

Minutes of the Meeting of the Council held on 23 July 2014 at 7.00 pm

Present: Councillors Sue Gray (Deputy Mayor), Chris Baker, Jan Baker, Clare Baldwin, Mark Coxshall, Charles Curtis, Tony Fish, Oliver Gerrish, Robert Gledhill, Yash Gupta (MBE), James Halden, Shane Hebb, Victoria Holloway, Barry Johnson, Roy Jones, Tom Kelly, John Kent, Cathy Kent, Martin Kerin, Charlie Key, Brian Little, Susan Little, Sue MacPherson, Ben Maney, Maggie O'Keeffe-Ray, Bukky Okunade, Barry Palmer, Maureen Pearce, John Purkiss, Robert Ray, Joycelyn Redsell, Barbara Rice, Gerard Rice, Andrew Roast, Susan Shinnick, Andrew Smith, Philip Smith, Graham Snell, Richard Speight, Michael Stone, Simon Wootton and Lynn Worrall

Apologies: Councillors Garry Hague, Terence Hipsey, Val Morris-Cook, Tunde Ojetola and Pauline Tolson

In attendance:
Steve Cox, Assistant Chief Executive
Barbara Brownlee, Director of Housing - Thurrock Council
David Bull, Director of Planning and Transportation
Carmel Littleton, Director of Children's Services
Roger Harris, Director of Adults, Health and Commissioning
Sean Clark, Head of Corporate Finance
Jackie Hinchliffe, Head of HR, OD and Customer Strategy
David Lawson, Deputy Head of Legal and Deputy Monitoring Officer
Steve Jones, Democratic Services Manager
Stephanie Cox, Senior Democratic Services Officer

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

13. Minutes

The Minutes of the Annual Meeting of the Council, held on 11 June 2014, were approved as a correct record.

14. Items of Urgent Business

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

15. Declaration of Interests

Councillor Gledhill advised the Chamber that he had received emails from both Firemen and the FBU and declared that he retained an open mind in respect of Agenda Item 18, Motion 2.

Councillor C. Kent declared a non-pecuniary interest in respect of Agenda Item 18, Motion 2, as she was a representative of the Council on Essex Fire Authority.

Councillor Kelly declared a non-pecuniary interest in respect of Agenda Item 18, Motion 2, as he was a representative of the Council on Essex Fire Authority.

Councillor Roast declared a non-pecuniary interest in respect of Agenda Item 14, question 4, as he was a Director of a company that sponsored a roundabout in Thurrock.

16. Announcements

The Mayor asked Members to reflect on the loss of the 298 Malaysia Airlines passengers in the Ukraine.

The Mayor sent his best wishes to a young soldier from Tilbury who was due to depart to Afghanistan.

The Mayor informed the Chamber that the Council had recently won a national award from the Royal Town Planning Institute and asked Councillor A. Smith, Cabinet Member for Regeneration, Highways and Transportation to present the award.

Councillor A. Smith informed the Chamber that the Council had recently won an award for 'Outstanding Planning to Deliver Growth and Employment' by the Royal Town Planning Institute. He congratulated the Director of Planning & Transportation, the Head of Planning & Growth, Planning & Transportation and officers for their hard work and also for the contributions of those Members on the Planning Committee. He felt that this was a great honour and emphasised that thousands of jobs were being created in Thurrock due to the efforts of the Planning Service and Committee.

The Leader congratulated the work of primary schools in Thurrock for their Key Stage 2 successes, the results of which had been recently released. He reported that Thurrock was continuing to make improvements in primary education, and the provisional results noted significant improvements in reading, writing and maths. It was reported that:

- The percentage of children achieving the expected level in reading, writing and maths combined had increased from 72.3% to 76.8% which demonstrated that Thurrock was closing the gap with the national average.

- There had been a significant improvements in those achieving a higher level (level 5 and above) and that overall reading and writing had improved by 6% and 5% retrospectively.
- Benyon Primary School was up 42% from level 4+ in all 3 areas to 70.4%
- Stifford Clays Primary had increased from 60.7% to 82.6%
- Horndon-on-the-Hill had increased from 68% to 89%
- Thameside Primary had increased from 58% to 76%.

The Leader congratulated head teachers, teachers, staff and the children in their achievements and the impressive improvements and looked forward to seeing whether the GCSE and A-Level results had made the same level of improvement when the results would be released in the coming months. He informed the Chamber that these successes would be celebrated by the Thurrock Education Awards which was to be held in the autumn.

17. Questions from Members of the Public

A copy of the transcript of questions and answers can be viewed at <http://democracy.thurrock.gov.uk/thurrock>

18. Petitions from Members of the Public and Councillors

The Mayor informed Members that, in accordance with the Council's Petition Scheme, the requisite notice had been given by one member of the public that they wished to present a petition at the meeting.

Mrs Chaplin presented her petition to the Chamber, which called for Thurrock Council to consider the use of space at Defoe Parade, Chadwell St. Mary, for the purpose of a weekly market to include any Farmer's markets and French market. She felt that this would offer good value for money for the local community.

19. Petitions Update Report

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

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

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

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

- for Councillor Shinnick to replace Councillor Phil Smith as a member of the Licensing Committee.

- for Councillor Gray to be appointed as a substitute member of the Corporate Overview and Scrutiny Committee.

The Leader of the Opposition informed the Chamber that he wished to make the following changes:

- for Councillor Ojetola to replace Councillor Hebb as a member of the Health and Wellbeing Board.
- for Councillor Ojetola to replace Councillor Kelly as a member of the Planning Committee.

The leaders of both the UKIP Group and the Independent Group confirmed that they did not wish to make any changes to appointments that had previously been made.

RESOLVED:

- 1. That Councillor Shinnick be appointed as a member of the Licensing Committee to replace Councillor Phil Smith.**
- 2. That Councillor Gray be appointed as a substitute member of the Corporate Overview and Scrutiny Committee.**
- 3. That Councillor Ojetola be appointed as a member of the Health and Wellbeing Board to replace Councillor Hebb.**
- 4. That Councillor Ojetola be appointed as a member of the Planning Committee to replace Councillor Kelly.**

21. Annual Overview and Scrutiny Report 2013-14

The Mayor informed the Chamber that the report introduced the Overview and Scrutiny Annual Report for 2013-14, which in accordance with the Council Constitution was to be presented to the Council.

Councillor Halden echoed the comments made within the report by Councillor Curtis and commended the good work and legacy of Councillor Hale. He also thanked Councillor Gupta for his kind words in relation to Health Overview and Scrutiny. However, he raised concerns regarding the Call-In process and made the following key comments:

- That the Constitution did not lend itself to flexibility.
- Questioned why officers discerned the validity of a call-in and not Members.
- He felt that Members had the right to debate in full savings proposals and that they should not just be referred to Overview and Scrutiny Committees.
- He wanted to reform the process to ensure all Members had the right the debate the savings proposals in full, and not just Cabinet Members.

Councillor G. Rice stated that this process would normally be dealt when the constitution was reviewed by a panel of Members, as proportional to each political party. He felt that was the proper forum in which these discussions should take place.

RESOLVED:

That the contents of the Overview and Scrutiny Annual Report 2013-14 be noted.

22. Adoption of legislation to allow for improved regulation of acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis within Thurrock

The Mayor informed the Chamber that this item had been withdrawn and that it would be brought back to a future meeting of the Council.

Councillor Gledhill welcomed the withdrawal of the report and asked that this be considered by the Licensing Committee before it is brought back to the Council.

23. The Frost Estate Community Governance Review

The Mayor informed the Chamber that the report was for information and that it advised Members that a petition had been received to request that a Community Governance Review be undertaken, with the aim of establishing a Parish Council.

Members were informed that the report identified that an issue needed to be resolved before a Review could be progressed and a further report would come back to the next meeting of the Council in September.

Councillor Wootton highlighted to the Chamber that the petition was submitted on 21 February 2014 but that the report had only been referred to Council for 23 July 2014. He understood that officers were seeking external advice but felt that the delay of over 6 months was unacceptable. He commended the work of the community in coming together to submit the proposal and felt that more should be done to support residents in their efforts.

Councillor Coxshall provided some background to the report and expressed his disappointment that the Chief Executive was not in attendance. He stated that he was in attendance at the public meeting on the 21 February 2014 and the Chief Executive promised that this would be actioned, he felt that the report did not need to be referred to Council and believed that unnecessary delay and bureaucracy was being caused.

Councillor Coxshall explained that over 50% of his Constituents had signed the petition for a Community Governance Review and that they had been given £10,000 from Central Government to pursue this. He advised Members

that he would be encouraging his residents to pursue the matter in court in order to develop the proposal in a timely manner and encouraged other residents in Thurrock to examine options to develop Parish Councils so as to move away from what he believed was unnecessary bureaucracy from the Council.

Councillor Coxshall indicated that he did not agree with the recommendation contained within the report.

All other Members voted in favour, whereupon the chair declared the recommendation to be carried.

RESOLVED:

That the Council note the contents of the report and the progress to date.

24. Report of the Cabinet Member for Finance & Education

The Mayor informed Members that the report of the Leader of the Council did not include the education aspect of his portfolio and that this was scheduled to be reported to the Council later in the year.

The Mayor further informed Members of a typographical error on page 106 of the Agenda which could be found under the 2013-14 column, in the Community Assets section, the number of historic buildings should have read "2", and not as printed.

Members received a report from Councillor John Kent, Leader of the Council and Portfolio Holder for Finance and Education, and were then invited to put questions.

Members questioned the Portfolio Holder and received responses on the following matters:

- Councillor Gledhill noted that interest was being saved by borrowing on short term loans rather than long term fixed loans, and stated that the Council was saving somewhere in the region of £2 - £4 million. He asked specifically where this money was being spent and whether it was being put into services rather than one-off projects to save money in the future.

The Cabinet Member advised the Chamber that it was the intention of the scheme to rebuild reserves so that day-to-day revenue did not have to be allocated to reserves. He assured Members that all the money that was now being saved from the scheme was being used for revenue services.

- Councillor Halden observed that a £1 million saving had been factored in the budget through reducing the Council's dependency

on external fostering placements. He wholeheartedly supported this proposal but remarked that although the Council's permanency figures for retaining foster carers in the Borough was impressive, the figures for recruiting new foster carers were not as impressive, which suggested that the burden of foster care placements would remain on the more expensive external placements. As a result he asked the Cabinet Member what he was planning to do to monitor this to ensure that the savings would be delivered.

The Cabinet Member stated that progress would be monitored through regular reports to Cabinet from the Portfolio Holder and to the relevant Overview and Scrutiny Committee.

- Councillor Johnson remarked that the Leader promised that he would take a Zero Based Budgeting approach in 2010; however he felt that the budget was still being salami sliced and that the principles had not applied. He questioned what had been the fundamental change in the budget setting process and called for the Cabinet Member to fulfil his promise to deliver Zero Based Budgeting.

In response, the Cabinet Member stated that some of the principles of Zero Based budgeting were used in the budget setting process, however he felt that the full use of the Zero Based Budgeting approach did not work in the Local Authority setting. He observed that vulnerable children and adults needed to be protected and that Zero Based budgeting was not needed to realise this. He remarked in that the 6 years of the Conservative Administration they also did not use the Zero Based budgeting approach and expressed a view that this was because they were also aware it did not work in the Local Government environment.

- Councillor Purkiss asked for a report to be prepared on Garages in Thurrock and felt that if they were realistically priced the Council could generate further income.

The Cabinet Member stated that this could be investigated by the Cabinet Member for Housing as Garages were built on Housing land, however he observed that garage sites were being used wherever possible, for example in Seabrooke Rise new homes and assets were being built on the site. He requested that the Cabinet Member for Housing to discuss with Councillor Purkiss if he had any specific sites in mind in order to maximise these assets.

- Councillor P. Smith asked for clarification of the localisation of the business rates scheme which had been portrayed as a way of giving Council's extra funding. He asked how this would affect Thurrock in the years ahead.

In response the Cabinet Member explained that Business Rate localisation was complicated, but in broad terms Central Government had agreed that 50% of any new business rates raised will go back into Local Government. It was reported that this process had begun in 2012 and government had assessed the amount of business rates needed to deliver services, following which it was anticipated that Thurrock required £29 million. It was explained that every rate over that amount was subject to levies and charges to take the money away from Thurrock and give back into areas that were not experiencing the same volume of growth. This meant that Thurrock kept approximately 29% of new business rates received instead of 50% and had to contribute 50% to any business rate loss, which included £2.5 million from the closure of Tilbury Power Station.

- Councillor Redsell questioned which sport clubs had been assisted in the transfer of recreational land and how much they had benefited from the transfers.

The Cabinet Member remarked that Aveley Football Club was being offered assistance to relocate to Belhus but he did not have more detailed figures available, however he stated that he would provide this information following the meeting.

- Councillor B. Rice stated that the scale of the Conservative cuts were unprecedented and that coupled with the localisation of business rates would have a significant impact in Thurrock, which was in addition to the 10% year on year spending cuts at an estimated £37 million. She congratulated the Portfolio for reaching a balanced budget but warned that some services would be significantly reduced or cut altogether.
- Councillor B. Little drew Members attention to table 6 in the supporting financial information which compared 'numerous' Highways Land and Infrastructure, and felt that this was difficult terminology to use.

The Cabinet Member agreed at the unfortunate phrasing and assured the Member that he would provide him with a more detailed list to study in more detailed.

- Councillor S. Little stated that the 2,556 figure she had received on the number of garages in Thurrock through a recent Freedom Of Information (FOI) request differed to that outlined in the report which was 2,745. She questioned why there was this discrepancy.

It was explained that it was likely because some garages had been sold off and a number of garages had been demolished on the Seabrooke Rise estate in the interim, however the Cabinet Member

requested that the Director of Housing to investigate and advise on the difference.

- Councillor Johnson wanted to establish a fact, in that some Members had stated that £2.4 million was being taken out of reserves to balance the budget in 2014/15. He felt that the term of balancing the budget was not strictly correct if reserves were being depleted to close the deficit.

The Portfolio Holder briefly summed up the report and stated that reserves were not being used in an unplanned way and reserves were in fact a contingency.

25. Questions from Members

A copy of the transcript of questions and answers can be viewed at <http://democracy.thurrock.gov.uk/thurrock/>

26. Reports from Outside Bodies

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

27. Minutes of Committees

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

28. Motions update report

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

29. Motion submitted by Councillor J. Kent

The Motion, as printed in the Agenda, was proposed by Councillor John Kent and seconded by Councillor Kerin.

Councillor J. Kent introduced the motion, and in doing so called for the council and its partners to pledge not to use any workfare placements.

There was a considerable level of disagreement in the Chamber which resulted in a debate, during the course of which the following key points were raised both in support and opposition:

- That there was no evidence to suggest that Workfare was successful in assisting people in getting into employment.
- It was felt by some members that Workfare stigmatised benefit claimants and locked them into poverty.
- That Workfare was a targeted scheme to assist those most difficult to reach.

- Avoiding the use of workfare was unacceptable as it aimed to support the long term unemployed.
- Some felt that it exploited the unemployed and narrowed the job market, by encouraging big businesses to use free labour.
- That Workfare was an opportunity for people to learn new skills.
- That the scheme would make it harder for the long-term unemployed to remain on benefits, and the intensive support would help to break the cycle of benefit claimants.
- That it undermined low paid workers.

Councillor J. Kent asked that a requisition vote be conducted for this item, and in accordance with Procedure Rule 20.7, five Members stood and requested that the vote be recorded.

The result of the vote was as follows:

For: Councillors Chris Baker, Jan Baker, Clare Baldwin, Charles Curtis, Tony Fish, Oliver Gerrish, Yash Gupta, Victoria Holloway, Roy Jones, Cathy Kent, John Kent, Martin Kerin, Maggie O’Keeffe-Ray, Bukky Okunade, Robert Ray, Barbara Rice, Gerard Rice, Sue Shinnick, Andy Smith, Philip Smith, Graham Snell, Richard Speight, Michael Stone, Lynn Worrall, Sue Gray and Steve Liddiard **(26)**

Against: Councillors Mark Coxshall, Robert Gledhill, James Halden, Shane Hebb, Barry Johnson, Tom Kelly, Charlie Key, Brian Little, Sue Little, Sue MacPherson, Ben Maney, Barry Palmer, Maureen Pearce, John Purkiss, Joy Redsell, Andrew Roast and Simon Wootton **(17)**

Abstain: None **(0)**

The Mayor declared the motion was carried.

RESOLVED:

This council believes that work should pay and therefore opposes the introduction of schemes which force job seekers into unpaid work or face losing their benefits – schemes known popularly as workfare.

This council is concerned that there is no evidence workfare assists job seekers in finding work and in fact working a 30-hour week makes that more difficult; that workfare is replacing paid work; and that workfare stigmatises benefits claimants and locks them further into poverty.

This council therefore pledges not to use any workfare placements and also calls for our partners and contractors not to use the schemes.

30. **Motion submitted by Councillor C. Kent**

The Motion, as printed in the Agenda, was proposed by Councillor Cathy Kent and seconded by Councillor Kelly.

Councillor C. Kent introduced the motion, which raised areas of concern and asked the Chief Fire Officer to reconsider the proposed changes to Grays Fire Station.

The Leader of the Opposition supported the motion and felt that the proposals would put the lives of residents and those people travelling through Thurrock at risk. However he acknowledged that the argument was one sided without first hearing from the Chief Fire Officer, and called for the Chief Fire Officer to attend a meeting of Council to discuss the proposals with all Members in the same way that the Chief Constable of Essex Police had done in the past.

The Chamber agreed that it would be beneficial to invite the Chief Fire Officer to attend a Council meeting at a later date to discuss the proposals.

During the course of debate, the following points were raised:

- That it was positive that political groups were in agreement of the motion, but felt that the serious matter should not be exploited for political gain.
- That there was concern regarding the small number of crews that would be able to respond to call outs, especially as Thurrock was affected by traffic accident accidents on the M25, A13 and A127.
- That it was important to look at detailed plans for Thurrock Fire Service in the coming years.

Councillor C. Kent thanked the Fire Officers who attended the meeting and who were in the public gallery. She confirmed that she would invite the Chief Fire Officer to a future meeting of full Council.

Upon being put to the vote, Members voted unanimously in favour of the Motion, whereupon the Mayor declared this to be carried.

RESOLVED:

This council believes that the changes proposed to Grays Fire Station are detrimental to the safety of the public and firefighters and we call on the Chief Fire Officer to reconsider them in light of new information bought to our attention by the Fire Brigades Union highlighting Thurrock as an area of extremely high risk.

At 9.15pm the Mayor proposed that Council Procedure Rule 11.1 be suspended to allow the meeting to continue beyond the 2 ½ hour time limit and enable the business on the Agenda to be completed.

31. Motion submitted by Councillor Hebb

The Motion, as printed in the Agenda, was proposed by Councillor Hebb and seconded by Councillor Gledhill.

During the course of his introduction, Councillor Hebb commented that:

- Nobody should be exempt from Public Sector Cuts.
- With the challenges that were faced in the Public Sector the salary of senior managers was incomprehensible to the majority of local residents.
- Leadership started at the top and whilst he recognised that managers were taking on more work than ever before, with vital services being cut it was felt that Senior Managers should accept a salary reduction.

The Leader of the Council welcomed the fact that the motion was measured, as he felt that Senior Management should be congratulated on their successes. He remarked that the team were the strongest that he had seen in his 20 years in Thurrock and recognised that they had not had a salary increase since 2009 in addition to the reduction of other benefits such as car allowances and bonuses. He stated that Thurrock had to remain competitive in the marketplace to ensure the best were recruited and felt that shared services helped to reduce the cost of Senior Management which was positive; however he felt that nobody should be exempt from the Public Sector cuts and so it was positive this was matter was being examined.

Members briefly discussed the recent strike action by public sector staff, some criticised strike action whilst other Members stated this was a legitimate way for staff to voice their concerns regarding pay.

During the course of the debate the following points were raised:

- Some Members felt that a full time Trade Union post was unnecessary for the size of the organisation.
- Others felt that the Union was the most effective way of maintaining good relations with the workforce.
- That front line staff should be rewarded and recognised.
- It was recognised that staff were taking on ever more work in the challenging environment of public sector cuts.

Upon being put to the vote, Members voted unanimously in favour of the Motion, whereupon the Mayor declared this to be carried.

RESOLVED:

On Thursday 10th July 2014, employees in the public sector took strike action in respect of pay, which caused disruption to the tax-paying public.

With a number of local authorities being hit with strike action, and to free up funds to allow Thurrock to negotiate and determine salary increases locally, we call on the Chief Executive, as part of the current budget process, to:

- 1. Ask Senior Officers to volunteer a salary reduction of 5% in annual salaries, which had approval by members back in 2010.**
- 2. Undertake a review of all indirect or direct funding to trade-union representatives in the council – moving to a volunteer-based representative-model (like the private sector).**

32. Motion submitted by Councillor Halden

The Motion, as printed in the Agenda, was proposed by Councillor Halden and seconded by Councillor Gledhill.

Councillor Halden introduced the motion, and in doing so provided background as to how the Corporate Overview and Scrutiny Committee scrutinised the significant social care budget. He felt that the Director of Children's Services should continue to collate the necessary papers in order for Members to effectively scrutinise spending and called for Members to reaffirm their commitment to the principles of Corporate Parenting in terms of making the service budget as transparent and accountable as possible.

Councillor Okunade assured Members of the accountability and transparency of the Social Care budget but stated that this was a matter of how exempt information was controlled and managed.

Members agreed that they did not want to knowingly or unknowingly risk disclosing the identities of vulnerable children but felt that it was important that the budget should be scrutinised to ensure value for money.

Councillor Gledhill echoed the sentiments raised and recognised that it was positive to see the significant reduction in the numbers of exempt papers being circulated for Committees as he felt information should be in the public domain wherever possible.

The Leader of the Council agreed with the motion and felt that Corporate Parenting Committee was an oddity as it was not an Executive Committee nor had an Overview and Scrutiny function. He remarked that the specific concern was that exempt papers were circulated to co-opted Members of the Committee who were foster carers and that as the foster caring community was so small it may have been possible to identify specific individuals.

Councillor Halden explained that at a recent meeting exempt papers had been circulated to co-opted members and felt that although the sensitive information existed, the distribution of the papers should be rooted in legal principles. He felt that further legal advice should be sought to clarify the situation.

Upon being put to the vote, Members voted unanimously in favour of the Motion, whereupon the Mayor declared this to be carried.

RESOLVED:

While acknowledging the justifiably protected nature of information in child social care, Council expresses concern in regards to comments made at the last meeting of the corporate parenting committee, in regards to removing financial information and reports from members for their scrutiny. Council reaffirms its commitment to the principles of corporate parenting in terms of making the service budget as transparent and accountable to members as possible via appropriate reports.

The meeting finished at 9.47 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**