and Wellbeing	People O&S

Housing	Place O&S
Planning, Transport, Regeneration	Place O&S
Hidden Harms	People O&S
Local Development Plan	Place O&S
Lower Thames Crossing	Place O&S

Option 3 – Reduce to four Committees to cover cross cutting portfolios and a separate education scrutiny committee (People, Place, Corporate, Education).

There are opportunities within this to have Education as a separate Committee or as a sub-committee to People O&S in order to formally hardwire a reporting arrangement. The value of this is that it supports statutory co-optees whose interest is education to contribute to education matters only. It would also lighten the load of the People Committee's agenda. These benefits should not be overlooked.

Current Structure	Future Structure
Childrens Services (education functions only)	Education
Children's Services (all other functions)	People O&S
Cleaner, Greener, Safer	Place O&S
Corporate	Corporate O&S
Health and Wellbeing	People O&S
Housing	Place O&S
Planning, Transport, Regeneration	Place O&S
Hidden Harms	People O&S
Local Development Plan	Place O&S
Lower Thames Crossing	Place O&S

Recommendation: That the Council considers reducing the number of Committees in line with the suggestions above.

With all these options, we would recommend a Committee size of 6-10 Members depending on the option progressed. This is proportionate to the size of Committees and indeed the Council itself. We would also wish to see a bi-monthly informal meeting between the Committee Chairs and the Chair of Audit and Standards to share intelligence, work programmes and prioritisation. All these arrangements would be codified within the protocol.

Conversations will need to take place on who should Chair these new Committee's and group leaders should appoint Chairs, at the appropriate Full Council meeting, based on the available time, authority

and expertise of Councillors to Chair and lead the scrutiny function. The recommendations in this report will lead to a greater need to not just engage but involve Chairs and their Deputies in work in between Committee meetings.

These are important, visible, remunerated roles and it would be the intention of the Council to revisit remuneration because of any changes made. Draft role descriptions are contained in **Appendix 1**.

In dealing with SRAs, the Council should undertake to review SRAs in tandem with implementation. The Council may need to provide assurance to Members that SRAs will be resolved but that the timescale for doing that may fall slightly outside of the 'go live' 1 Jan.

We would encourage the Committees to meet every other month (except August) and opportunities provided for joint sittings of 2 or more committees to deal with issues of strategic importance eg. The Recovery Plan or the Council's budget. Again, this is to be codified in the Protocol.

In concert with refreshing the Committee structure, we would strongly encourage that the Council rigorously prioritises and codifies its approach to the establishment of any task and finish groups within the Scrutiny Protocol.

All task and finish groups must be connected to the work of the parent Committee to undertake deep dives into priority areas and/or track the progress of, and contribute to, longer term work that the Council is undertaking which again is a priority for Scrutiny Members.

The BV report stated, and we heard reports of a practice of scrutiny committees receiving reports destined for Cabinet immediately prior to the decision-making meeting. An example of this was a meeting of Children's O&S Committee receiving a report on the 14th March on the Schools Capital Programme and verbal feedback was provided to Cabinet on 15th March. On that occasion, the Committee endorsed the Cabinet's approach but it could have been quite different and if so, there would have been no time or indeed courtesy to Cabinet to thoroughly consider the Committee's position/s and potentially change its own.

This report will cover re-setting Scrutiny's approach to work programming and the need for pre – decision scrutiny later, but the CfGS would strongly encourage Scrutiny to cease the practice of considering Cabinet reports immediately prior to the decision-making meeting. There may be, on occasion, exceptions to this, but such a practice does not allow considered time for Scrutiny to consider issues and make formal recommendations.

Recommendation: That the practice of reviewing Cabinet reports at Committee in very close proximity to the decision-making meeting ceases.

Theme 2: Work Programming, Officer Control, the Statutory Scrutiny Officer and Access to Information

Given the sharp challenges faced by this Council, there is a clear and pressing desire of Members to now over-scrutinise and to seek opportunities to look at as much as possible. Whilst a noble desire, this is somewhat at variance with the spirit of good scrutiny and the resources available.

There is evidence in the BV report of controlling scrutiny work programmes by officers to divert attentions away from the strategic dimensions of Council business. This has led to a near collapse of confidence in officers from Members spoken to. That said, Members must however note that current staff who are very close to the function and interviewed as part of this process do not share these characteristics.

With the endorsement of a reduction in the number of Committees, a refreshed process and profile for the development of each Committee's work programmes should be progressed.

We would suggest that a joint meeting of Scrutiny Chairs and Vice Chairs, SLT and Cabinet is organised to understand plans for the year ahead and timings of decisions to allow scrutiny members to develop **their** work programme, briefing and stakeholder needs. This arrangement is to be replicated prior to the commencement of the new municipal year or at the start of the new one, each year. This would enable Members to take part in pre-decision scrutiny; influencing the development of policy and appraising options and any consultation and engagement approaches with the public and partners at the earliest and most valuable, opportunity. It should be highlighted that this should not be the only type of scrutiny that the Council prioritises. Holding executives and partners to account for service delivery is of relevance here too.

Similar conversations must take place with key partners such as the NHS and Essex Police to determine priorities. This is especially relevant for the NHS given the health service focus of the activities of the Health and Wellbeing Committee.

From this, a long list of potential topics can be developed, and Members supported to refine into a shortlist based on an agreed methodology. Given the Council is in intervention, we would strongly encourage a coordinated focus across all Committees towards the recovery plan and ultimately stepping out of intervention. This will require all-scrutiny chair planning activities and strong officer planning to ensure each meeting (whether formal or informal) adds value.

The overall process for creating work programmes should attract the attention and commitment of senior officers and the executive. Meetings must take place with those with the authority and expertise to advise Members on priorities and the whole process should have a profile not dissimilar to the setting of the council's budget. We would highlight here the strong relationships needed between Scrutiny Chairs and the Chair of the Audit and Standards Committee. This is to ensure a positive flow of insight between the functions, its Members and its staff which should develop work programmes that add maximum value.

Opportunities to look backwards as well as forwards is essential. Work programming must also consider the ability to track recommendations.

Recommendation: That the work programming process is reset and a significant profile attached it. Space within the programme must be afforded to monitor recommendations. The inputs, activity and outputs associated with work programming and preparations for Committees must be codified within a refreshed Scrutiny Protocol.

Opportunities to involve 'backbench' Councillors should be strengthened to enable them to contribute to scrutiny work programmes and the work of task and finish groups. Their attendance should be welcomed at Committee, questions invited and relevant scrutiny training extended to them.

Recommendation: That the role of backbench members and the inputs and outputs of a refreshed work programming process is codified within a refreshed Overview and Scrutiny protocol.

The Statutory Scrutiny Officer has been identified and his role should be highlighted on the Council's intranet, in its Constitution and in any induction materials the Council holds. They should be invited to directorate management team meetings where needed to impart vital perspectives. Consideration should be given by the Managing Director Commission on how to involve the Statutory Scrutiny Officer at the earliest opportunities in the planning of decisions.

Recommendation: That the Managing Director Commissioner, the Monitoring Officer and the S151 Officer maintain close, cordial relations with the Statutory Scrutiny Officer ensuring his visibility, authority and credibility within the organisation.

It should be expressly noted Members interviewed as part of this work called strongly for additional, dedicated resources, citing curious examples of 'over resourcing' in specific perceived non-essential areas of the Council but balanced that against the urgency to generate very significant cost savings.

Recommendation: That the Council revisits the FTE associated with the operation of the Scrutiny function with a view to increasing resources.

We heard that Members had in the past felt powerless to act as they were unable to access the information needed to ask questions, be informed of Council business and to hold to account. We have already drafted an access to information protocol which should provide assurance to Members of their abilities to access the information they need. This will form part of the Overview and Scrutiny Protocol. What is necessary now is to ensure a strong culture of officers **enabling** Members to access the information they need to know undertake their roles.

Scrutiny Members are afforded a broader range of information to a timescale unlike other Councillors. The use of the 'need to know' principle to restrict information, especially to scrutiny Members who have rights is a sign of an unhealthy organisational culture.

Recommendation: That training takes place with a range of colleagues to support the resetting of organisational culture in favour of supplying information to Scrutiny Members (and indeed all Members) to allow them to transact their roles to best effect. This must be overseen by the Statutory Scrutiny Officer, Monitoring Officer, and Deputy Monitoring Officer.

Recommendation: That appropriate records are kept to document the frequency of refusals to supply information and the reasons why.

Call In

We note the concerns raised in the BV report in respect of the call in process and the role played by former Officers in which to restrict call ins. There are opportunities to reset the role of officers and Members in this process, especially clarifying the difference between the validation of a call in, and deciding upon it.

Recommendation: That the process of call in is refreshed and codified within the Constitution and the Scrutiny Protocol.

Training and Induction

Once Members have considered this paper, and have decided to act on it, it would be appropriate to develop an implementation plan to progress changes.

Furthermore, a session/s with scrutiny Members, executives, backbenchers, officer tiers 1 – 3 of the organisation, key partners and corporate colleagues directly involved in scrutiny should be held to drive understanding of scrutiny's powers, how these powers are transacted and their role and responsibilities around overview and scrutiny. It should also raise awareness of the changes to be made as part of this review.

These session/s will be led by the Statutory Scrutiny Officer, with close support from the CfGS and should form part of a programme of training in which to induct the Council into new ways of working to support the delivery of an enhanced Overview and Scrutiny Function.

Recommendation: That a training programme commensurate to the level of change expressed in this paper, as well as broader skills-based training needs already identified as part of the CfGS' commission, be designed, and delivered.

Moving Forward

We now wish to move into implementation stage of this work with a view to having support in principle for the recommendations made and a preferred structural option to work up. This is in tandem with working up a Scrutiny Protocol with current Chairs and Vice Chairs.

Key Engagement Moments

Overview and Scrutiny Chairs and Vice Chairs – Early September (for a steer on recommendations and preferred structure)

GRB – 11 September (for a steer on recommendations and preferred structure)

SLT – late September (for a steer on recommendations and preferred structure)

IRB – 23 October (for endorsement of recommendations and preferred structure)

Council – 29 November (for agreement of recommendations and preferred structure)

As we work through the groups above and the strength of support for recommendations and structural change is clarified, an implementation plan will be worked up in concert with the Statutory Scrutiny Officer and others to manage the transition. Timescales and capacity will need to be stress tested to ensure we can implement, review SRAs and redraft the Constitution all in line for 1 January.

Appendixes

Appendix 1 – Draft role descriptions of Chair, Vice Chair and Committee Member

Appendix 1

Role Description

Chairman

The main functions of this role are:

Chairing

1. Can confidently, and orderly, lead a Committee meeting and its Members through an agenda in a public facing setting;
2. Can facilitate conversations within a time limited environment ensuring all voices are heard, no matter how challenging;
3. Can set a positive and productive tone even in challenging circumstances.

Leading the Scrutiny Function

1. A visible, respected leader within and outside the organisation who advocates for good scrutiny and a culture of openness, transparency and securing good outcomes for the people of Thurrock;
2. To have strong individual and collective relationships with the Deputy, Committee Chairs, Executives, Chair of Audit and Commissioner and officer community across the Council and key partners;
3. Has a clear grasp of the strategic issues facing Thurrock (the Council and the place) and is able to translate that into relevant scrutiny action.

Developing the Committee's Work Programme and Advocating Best Use of Available Resources

1. Ability to convene a diverse set of internal and external stakeholders (elected, officer and appointed) towards a shared set of scrutiny priorities and outcomes;
2. To work in concert with the Statutory Scrutiny Officer to rigorously prioritise, and ultimately reprioritise, the workload of the Committee and its Members in a dynamic fashion;

3. To personally maintain an overview / watching brief of the strategic dimensions of Council business and issues facing Thurrock to develop own understanding and support the understanding of others.

Vice Chairman

1. To fulfil all the functions above and especially so in the event of the Chair's absence;
2. To be a close and trusted support to the Chairman.

Committee Member

Attendance at Meetings and Chairing Taskforces

Consistent attendance at, and continuous engagement between, meetings;

Provide active, informed comments and questions to drive understanding and scrutiny of key areas of interest;

Chairing a taskforce where needed on a time limited basis into an issue of relevance to the Committees work programme.

Developing the Committee's Work Programme and Advocating Best Use of Available Resources

To contribute to the development of the Committee's work programme taking ownership of items put forward balancing evidence, rigorous prioritisation and resource demands on the Committee and its Members' wider agenda.

To personally maintain an overview / watching brief of the strategic dimensions of Council business and issues facing Thurrock to develop own understanding and support the understanding of others based on former Chairmanship role.

Leading the Scrutiny Function

A visible, respected leader within and outside the organisation who advocates for good scrutiny and a culture of openness, transparency and securing good outcomes for the people of Thurrock.

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20 March 2024	ITEM: 11
Council	
Greater Essex Devolution	
Wards and communities affected: All wards	Key Decision: Key decision
Report of: Cllr Andrew Jefferies, Leader of the Council	
Accountable Assistant Director: n/a	
Accountable Director: Dave Smith, Chief Executive & Managing Director Commissioner, and Thurrock Council lead negotiator for Greater Essex devolution	
This report is public	
Version: Final	

Executive Summary

In September 2023, the Government offered Greater Essex the opportunity to be one of eight areas to work towards a Level 2 devolution deal. Since the Government announcement last autumn, Essex County Council, Southend-on-Sea City Council and Thurrock Council, along with the Police, Fire and Crime Commissioner, have been preparing a draft Level 2 devolution deal.

If approved by Government and agreed by all parties, the deal would involve creating a new Greater Essex Combined Authority.

Initially, Greater Essex devolution was expected to be included in the Government's Autumn Statement on 22 November 2023. Greater Essex was not named in the Autumn Statement and, at present, the progress is at a pause point until after the next General Election.

This report covers the actions taken so far and the next steps should Government approval be given.

Commissioner Comment:

No commissioner comment required.

1. Recommendation(s)

- 1.1 Full council notes the progress and current pause of the proposed Greater Essex Devolution deal.

Version Control (delete as appropriate)

Version 1 - First draft ready for DMT, SLT and Commissioner input; **Version 2** - Second Draft ready for Portfolio Holder, Leader and other Member Input; **Version 3** - Third draft for any further comments; **Version Committee** – Draft ready for submission to public committee; **Version Cabinet** – Final version ready for Cabinet/Executive decision

2. Introduction and Background

- 2.1 In September 2023, the Government offered Greater Essex the opportunity to explore the potential for a Level 2 devolution deal. Working groups from each of the three main local authorities (Essex County Council, Southend-on-Sea council and Thurrock Council) began to meet regularly to discuss the proposed Level 2 option.
- 2.2 Devolution is the decentralisation of powers, decision making and funding away from Central Government to local democratically elected & accountable bodies elsewhere in England. It is not about local government reform or reorganisation, taking funding from existing councils, or becoming a contracted delivery agency for the government. It could also provide a new means for existing local councils to explore opportunities for further collaboration and innovation.
- 2.3 A Greater Essex deal would be designed to provide better funding and enable local decision-making in areas such as the economy, skills, transport, support for businesses.
- 2.4 The combined authority would be a new institution in which Essex County Council, Southend-on-Sea City Council and Thurrock Council, working closely with the Police, Fire and Crime Commissioner, to take collective decisions on the powers and budgets that Government devolves to Greater Essex. The Greater Essex deal would also not involve a directly elected mayor or the more expansive powers associated with a Level 3 devolution deal.
- 2.5 It would not be a merger of the 3 councils. Each authority would remain independent, as would the Police, Fire and Crime Commissioner.
- 2.6 The combined authority would incorporate the former role of the Local Enterprise Partnership, following the Government's decision to disband these and bring them under local democratic oversight.
- 2.7 City, district and borough councils in Essex would also have a voice under the combined authority to ensure that local needs continue to be reflected in all decision-making.
- 2.8 Thurrock Council's devolution activity was initially being delivered by:
- Dave Smith, devolution chief negotiator
 - Alix Macfarlane, devolution strategic lead
 - Asmat Hussain, devolution governance and law
 - Working group of subject matter experts from across the council, with a focus on transport, skills and education, and the economy

When any work starts again on progressing Greater Essex Devolution, this will be taken forward by Alex Powell, Assistant Chief Executive, with support from Dan Fenwick, Monitoring Officer, and the specialist working groups

- 2.9 A draft deal document was prepared by strategic leads for the three main local authorities, with support from subject matter experts in the local council working groups. The draft deal has been approved by the Leaders of the councils for submission to DLUHC. This was submitted to DLUHC in November 2023 and is currently still under review by DLUHC.

Version Control (delete as appropriate)

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- 2.10 In January 2024, the Minister for Levelling Up, Housing and Communities formally notified the three councils that efforts to pursue a Greater Essex devolution deal will be put on hold until after the general election.

3. Issues, Options and Analysis of Options

- 3.1 The alternative option is to do nothing and not participate in the discussions for Greater Essex devolution.
- 3.2 A do nothing option was considered based on the resource required to progress devolution options. However, this option was rejected in preference of supporting the devolution process due to the benefits to Thurrock if Greater Essex was approved, and the associated benefits of closer working partnerships with neighbouring councils that can be achieved with or without devolution.

4. Reasons for Recommendation

- 4.1 Thurrock council's improvement journey recognises the opportunities of collaborative working with partners across the region.
- 4.2 Devolution has the potential to bring additional government investment, effective regional decision making and improved ways of working to Greater Essex.
- 4.3 The council has more to gain than risk from exploration of the devolution process for the benefit of the borough.

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

- 5.1 If the government gives the go ahead for Greater Essex devolution, a comprehensive consultation will take place across the region, including a focus on representation of different audiences. A consultation plan has been prepared that can be implemented swiftly. Timing would be set to effectively take the outcomes from the consultation to the three councils' Full Council meetings for Member consideration.

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

- 6.1 Devolution involves delivering some services at a regional level that have previously been decided on at borough level. This will be considered carefully in the main constitution that will be developed to operationally support the deal to ensure devolution decisions are made in the best interests of the borough.

7. Implications

7.1 Financial

Implications verified by: **Rosie Hurst**
Interim Finance Manager

20 February 2024

Version Control (delete as appropriate)

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The draft Devolution deal includes government investment in Greater Essex. The draft deal also covers areas of shared responsibility between the three councils, that are currently administered by each council. This will have financial implications that will need careful consideration and monitoring as part of the ongoing negotiations.

7.2 Legal

Implications verified by: **Jayne Middleton-Albooye**
Interim Head of Legal Services and Deputy Monitoring Officer
23 February 2023

There are no specific legal implications for this report as it provides an update on progress for members. The council's Interim Director of Law and Governance (Monitoring Officer) has been closely involved with developing the governance of the draft devolution deal. Ongoing legal involvement during the progression of any devolution activity is important for the council to gain the maximum benefit and assess any risk from a potential deal, and to ensure that the procedural steps set out in legislation are adhered to.

7.3 Diversity and Equality

Implications verified by: **Becky Lee**
Team Manager - Community Development and Equalities
Adults, Housing and Health Directorate
20 February 2024

All information regarding Community Equality Impact Assessments can be found here:
<https://intranet.thurrock.gov.uk/services/diversity-and-equality/ceia/>

There are no diversity and equality implications. All three councils have diversity and equality commitments. The proposed consultation to be undertaken if the devolution deal progresses includes ensuring representation from different demographics across the Greater Essex region.

7.4 Risks

No specific risks arise from this report. However potential risks around the progression of a Greater Essex devolution deal will require continual assessment during the negotiation, delivery, and implementation stages.

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

None

Version Control (delete as appropriate)

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

None

9. Appendices to the report

None

Report Author:

Alix Macfarlane

Interim Director of Communications and Devolution Strategic Lead

Version Control (delete as appropriate)

Version 1 - First draft ready for DMT, SLT and Commissioner input; **Version 2** - Second Draft ready for Portfolio Holder, Leader and other Member Input; **Version 3** - Third draft for any further comments; **Version Committee** – Draft ready for submission to public committee; **Version Cabinet** – Final version ready for Cabinet/Executive decision

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20 March 2024	ITEM: 12
Council	
Council Tax – Second Homes Premium	
Wards and communities affected: All	Key Decision: Yes
Report of: Cllr Graham Snell, Portfolio Holder for Finance, Human Resources and Payroll	
Accountable Assistant Director: Andy Brittain – Head of Revenues and Benefits	
Accountable Director: Dawn Calvert – Interim Chief Finance Officer	
This report is Public	
Version: Final	

Executive Summary

This report is a follow up to the Council Tax Premium report that previously was considered by Council on the 28 February 2024 (agenda item 18).

At this meeting, Council voted in favour of an amendment to defer the decision on approving the second homes premium from 1st April 2025 for further consideration.

This report provides Members with further clarification to enable consideration of the revised recommendations set out in this report, by highlighting that:

- Legislation requires that Council make the decision to introduce the premium at least 12 months before the financial year it applies. Therefore, should the Council wish to maintain the option to charge the premium for 2025/26, it needs to make an initial determination to introduce by 31 March 2024.
- The Council has the power to reconsider or revoke any previous decision before the financial year it is due to be charged. Therefore, in this instance, if approved before the 31 March 2024, the Council will have the option to reconsider its implementation within the new financial year. Therefore, allowing time for the full government guidance to be published and impacted.

Previously section 11b of the Local Government Finance Act 1992 has provided billing authorities the ability to charge a council tax premium on properties that remain empty and unfurnished for longer than 2 years.

This legislation has recently been amended by Levelling Up and Regeneration act 2023 which received royal assent in October 2023. In summary and in relation to this report the new amendments, include the option to charge a new second homes premium from 1 April 2025.

The primary objective of the second homes premium is to increase available housing by providing an incentive for owners to bring unoccupied properties back into general use through sale or rent. However, where owners opt to pay the premium rather than take alternative action, this will provide vital additional council tax revenue which can be used to assist the Council move to financial sustainability.

Commissioner Comment:

Commissioners support the recommendations outlined, that the Council makes an initial determination to introduce the Council Tax – Second Homes Premium from 2025/26. Implementation will be considered as part of the 2025/26 budget setting process.

1. Recommendation(s)

- 1.1 That Council approves the introduction of a 100% council tax premium (in addition to normal council tax) on properties classed as 2nd Homes from 1 April 2025.
- 1.2 That Council notes that in approving 1.1, that Council retains the option to amend or revoke the decision before it comes into force on 1 April 2025.
- 1.3 That Council approves in line with 1.2, the decision will be returned to Council for review, within budget setting reports for 2025/26.

2. Introduction and Background

- 2.1 Section 11b of the Local Government Finance Act 1992 amended by Levelling Up and Regeneration act 2023 which received royal assent in October 2023, provides Councils with the opportunity to charge up to a 100% second homes premium from 1 April 2025.
- 2.2 The Council has complete discretion on whether to apply this premium within its area and at what level to apply it to - up to 100%.
- 2.3 A Council wishing to use this power must give 12 months' notice before it first uses it. Therefore, the Council is required to make a determination before the 31 March 2024 if it intends to introduce it for 2025/26.
- 2.4 However, in making a determination, a billing authority may make a further determination varying or revoking a previous decision before the financial year it is due to be applied commences.
- 2.5 Where introduced, the proposed premium would increase the level of council tax due in relation to the banding of the property (A-H). For example, where a BAND C property is subject to 100% premium, the total amount due would be 200% of the band C charge.
- 2.6 Detailed Government guidance on the definition of second homes and mandatory exclusions are expected to be published shortly. It is intended that this will be fully considered, along with verified numbers to guide the final policy.

3. Issues, Options and Analysis of Options

- 3.1 There are currently 289 properties identified on the Council Tax system as second homes. However, as second homes are currently subject to standard council tax charges, it is recognised that this information may not be entirely accurate and therefore communication and validation exercises will need to be undertaken before premium charges are applied.
- 3.2 In addition to 3.1, as the intended purpose is to encourage owners to bring properties back into general use, numbers potentially subject to the premium cannot be validated at this stage. However, based on current numbers the combined effect would amount to an additional £405k in Council Tax revenue from 2025/26.
- 3.3 The Government intends to introduce some mandatory exclusions where the second home premiums will not apply. Whilst the following have been consulted on, they have not been confirmed at this stage and will therefore need to be further considered once published:
- Where a dwelling is exempt from Council Tax it will also be exempt from premiums.
 - The property is empty because the owner has to live in armed forces accommodation or for job-related purposes.
 - The property is an annexe that is being used as part of the main property.
 - Properties undergoing probate.
 - Properties being actively marketed for sale or let.
 - For occupied caravan pitches and boat moorings.
 - Seasonal homes where year-round or permanent occupation is not allowed.
- 3.4 Where applied premiums will be billed alongside normal council tax charges and liable parties will have the option to pay by instalments up to 12 months, recovery and cases of genuine hardship will be managed in line with the fair debt policy.

4. Reasons for Recommendation

- 4.1 The primary objective of these premiums is to increase available housing by providing an incentive for owners of second homes back into general use through sale or rent. However, where owners opt to pay the premium rather than take alternative action, this will provide vital additional council tax revenue which can be used to assist the Council move to financial sustainability.
- 4.2 The introduction of the second home premium is also intended to close the loophole on the empty homes premium, whereby owners of empty properties can currently avoid the premium by meeting the conditions of a second home.

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

- 5.1 There is no legislative requirement for the council to formally consult on the introduction of new premiums. However, various engagement activities will be undertaken for properties currently listed as second homes, ahead of implementation.

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

6.1 N/A

7. Implications

7.1 Financial

Implications verified by: **Rosie Hurst**
Interim Finance Manager

6 March 2024

The primary objective of the proposed 2nd home premiums is to bring property back into general use. However, where owners choose not to do so, they will be subject to the premium which will result in additional council tax revenue.

Whilst the report provides numbers of properties that are potentially subject to amended premiums, these have not been included within financial forecasts at this stage.

Where approved 'new income' will need to be considered once sufficient information is available to enable a forecast to be included within the Council Tax Base.

7.2 Legal

Implications verified by: **Gina Clarke**
Governance Lawyer & Deputy Monitoring Officer

7 March 2024

Section 11B of the Local Government Finance Act 1992 (the 1992 Act) (as amended by section 79 of the Levelling Up and Regeneration Act 2023) (the 2023 Act) gives the Council as a billing authority the power to charge a discretionary council tax premium for properties empty for at least one year up to a maximum level set by law, depending on the length of time the property has been empty.

Section 11C of the 1992 Act inserted by the 2023 Act gives the Council as a billing authority power to charge a discretionary council tax premium of up to 100% for properties which are periodically occupied, referred to as second homes. This is defined as a dwelling that is substantially furnished and has no resident (i.e., it is not someone's sole or main residence).

Section 11C (3) of the 1992 Act requires that the first decision to impose a premium for second homes must be taken at least 12 months before the financial year to which it would apply. This means that if Full Council decides to apply a premium for second homes it cannot not take

effect until the 2025/26 financial year at the earliest. However, it is essential that a decision is made Council at the latest before 31 March 2024 to give the required one-year notice.

The Council has discretion on whether to apply a premium and at what level to apply the charge below these maximums.

Sections 11B (1D) and 11C (4) of the 1992 Act as amended, states that billing authorities must have regard to any guidance issued by the Secretary of State when deciding whether to implement an empty homes or second homes premiums. The current statutory guidance was published in 2013. It is expected that updated guidance will come into effect from the 2024/25 financial year.

As mentioned at paragraph 3.3 of the report, the government launched a consultation exercise on proposals to exempt or defer for a defined period certain categories of properties from the council tax premium. It is expected that the proposed categories included in the consultation will be included in updated statutory guidance or regulations which authorities will be required to adhere to. In view of this, the Council will need to ensure that any charging regime introduced is in line with any further changes in legislation and updated guidance issued by the Secretary of State.

Where Cabinet's recommendations to charge a council tax premium for second homes are approved by Full Council, a resolution must be made to implement the charging regime.

Within 21 days of the resolution being taken, the decision is required to be published in at least one local newspaper. Should the Council at any time wish to vary or revoke a decision to impose any type of premium, this can be done at any time before the beginning of the financial year to which it would apply.

7.3 **Diversity and Equality**

Implications verified by: **Rebecca Lee**
Team Manager Community Development and Equalities
6 March 2024

All information regarding Community Equality Impact Assessments can be found here:
<https://intranet.thurrock.gov.uk/services/diversity-and-equality/ceia/>

No protected groups are considered to be disproportionately impacted by the second home premiums.

7.4 **Risks**

N/A

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

N/A

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

N/A

9. **Appendices to the report**

N/A

Report Author:

Andy Brittain

Head of Revenues and Benefits

20 March 2024	ITEM: 13
Council	
Local Government Boundary Commission England Boundary Review 2024/2025	
Wards and communities affected: All	Key Decision: n/a
Report of: The Boundary Working Group	
Accountable Assistant Director: n/a	
Accountable Director: Daniel Fenwick, Executive Corporate Director, Corporate Services Team	
This report is public	
Version Final	

Executive Summary

This report sets out the outcomes of the Boundary Working Group following its consideration of the Local Government Boundary Commission England [LGBCE] request for submissions from political groups on ward boundaries.

Commissioner Comment:

No Comment

1. Recommendation(s)

1.1 The Members' Boundary Review Working Group recommends that Full Council makes a submission for the creation of a new Purfleet-on-Thames ward with two members as described at paragraph 2.4 in this report.

1.2 To delegate to the Executive Corporate Director for Corporate Services in his role as Monitoring Officer (and his nominee) authority to draft and submit the agreed consultation response following consultation with the Chair of the Working Group.

2. Introduction and Background

2.1 In 2023, the LGBCE started the process of conducting a boundary review for Thurrock Borough Council. The LGBCE is a non-political organisation which deals with boundary reviews for councils and for Parliament.

Version Control (delete as appropriate)

Version 1 - First draft ready for DMT, SLT and Commissioner input; **Version 2** - Second Draft ready for Portfolio Holder, Leader and other Member Input; **Version 3** - Third draft for any further comments; **Version Committee** – Draft ready for submission to public committee; **Version Cabinet** – Final version ready for Cabinet/Executive decision

- 2.2 The LGBCE decided to undertake a boundary review of Thurrock Council, which in summary comprises reviewing the total number of councillors and the pattern of ward boundaries. The last review was in 2002. Commissioners agreed the need for a review. The LGBCE has determined that the number of councillors in Thurrock should remain at 49 and is now considering the pattern of wards in the borough. The Council is invited to make a submission on ward patterns but is not obliged to do so. Any person may make a submission to the Boundary Commission.
- 2.3 Thurrock Council set up a cross-party working group to put in a council submission on the size of the Council and on boundaries (the Boundary Working Group). The working group was politically balanced and was composed of 2 Conservative members (Cllrs Carter and B. Maney); 2 Labour members (Cllrs Morris-Cook and Watson) and 1 Non-Political Alliance of Independent Councillors (Cllr Speight). The criteria for determining ward boundaries are:
- a. securing equality of representation of electors between wards (in practice meaning an electorate within 10% from exact equality)
 - b. reflecting the identities and interests of local communities in wards
 - c. securing effective and convenient local government
- 2.4 The Working Group met on the 7 March 2024 and discussed whether an agreed Council submission to the Boundary Commission could be made. The following representation was agreed for a new ward in Purfleet ward because the electoral inequality was at 22%, which is unacceptable to all groups on the Council. Whilst no formal map is put forward, the Working Group proposes a new two-member Purfleet-on-Thames ward is to be created, taking one seat from the east of the Borough and one seat from West Thurrock and South Stifford the following boundaries:
- the A282 to the east
 - the borough's boundary to the south and
 - the Mardyke river to the north and west
- 2.5 Whilst the timeframe is very tight, the LGBCE's timetable will mean that the new ward boundaries will be in place for the all-out election in May 2025.
- 2.6 The LGBCE will hold two rounds of public consultation on ward boundaries, the one that is currently being held and then another consultation following the publication of their draft proposals. After their second round of consultation, they might hold another round of consultation, but are more likely to public their final recommendations and put forward a paper to Parliament. The Council will have an opportunity to comment on the Boundary Commission's proposals for ward patterns.

3. Issues, Options and Analysis of Options

- 3.1 The Working Group considered the details of all boundaries. There was no cross-party consensus on boundaries for every ward and Members of the working group felt that a partial joint submission would not be the best option. Instead, political groups could submit their own views to the LGBCE.

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3.2 The Working Group, however, felt the Council could put forward a consensual view on the creation of a new ward outlined in the appendix.

4. Reasons for Recommendation

4.1 There was a cross party consensus in the working group to put forward a submission to the LGBCE which recommends a new Purfleet-on-Thames ward.

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

5.1 All political groups have had the opportunity to engage with this issue through the Working Group. As stated above, any person may make a submission to the LGBCE.

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

6.1 The review of ward boundaries directly affects the election of Members to represent communities on the Council. The review is expected to have a positive impact on democracy in Thurrock by ensuring more equality of representation of people across Thurrock is refreshed to suit the current distribution of residents across the borough.

6.2 Following the LGBCE's decision the Electoral Registration Officer is required to undertake a polling district review based on the new ward patterns and publish an electoral register based on the new districts. This can only take place after the new ward patterns are in place. Whilst the current timetable will allow for implementation by May 2025, there is limited scope for slippage on this timetable.

7. Implications

7.1 Financial

Implications verified by: **Rob Chimani**
Management Accountant
11 March 2024

There are no immediate financial implications to the Council, however if the outcome of ongoing review of ward boundaries results in an increase in the number of wards, a further business case may be necessary to address potential cost pressures.

7.2 Legal

Implications verified by: **Gina Clarke**
Governance Lawyer & Deputy Monitoring Officer
11 March 2024

The electoral review is being conducted by the LGCBE in accordance with the powers and rules within the Local Democracy, Economic Development and Construction Act 2009 (The 2009 Act).

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The 2009 Act sets out the statutory criteria to which the LGCBE are required to have regard in conducting electoral reviews, which are:

- the need to secure equality of representation;
- the need to reflect the identities and interests of local communities; and
- the need to secure effective and convenient local government.

There are various stages to the review process and the Council can provide input into the process. The final recommendations of the LGCBE will be implemented a by Parliamentary Order to take effect at the next Council elections in May 2025.

The Best Value Inspection published in June 2023 recommended that the Council change its scheme of elections, from electing its members in thirds, to “all-out” elections, where all members are elected at the same time. The report recommends that if the Council does not make this change by 31 July 2023, that the Secretary of State should consider making an Order under Section 86 of the Local Government Act 2000 to secure this.

7.3 Diversity and Equality

Implications verified by: **Rebecca Lee**
Team Manager – Diversity Team
11 March 2024

There are no specific diversity or equality implications arising from this report.

7.4 Risks

There are no current corporate risks identified with the submission of political groups to the LGBCE. The final decision rests with the LGBCE. 6.2 outlines the risks associated with the proximity of the completion of the review to the timetable for the May 2025 elections. The Council will be working with the LGBCE to ensure they are cognisant of this risk and the importance of keeping progress on track.

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

None

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

None

9. Appendices to the report

None

Version Control (delete as appropriate)

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Report Author:

Dolapo Akinbolagbe and Jacob Hatch

Political Assistants to the Labour and Conservative Groups

Legal Services

Version Control (delete as appropriate)

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20 March 2024	ITEM: 16
Council	
Revised Political Balance	
Wards and communities affected: None	Key Decision: Not Applicable
Report of: Dave Smith, Chief Executive & Managing Director Commissioner	
Accountable Assistant Director: Not applicable	
Accountable Director: Daniel Fenwick, Executive Director, Corporate Services & Monitoring Officer	
This report is public	
Version: Final	

Executive Summary

This report requests the Council confirm the calculations relating to the allocation of seats on committees following the resignation of the following two councillors from the Conservative Group and becoming non-aligned independent Members:

- Councillor Jack Duffin
- Councillor Alex Anderson

Commissioner Comment:

None.

1. Recommendation(s)

- 1.1 That the political balance and allocation of seats, as set out in Appendix 1, be noted.
- 1.2 That Group Leaders make any changes to seat allocations in accordance with the new proportionality.

Version Control (delete as appropriate)

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2. Introduction and Background

2.1 Following the notification from Councillors Jack Duffin and Alex Anderson to the Proper Officer of their resignation from the Conservative Group the new political make-up of the council is:

Conservatives: 23

Labour: 19

Non-Political Alliance of Independent Councillors (NPAIC): 5

Independent: 2

2.2 Appendix 1 of this report shows the impact of this change on political balance. In summary the seat entitlement for the political groups will be:

Group	Previous Seat Entitlement (Jan 24)	New Seat Entitlement
Conservative	44	41
Labour	34	34
NPAIC	9	9

2.3 The table above represents the strict application of the calculations contained in Appendix 1. In addition to the groups, the calculations allow for one seat to be taken up by an unaligned Member. Group Leaders and unaligned Members will need to agree the seat allocations based on the revised political balance. If the Chamber wishes to decide on an alternative application of the calculations it can do so by usual voting means at the meeting.

2.4 Presenting a revised political balance report at Full Council is a statutory requirement albeit the timing of this change and report at this point of the municipal year makes the application of the changes limited.

3. Issues, Options and Analysis of Options

3.1 Political balance is calculated to show the objective division of committee seats across committees. Groups may wish to confirm alternative arrangements to seat allocation, which is known as 'manual adjustment'.

4. Reasons for Recommendation

4.1 For transparency the Council is encouraged to have sight of any changes to political balance and agree or note them.

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

5.1 Consultation has been undertaken in respect of this report with the leaders of each of the political groups represented on the Council. Their agreement has been obtained to the calculations relating to the allocation of seats on committees and their respective nominations can be put before Council for approval.

Version Control (delete as appropriate)

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

6.1 Appointing members to committees in accordance with the political balance of the Council and associated allocation of seats on committees will enable the Council to properly discharge its functions.

7. Implications

7.1 Financial

Implications verified by: **Rosie Hurst**
Interim Finance Manager (05/03/24)

There are no direct financial implications related to the change in political balance. The cost of servicing committees will be met through the existing budgets.

7.2 Legal

Implications verified by: **Jayne Middleton-Albooye**
Assistant Director – Legal & Governance (06/03/24)

Under sections 15 - 17 of the Local Government and Housing Act 1989 the Council is under a duty to review the representation of different political groups on Committees and, as soon as practicable after such review, determine the allocation to different political groups and give effect to allocations. This is so as to ensure that the overall political composition of the Council is, as far as reasonably practicable, reflected in the appointment of Members to Committees and Sub-Committees.

This review has to be done at or as soon as practicable after the annual meeting of full Council. A review should also be done where the overall political balance of the Council changes during the course of the municipal year. Following any change in the overall political balance, the authority is required to undertake a review and consider any implications for representation on Council Committees and Sub-Committees.

Following the notification to the Proper Officer that two Members have changed their political group, a review must take place as soon as practicable where such notification is more than one month after the last review (reg. 17 of the Local Government (Committees and Political Groups) Regulations 1990).

If following a review, it is considered that any changes need to be made to Committee and/or Sub-Committee allocations then a report needs to go to full Council setting out the recommended changes. The recommendations set out in this report comply with this requirement.

Version Control (delete as appropriate)

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7.3 Diversity and Equality

Implications verified by: **Natalie Warren**
Head of Community Development (05/03/24)

There are no direct implications for this report.

7.4 Risks

Proper and appropriate political representation is key to good governance and decision making.

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

None.

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

None.

9. Appendices to the report

There are the following appendices to this report:

- Appendix 1 – Revised Political Balance Calculations

Report Author:

Matthew Boulter

Head of Democratic, Member and Scrutiny Services

Legal and Democratic Services

Version Control (delete as appropriate)

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Thurrock Council
Proportionality

Party Group

Number of members

Overall proportionality

Total strict entitlement

Total rounded
entitlement

Committee **Size of
Committee**

Children's O&S

Cleaner & Greener
O&S

Corporate O&S

Health O&S

Hidden & Extreme
Harms

Housing O&S

Planning, Transport &
Regeneration O&S

Planning

Licensing

General Services

Corporate Parenting

Standards & Audit

Total seats

Adjustments

		Conservative		Labour		Non-political Alliance of		Ungrouped	
		23		19		5		2	
		0.469387755	46.94%	0.387755102	38.78%	0.102040816	10.20%		
		40.83673469		33.73469388		8.87755102			
		41		34		9		84	1
		Strict entitlement	Rounded Entitlement	Strict entitlement	Rounded entitlement	Strict entitlement	Rounded entitlement	Total Rounded Entitlement	
Children's O&S	6	2.82	3	2.33	2	0.61	1	6	0
Cleaner & Greener O&S	6	2.82	3	2.33	2	0.61	1	6	0
Corporate O&S	6	2.82	3	2.33	2	0.61	1	6	0
Health O&S	6	2.82	3	2.33	2	0.61	1	6	0
Hidden & Extreme Harms	6	3.18	3	2.33	2	0.00	0	5	1
Housing O&S	6	2.82	3	2.33	2	0.61	1	6	0
Planning, Transport & Regeneration O&S	6	2.82	3	2.33	2	0.61	1	6	0
Planning	9	4.22	4	3.49	3	0.92	1	8	1
Licensing	15	7.04	7	5.82	6	1.53	2	15	0
General Services	7	3.29	3	2.71	3	0.71	1	7	0
Corporate Parenting	8	3.76	4	3.10	3	0.82	1	8	0
Standards & Audit	6	2.82	3	2.33	2	0.61	1	6	0
Total seats	87		42		31		12	85	2
Adjustments			-1		3		-3		

Total
49

Notes:

1 The total rounded entitlement of each party group is compared with the total number of seats allocated to that group. The allocations are then adjusted manually to ensure that the number of seats allocated to a particular group matches their entitlement.

2 Compare total rounded entitlement of each party group (Row 7) with the total number of seats allocated to that group in Row 21. Then adjust the allocations manually to ensure that the number in Row 21 matches that in Row 7

3

4

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Questions from Members to the Leader, Cabinet Members, Chairs of Committees or Members appointed to represent the Council on a Joint Committee in accordance with Chapter 2, Part 2 (Rule 14) of the Council's Constitution.

There were 3 questions to the Leader and 2 questions to Cabinet Members, Committee Chairs and Member appointed to represent the Council on a Joint Committee.

QUESTIONS TO THE LEADER

1. From Councillor Speight to the Leader

Over the past year the council has engaged in drafting its policies for the change in waste collection. There have been many discussions and meetings. At a number of them I and others have raised the issue of how the additional fee for brown bins might be paid. At every point, I was told it was likely that residents would be offered the option to pay the additional amount through council tax payments. Recently residents received notice of the change and were given one option, to pay by one payment – online and as a lump sum. Does the portfolio holder not believe that this penalises those who will struggle to pay by having to find £80 in a single amount, and that it disadvantages those in the borough that do not have access to online services?

2. From Councillor Speight to the Leader

Can the Portfolio Holder give the chamber details of provisions being made to offset the problems of flooding in the Stanford West ward?

3. From Councillor Polley to the Leader

Would the Leader please advise if any schemes under the Essex Police safer streets initiative have been put forward for Thurrock.

QUESTIONS FROM MEMBERS TO CABINET MEMBERS, COMMITTEE CHAIRS AND MEMBERS APPOINTED TO REPRESENT THE COUNCIL ON A JOINT COMMITTEE

1. From Councillor Polley to Councillor D Arnold

Following the review of Thurrock's Overview & Scrutiny arrangements. Under the recommendations put forward by the Centre for Governance and Scrutiny. Would the Portfolio Holder please advise what consideration will be given to existing work programmes.

2. From Councillor J Kent to Councillor B Maney

As the State Cinema is falling further into disrepair, will the portfolio holder update us on efforts the council is taking to fulfil its responsibilities to ensure the upkeep of this listed building?

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This report lists all motions from the previous twelve months which still have updates forthcoming.

Date	From	Motion	Status	Director
All Motions which have been resolved or the actions from officers has been completed have been removed.				

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