

Thurrock: A place of opportunity, enterprise and excellence, where
individuals, communities and businesses flourish

Council

To the Members of Thurrock Council

The next meeting of the Council will be held at **7.00 pm** on **23 July 2014**

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

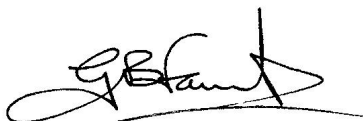
Membership of the Council:

Steve Liddiard (Mayor)
Sue Gray (Deputy Mayor)

Chris Baker
Jan Baker
Clare Baldwin
Mark Coxshall
Charles Curtis
Tony Fish
Oliver Gerrish
Robert Gledhill
Yash Gupta
Garry Hague
James Halden
Shane Hebb
Terence Hipsey
Victoria Holloway
Barry Johnson
Roy Jones

Tom Kelly
John Kent
Cathy Kent
Martin Kerin
Charlie Key
Aaron Kiely
Brian Little
Susan Little
Sue MacPherson
Ben Maney
Val Morris-Cook
Tunde Ojetola
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
Pauline Tolson
Simon Wootton
Lynn Worrall



Graham Farrant
Chief Executive



Councillor Steve Liddiard
Mayor of Thurrock

Agenda

Open to Public and Press

	Page
1 Apologies for absence	
2 Minutes To approve as a correct record the Minutes of the meeting of the Council, held on 11 June 2014.	7 - 26
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.	
6 Questions from members of the public. In accordance with Chapter 2, Part 2 (Rule 14) of the Council's Constitution.	27 - 28
7 Petitions To receive petitions from members of the public and councillors, in accordance with Chapter 2, Part 2 (Rule 14) of the Council's Constitution.	
8 Update in respect of petitions presented at Full Council and council offices during the previous 6 months.	29 - 34
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.	
10 Annual Overview and Scrutiny Report 2013-14	35 - 66
11 Adoption of legislation to allow for improved regulation of acupuncture, tattooing, semi-permanent skin colouring,	67 - 82

cosmetic piercing and electrolysis within Thurrock

- 12 The Frost Estate Community Governance Review 83 - 90**
- 13 To receive reports from Cabinet Members 91 - 104**
The report of Councillor John Kent, Cabinet Member for Finance & Education (reporting only on the Finance aspect of his portfolio), is enclosed.
- 14 Questions from Members 105 - 106**
In accordance with Chapter 2, Part 2 (Rule 14) of the Council's Constitution.
- 15 Reports from Members representing the Council on outside bodies.**
- 16 Minutes of committees**

Name of Committee	Date
Housing Overview and Scrutiny Committee	30 January 2014
Planning Committee	10 April 2014
Planning Committee	8 May 2014
General Services Committee	13 January 2014
Corporate Parenting Committee	6 March 2014
Licensing Committee	2 October 2013
Standards and Audit Committee	5 March 2014

- 17 Update on motions resolved at Council during the previous year. 107 - 114**
- 18 To consider motions from Members in the order in which they were submitted. 115 - 122**
In accordance with Chapter 2, Part 2 (Rule 15) of the Council's Constitution.

Queries regarding this Agenda or notification of apologies:

Please contact Stephanie Cox, Senior Democratic Services Officer by sending an email to Direct.Democracy@thurrock.gov.uk

Future Dates of Council:

19 November 2014, 28 January 2015, 25 February 2015, 25 March 2015.

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Information for members of the public and councillors

Access to Information and Meetings

Members of the public can attend all meetings of the council and its committees and have the right to see the agenda, which will be published no later than 5 working days before the meeting, and minutes once they are published.

Recording of meetings

This meeting may be recorded for transmission and publication on the Council's website. At the start of the meeting the Chair will confirm if all or part of the meeting is to be recorded.

Members of the public not wishing any speech or address to be recorded for publication to the Internet should contact Democratic Services to discuss any concerns.

If you have any queries regarding this, please contact Democratic Services at Direct.Democracy@thurrock.gov.uk

Guidelines on filming, photography, recording and use of social media at council and committee meetings

The council welcomes the filming, photography, recording and use of social media at council and committee meetings as a means of reporting on its proceedings because it helps to make the council more transparent and accountable to its local communities.

If you wish to film or photograph the proceedings of a meeting and have any special requirements or are intending to bring in large equipment please contact the Communications Team at CommunicationsTeam@thurrock.gov.uk before the meeting. The Chair of the meeting will then be consulted and their agreement sought to any specific request made.

Where members of the public use a laptop, tablet device, smart phone or similar devices to use social media, make recordings or take photographs these devices must be set to 'silent' mode to avoid interrupting proceedings of the council or committee.

The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of these activities, in their opinion, are disrupting proceedings at the meeting.

Thurrock Council Wi-Fi

Wi-Fi is available throughout the Civic Offices. You can access Wi-Fi on your device by simply turning on the Wi-Fi on your laptop, Smartphone or tablet.

- You should connect to TBC-CIVIC
- Enter the password **Thurrock** to connect to/join the Wi-Fi network.
- A Terms & Conditions page should appear and you have to accept these before you can begin using Wi-Fi. Some devices require you to access your browser to bring up the Terms & Conditions page, which you must accept.

The ICT department can offer support for council owned devices only.

Evacuation Procedures

In the case of an emergency, you should evacuate the building using the nearest available exit and congregate at the assembly point at Kings Walk.

How to view this agenda on a tablet device



You can view the agenda on your [iPad](#), [Android Device](#) or [Blackberry Playbook](#) with the free modern.gov app.

Members of the Council should ensure that their device is sufficiently charged, although a limited number of charging points will be available in Members Services.

To view any “exempt” information that may be included on the agenda for this meeting, Councillors should:

- Access the modern.gov app
- Enter your username and password

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 3 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 3 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] (3 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 (3 mins).	C1	Debate
B2	The seconder of the amendment shall speak unless he or she has reserved their speech (3 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		

Thurrock: A place of opportunity, enterprise and excellence, where individuals, communities and businesses flourish

To achieve our vision, we have identified five strategic priorities:

1. Create a great place for learning and opportunity

- Ensure that every place of learning is rated “Good” or better
- Raise levels of aspirations and attainment so that local residents can take advantage of job opportunities in the local area
- Support families to give children the best possible start in life

2. Encourage and promote job creation and economic prosperity

- Provide the infrastructure to promote and sustain growth and prosperity
- Support local businesses and develop the skilled workforce they will require
- Work with communities to regenerate Thurrock’s physical environment

3. Build pride, responsibility and respect to create safer communities

- Create safer welcoming communities who value diversity and respect cultural heritage
- Involve communities in shaping where they live and their quality of life
- Reduce crime, anti-social behaviour and safeguard the vulnerable

4. Improve health and well-being

- Ensure people stay healthy longer, adding years to life and life to years
- Reduce inequalities in health and well-being
- Empower communities to take responsibility for their own health and wellbeing

5. Protect and promote our clean and green environment

- Enhance access to Thurrock’s river frontage, cultural assets and leisure opportunities
- Promote Thurrock’s natural environment and biodiversity
- Ensure Thurrock’s streets and parks and open spaces are clean and well maintained

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Minutes of the meeting of Annual Council held on 11 June 2014 at 7.00pm

Present: Councillors Chris Baker, Jan Baker, Clare Baldwin, Mark Coxshall, Charles Curtis, Tony Fish, Oliver Gerrish, Robert Gledhill, Sue Gray, Yash Gupta, Garry Hague, James Halden, Shane Hebb, Terry Hipsey, Victoria Holloway, Barry Johnson, Roy Jones, Tom Kelly, Cathy Kent, John Kent, Martin Kerin, Charlie Key, Aaron Kiely, Steve Liddiard, Brian Little, Sue Little, Sue MacPherson, Ban Maney, Val Morris-Cook, Maggie O’Keeffe-Ray, Tunde Ojetola, Bukky Okunade, Barry Palmer, Maureen Pearce, John Purkiss, Robert Ray, Joy Redsell, Barbara Rice, Gerard Rice, Andrew Roast, Sue Shinnick, Andy Smith, Philip Smith, Graham Snell, Richard Speight, Michael Stone, Pauline Tolson, Simon Wootton and Lynn Worrall.

In attendance: Reverend Darren Barlow – Mayor’s Chaplain
Graham Farrant – Chief Executive
Steve Cox – Assistant Chief Executive
Barbara Brownlee – Director of Housing
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
Fiona Taylor – Head of Legal and Democratic Services
Steve Jones – Democratic Services Manager
Stephanie Young – Senior Democratic Services Officer

Before the start of the meeting, the Mayor invited Reverend Barlow to lead those present in prayer.

The Mayor then informed all present that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council’s website.

Councillor Fish, as the Mayor of Thurrock, took the Chair for Minute Nos. 1 and 2.

Following the election of the Mayor of Thurrock, Councillor Liddiard took the Chair for the remainder of the business.

1. Minutes

The minutes of the Council meeting, held on 26 March 2014, were approved as a correct record.

2. To elect and install the Mayor for the municipal year 2014-15

Nominations were invited for the election of Mayor for the Municipal Year 2014-15.

It was proposed by Councillor J. Kent, and seconded by Councillor B. Rice, that Councillor Liddiard be elected Mayor of the Borough and Chairman of the Council for the Municipal Year 2013-14.

It was further proposed by the Leader of the Opposition, Councillor Gledhill, and seconded by Councillor Halden, that Councillor Ojetola be elected as Mayor.

The Leader of the Opposition 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 to the appointment of the Mayor be recorded.

The result of the vote in respect of the Mayor for the municipal year 2014-15 was as follows:

Votes in favour of Councillor Steve Liddiard:

Councillors Clare Baldwin, Charles Curtis, Tony Fish, Oliver Gerrish, Sue Gray, Yash Gupta, Terence Hipsey, Victoria Holloway, Cathy Kent, John Kent, Martin Kerin, Aaron Kiely, Steve Liddiard, Val Morris-Cook, Bukky Okunade, Barbara Rice, Gerard Rice, Sue Shinnick, Andy Smith, Philip Smith, Richard Speight, Michael Stone and Lynn Worrall **(23)**.

Votes in favour of Councillor Tunde Ojetola:

Councillors Mark Coxshall, Robert Gledhill, Garry Hague, James Halden, Shane Hebb, Barry Johnson, Tom Kelly, Charlie Key, Brian Little, Sue Little, Sue MacPherson, Ben Maney, Tunde Ojetola, Barry Palmer, Maureen Pearce, John Purkiss, Joy Redsell, Andrew Roast, Pauline Tolson, Simon Wootton **(20)**.

Abstentions:

Councillors Chris Baker, Jan Baker, Roy Jones, Maggie O'Keeffe-Ray, Robert Ray and Graham Snell **(6)**.

The Mayor declared that Councillor Liddiard had been duly elected as Mayor of the Borough and Chairman of the Council for the Municipal Year 2014-2015.

RESOLVED:

That Councillor Liddiard be duly elected as Mayor of the Borough and Chairman of the Council for the Municipal Year 2014-2015.

Councillor Liddiard signed the Declaration of Acceptance of Office and also received the chains of office.

The Mayor then made a short speech thanking the Council for the honour of being elected as the Mayor of Thurrock.

The Mayor presented Councillor Fish and his Mayoress, Mrs Sue Bradish, with their past mayor's badge and past consort's badge.

The Mayor also presented Mrs Wendy Curtis with a token of appreciation for the work that she undertook during the municipal year as Deputy Mayor of Thurrock.

The Leader of the Council then paid tribute to the out-going Mayor, Councillor Tony Fish, who had attended almost 400 events during his year as Mayor.

These sentiments were echoed by the Leader of the Opposition, the Leader of the Independent Group and Councillor Coxshall, who all paid tribute to the positive work of Councillor Tony Fish throughout his Mayoral year.

Councillor Fish spoke to give thanks to those who had assisted him in his Mayoral year, paying particular tribute to the out-going Deputy Mayor Mrs Wendy Curtis, the Member Services team, the Mayor's drivers, the Mayors Chaplain, Reverend Darren Barlow, and to all Members of the Council for giving him the honour of being elected as the Mayor of Thurrock.

3. Items of Urgent Business

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

4. To elect and install the Deputy Mayor for the municipal year 2014-15

Nominations were invited for the election of Deputy Mayor for the Municipal Year 2014-2015.

It was proposed by Councillor J. Kent, and seconded by Councillor B. Rice, that Councillor Gray be appointed Deputy Mayor of Thurrock for 2014-2015.

It was then proposed by Councillor Gledhill, and seconded by Councillor Halden, that Councillor Ojetola be appointed Deputy Mayor of Thurrock for 2014-2015.

Councillor Gledhill and four other Members stood and, in accordance with Procedure Rule 20.7, requested that the vote to the appointment of Deputy Mayor be recorded.

The result of the vote in respect of the Deputy Mayor for the municipal year 2014-15 was as follows:

Votes in favour of Councillor Sue Gray:

Councillors Clare Baldwin, Charles Curtis, Tony Fish, Oliver Gerrish, Sue Gray, Yash Gupta, Terence Hipsey, Victoria Holloway, Cathy Kent, John Kent, Martin Kerin, Aaron Kiely, Steve Liddiard, Val Morris-Cook, Bukky Okunade, Barbara Rice, Gerard Rice, Sue Shinnick, Andy Smith, Philip Smith, Richard Speight, Michael Stone and Lynn Worrall **(23)**.

Votes in favour of Councillor Tunde Ojetola:

Councillors Mark Coxshall, Robert Gledhill, Garry Hague, James Halden, Shane Hebb, Barry Johnson, Tom Kelly, Charlie Key, Brian Little, Sue Little, Sue MacPherson, Ben Maney, Tunde Ojetola, Barry Palmer, Maureen Pearce, John Purkiss, Joy Redsell, Andrew Roast, Pauline Tolson, Simon Wootton **(20)**.

Abstentions:

Councillors Chris Baker, Jan Baker, Roy Jones, Maggie O'Keeffe-Ray, Robert Ray and Graham Snell **(6)**.

The Mayor announced that Councillor Sue Gray had been duly elected as Deputy Mayor of the Borough and Vice-Chair of the Council for the Municipal Year 2014-2015.

RESOLVED:

That Councillor Sue Gray be appointed Deputy Mayor of the Borough and Vice-Chair of the Council for the Municipal Year 2014-15.

Councillor Gray signed the Declaration of Acceptance of Office and also received the chains of office.

Councillor Gray then made a short speech to accept the honour of being appointed as Deputy Mayor.

5. Declarations of Interests

Councillor B. Little declared a non-pecuniary interest in respect of Agenda Item 10, as he was the Chairman of the William Palmer College Educational Trust.

6. Announcements

The Mayor was pleased to announce that Patricia Forrester had agreed to be his Mayoress. Patricia Forrester was asked to step forward and receive the Consort's Chain.

The Mayor then asked the Deputy Mayor to announce who her Consort would be.

The Deputy Mayor was pleased to announce that her partner, Tony Lane, would be her consort. Mr Lane was asked to step forward and receive the Consort's Chain.

The Mayor announced that his main charity for the Mayoral year would be Thurrock Community Chest.

Furthermore, the Mayor announced that his Mayoral Chaplain would be Reverend Darren Barlow.

The Mayor then invited the Leader of the Council to make any announcements he wished to make.

The Leader of the Council congratulated Councillor Liddiard on receiving the honour of Mayor and acknowledged his positive contributions to serving the borough for many years, as an officer of the Council, a volunteer with many local charities and local groups and then as a Ward Councillor for Tilbury St. Chads.

The Leader also paid tribute to the work of Mrs Wendy Curtis during her term of office as the Deputy Mayor.

He also acknowledged that in tight political situations, the vagaries of politics came to the fore but that he hoped Councillor Tunde Ojetola understood that he was held in high esteem across the Chamber and that if times and conditions were different, there could have been a different outcome at the meeting.

The Leader explained that he needed to formally advise Members that he had circulated a written statement which set out the appointments he had made to the Cabinet, the details of each portfolio and that Councillor Barbara Rice would be the Deputy Leader of the Council. The written statement was included in the supplementary information booklet that was circulated immediately prior to the meeting.

He also welcomed the 7 new Members of Council who had recently been elected and, regardless of the political parties they represented, acknowledged the importance of their role in representing their constituents.

The Leader recognised that the year ahead would be challenging, as it was a difficult task to balance the budget and mitigate the effects of spending cuts, and feared that tough decisions lay ahead. He also called on residents to have their say on the Thames River Crossing proposals via the online petition which was currently open on the Council's website.

He summarised the positive developments of the past year including robust partnership working to improve transport infrastructure across Thurrock, including Lakeside, Purfleet, Grays Town Centre, and in particular the road widening of the A13.

7. Committees and their Terms of Reference

The Leader of the Council proposed the recommendations as printed in the report.

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

RESOLVED:

- 1. That the Overview and Scrutiny Committees listed in paragraph 3.2 of the report be established for the 2014-15 municipal year, with their terms of reference being those set out in Chapter 4 of the Constitution.**
- 2. That the Committees listed in paragraph 3.4 of the report be established for the 2014-15 municipal year, with their terms of reference being those set out in Chapter 5 of the Constitution.**

8. Allocation of Committee Seats and Committee Appointments

The Leader introduced the report, which requested the Council to confirm the calculations relating to the allocation of seats on committees and also to appoint the nominations made by political groups to committees. In addition, the report also requested the Council to appoint the Chairs and Vice-Chairs of certain committees.

The nominations made to Committees for the municipal year 2014-15, together with the nominations for the positions of Chair and Vice Chair, were set out in a booklet circulated to Members immediately prior to the meeting.

Councillor Gledhill informed the Chamber that he felt that Opposition Group Members should hold the positions of Chair on each of the Overview and Scrutiny Committees in order to provide effective challenge. He expressed the view that the only way to hold the Council into account was to have Opposition representation on all Overview and Scrutiny Committees and felt that the UKIP Group should have had a seat on all 6 Overview and Scrutiny Committees, whereas they were only strictly entitled to a seat on 5 of the Committees.

As a result Councillor Gledhill proposed that the Conservative Group would leave one seat vacant on the Cleaner, Greener and Safer Overview and Scrutiny Committee, which the UKIP Group could nominate to if they so wished. He advised that this move enabled the UKIP Group to be represented on all 6 of the Overview and Scrutiny Committees.

The Mayor informed the Chamber that he wished to take a single vote on recommendations 1.1, 1.2, 1.3 and 1.4, followed by a separate vote on each

of the contested appointments and finally a vote on those appointments that had not been contested.

Upon being put to the vote, Members voted unanimously in favour of recommendations 1.1, 1.2, 1.3 and 1.4 whereupon the Mayor declared these to be carried.

Councillor Gledhill advised Members that he had made an error in the paperwork containing his nomination for the Chair of the Licensing Committee and that this ought to have read that Councillor Maney had been nominated to the positions available.

The Mayor then called for a separate vote to be undertaken in respect of each of the contested nominations for Chairs of Committees.

At this point and in accordance with Procedure Rule 20.7, Councillor Gledhill and four further Members stood and requested that the vote in respect of each appointment be recorded.

The Mayor moved to a recorded vote on each of the contested appointments of Chair.

The result of each vote is set out below:

(i) Children's Services Overview and Scrutiny Committee

The result of the vote was as follows:

Votes in favour of Councillor Morris-Cook:

Councillors Clare Baldwin, Charles Curtis, Tony Fish, Oliver Gerrish, Sue Gray, Yash Gupta, Terence Hipsey, Victoria Holloway, Cathy Kent, John Kent, Martin Kerin, Aaron Kiely, Steve Liddiard, Val Morris-Cook, Bukky Okunade, Barbara Rice, Gerard Rice, Sue Shinnick, Andy Smith, Philip Smith, Richard Speight, Michael Stone and Lynn Worrall **(23)**.

Votes in favour of Councillor Halden:

Councillors Mark Coxshall, Robert Gledhill, Garry Hague, James Halden, Shane Hebb, Barry Johnson, Tom Kelly, Charlie Key, Brian Little, Sue Little, Sue MacPherson, Ben Maney, Tunde Ojetola, Barry Palmer, Maureen Pearce, John Purkiss, Joy Redsell, Andrew Roast, Pauline Tolson, Simon Wootton **(20)**.

Abstentions:

Councillors Chris Baker, Jan Baker, Roy Jones, Maggie O'Keeffe-Ray, Robert Ray and Graham Snell **(6)**.

The Mayor declared that Councillor Morris-Cook duly appointed as the Chair of the Children's Services Overview and Scrutiny Committee.

(ii) Cleaner, Greener and Safer Overview and Scrutiny Committee

The result of the vote was as follows:

Votes in favour of Councillor Cathy Kent:

Councillors Clare Baldwin, Charles Curtis, Tony Fish, Oliver Gerrish, Sue Gray, Yash Gupta, Terence Hipsey, Victoria Holloway, Cathy Kent, John Kent, Martin Kerin, Aaron Kiely, Steve Liddiard, Val Morris-Cook, Bukky Okunade, Barbara Rice, Gerard Rice, Sue Shinnick, Andy Smith, Philip Smith, Richard Speight, Michael Stone and Lynn Worrall **(23)**.

Votes in favour of Councillor Tolson:

Councillors Mark Coxshall, Robert Gledhill, Garry Hague, James Halden, Shane Hebb, Barry Johnson, Tom Kelly, Charlie Key, Brian Little, Sue Little, Sue MacPherson, Ben Maney, Tunde Ojetola, Barry Palmer, Maureen Pearce, John Purkiss, Joy Redsell, Andrew Roast, Pauline Tolson, Simon Wootton **(20)**.

Abstentions:

Councillors Chris Baker, Jan Baker, Roy Jones, Maggie O'Keeffe-Ray, Robert Ray and Graham Snell **(6)**.

The Mayor declared that Councillor Cathy Kent duly appointed as the Chair of the Cleaner, Greener and Safer Overview and Scrutiny Committee.

The Mayor enquired whether Members wished to move to a vote by show of hands for the remaining contested appointments, whereupon the Leader of the Opposition and four other Members stood to request that a recorded vote be continued.

(iii) Corporate Overview and Scrutiny Committee

The result of the vote was as follows:

Votes in favour of Councillor Gupta:

Councillors Clare Baldwin, Charles Curtis, Tony Fish, Oliver Gerrish, Sue Gray, Yash Gupta, Terence Hipsey, Victoria Holloway, Cathy Kent, John Kent, Martin Kerin, Aaron Kiely, Steve Liddiard, Val Morris-Cook, Bukky Okunade, John Purkiss, Barbara Rice, Gerard Rice, Sue Shinnick, Andy Smith, Philip Smith, Richard Speight, Michael Stone and Lynn Worrall **(24)**.

Votes in favour of Councillor Hebb:

Councillors Mark Coxshall, Robert Gledhill, Garry Hague, James Halden, Shane Hebb, Barry Johnson, Tom Kelly, Charlie Key, Brian Little, Sue Little, Sue MacPherson, Ben Maney, Tunde Ojetola, Barry Palmer, Maureen Pearce, Joy Redsell, Andrew Roast, Pauline Tolson, Simon Wootton **(19)**.

Abstentions:

Councillors Chris Baker, Jan Baker, Roy Jones, Maggie O'Keeffe-Ray, Robert Ray and Graham Snell **(6)**.

The Mayor declared that Councillor Gupta duly appointed as the Chair of the Corporate Overview and Scrutiny Committee.

At this point, Councillor Gledhill advised the Mayor that the remaining votes could be undertaken by a show of hands.

(iv) Corporate Parenting Committee

A vote was undertaken in respect of the position of Chair of the Corporate Parenting Committee, whereupon, 23 Members voted in favour of Councillor Okunade, 20 Members voted in favour of Councillor Halden and 6 Members abstained from the vote.

The Mayor declared Councillor Okunade duly appointed as the Chair of the Corporate Parenting Committee.

(v) General Services Committee

A vote was undertaken in respect of the position of Chair of the General Services Committee, whereupon, 23 Members voted in favour of Councillor John Kent, 20 Members voted in favour of Councillor Gledhill and 6 Members abstained from the vote.

The Mayor declared Councillor John Kent duly appointed as the Chair of the General Services Committee.

(vi) Health and Wellbeing Overview and Scrutiny Committee

A vote was undertaken in respect of the position of Chair of the Health and Wellbeing Overview and Scrutiny Committee, whereupon, 23 Members voted in favour of Councillor Curtis, 20 Members voted in favour of Councillor Key and 6 Members abstained from the vote.

The Mayor declared Councillor Curtis duly appointed as the Chair of the Health and Wellbeing Overview and Scrutiny Committee.

(vii) Housing Overview and Scrutiny Committee

A vote was undertaken in respect of the position of Chair of the Housing Overview and Scrutiny Committee, whereupon, 23 Members voted in favour of Councillor Gerard Rice, 20 Members voted in favour of Councillor Johnson and 6 Members abstained from the vote.

The Mayor declared Councillor Gerard Rice duly appointed as the Chair of the Housing Overview and Scrutiny Committee.

(viii) Licensing Committee

A vote was undertaken in respect of the position of Chair of the Licensing Committee, whereupon, 23 Members voted in favour of Councillor Stone, 20 Members voted in favour of Councillor Maney and 6 Members abstained from the vote.

The Mayor declared Councillor Stone duly appointed as the Chair of the Licensing Committee.

(ix) Planning Committee

A vote was undertaken in respect of the position of Chair of the Planning Committee, whereupon, 24 Members voted in favour of Councillor Hipsey, 19 Members voted in favour of Councillor Brian Little and 6 Members abstained from the vote.

The Mayor declared Councillor Hipsey duly appointed as the Chair of the Planning Committee.

(x) Planning, Transport and Regeneration Overview and Scrutiny Committee

A vote was undertaken in respect of the position of Chair of the Planning Transport and Regeneration Overview and Scrutiny Committee, whereupon, 23 Members voted in favour of Councillor Gray, 20 Members voted in favour of Councillor Kelly and 6 Members abstained from the vote.

The Mayor declared Councillor Gray duly appointed as the Chair of the Planning, Transport and Regeneration Overview and Scrutiny Committee.

It was noted that the nomination of Councillor Wootton, for the position of Chair of the Standards and Audit Committee had not been contested.

The Mayor then moved to the contested nomination for the position of Vice Chair of the Planning Committee, the result of which was as follows:

(xi) Planning Committee, position of Vice Chair.

A vote was undertaken in respect of the position of Vice Chair of the Planning Committee, whereupon, 24 Members voted in favour of Councillor Curtis and 25 Members voted in favour of Councillor Brian Little.

The Mayor declared Councillor Brian Little duly appointed as the Vice Chair of the Planning Committee.

Finally, the Mayor called for a vote in respect of the positions of Vice Chair for those committees that had not been contested, as set out below:

Committee	Vice Chair
Children's Services Overview and Scrutiny Committee	Councillor Halden
Cleaner, Greener and Safer Overview and Scrutiny Committee	Councillor Tolson
Corporate Overview and Scrutiny Committee	Councillor Hebb
Corporate Parenting Committee	Councillor Halden
General Services Committee	Councillor Gledhill
Health and Wellbeing Overview and Scrutiny Committee	Councillor Key
Housing Overview and Scrutiny Committee	Councillor Johnson
Licensing Committee	Councillor Maney
Planning, Transport and Regeneration Overview and Scrutiny Committee	Councillor Kelly

Members voted unanimously in favour of the nominations made to each of the aforementioned committees.

RESOLVED:

1. That the allocation of seats, as set out in Appendix 1, be approved.
2. That the nominations of the political groups to seats on committees be approved, as set out in Appendix 2.
3. That, further to recommendation 1.2, those Members appointed to the following committees be required to undertake a DBS check prior to taking their seats:
 - Children’s Services Overview and Scrutiny Committee
 - Health and Wellbeing Overview and Scrutiny Committee
 - Standards and Audit Committee
 - Corporate Parenting Committee
4. That the non-voting co-opted members of the Planning Committee, the Standards and Audit Committee, the Health and Well-being Overview and Scrutiny Committee, the Housing Overview and Scrutiny Committee and the Corporate Parenting Committee be appointed, as set out in Appendix 2.
5. That the Chairs and Vice Chairs of Committees be appointed as set out below:

Committee	Chair	Vice Chair
Children’s Services Overview and Scrutiny Committee	Cllr Morris-Cook	Cllr Halden
Cleaner, Greener and Safer Overview and Scrutiny Committee	Cllr C Kent	Cllr Tolson
Corporate Overview and Scrutiny Committee	Cllr Gupta	Cllr Hebb
Corporate Parenting Committee	Cllr Okunade	Cllr Halden
General Services Committee	Cllr J Kent	Cllr Gledhill

Committee	Chair	Vice Chair
Health and Wellbeing Board* *The Chair will be the Portfolio Holder for Adult Social Care and Health and shall be appointed by the Council	Councillor Barbara Rice	No Vice Chair
Health and Well being Overview and Scrutiny Committee	Cllr Curtis	Cllr Key
Housing Overview and Scrutiny Committee	Cllr G Rice	Cllr Johnson
Licensing Committee	Cllr Stone	Cllr Maney
Planning Committee	Cllr Hipsey	Cllr B Little
Planning, Transport, Regeneration Overview and Scrutiny Committee	Cllr Gray	Cllr Kelly
Standards and Audit Committee	Cllr Wootton	No Vice Chair appointed

9. Appointments to Outside Bodies, Statutory and Other Panels.

The Chief Executive submitted a report in respect of the appointments required to be made to Outside Bodies, Statutory and Other Panels.

The nominations of the political groups to Outside Bodies, Statutory and Other Panels were circulated to Members at the meeting.

The Mayor informed the Chamber that appointments to the following outside bodies, statutory and other panels were contested:

- Citizens Advice Bureau – Management Committee
- Coalhouse Fort Project
- East Thurrock Community Association
- Impulse Leisure

- Local Government Association
- Mucking Charitable Trust
- Thurrock Arts Council
- Thurrock Play Network
- Thurrock Sports Council
- TRUST Management Board
- West Tilbury Commons Conservators
- William Palmer College Educational Trust
- Adoption Panel
- Fostering Panel
- SACRE

Councillor Robert Ray informed the Mayor that he wished to withdraw the nominations made by the UKIP Group to the West Tilbury Commons Conservators, the Adoption Panel and the Fostering Panel.

The Leader of the Council informed the Mayor that he wished to withdraw the nomination of Councillor Gray to the Thurrock Play Network.

The Mayor called for a vote in respect of the nominations to Outside Bodies, Statutory and Other Panels that had not been contested. Members voted unanimously in favour of the nominations made, whereupon the Mayor declared these to be carried

The Mayor then called for a separate vote to be undertaken in respect of each of the contested nominations for appointments to Outside Bodies, Statutory and Other Panels.

The result of each vote is set out below:

(i) Citizens Advice Bureau – Management Committee

A vote was undertaken in respect of the nominations made for the appointment to the Citizens Advice Bureau Management Committee, whereupon 20 Members voted in favour of Councillor Wootton, 6 Members voted in favour of Councillor Snell and 23 Members abstained from the vote.

The Mayor declared Councillor Wootton duly appointed as the representative of the council on the Citizens Advice Bureau Management Committee.

(ii) Coalhouse Fort Project

A vote was undertaken in respect of the nominations made for the appointment to the Coalhouse Fort Project, whereupon 25 Members voted in favour of Councillor Cathy Kent, 21 Members voted in favour of Councillor Jones and 3 Members abstained from the vote.

The Mayor declared Councillor Cathy Kent duly appointed as the representative of the council on the Coalhouse Fort Project.

(iii) East Thurrock Community Association

A vote was undertaken in respect of the nominations made for the appointment to the East Thurrock Community Association, whereupon 25 Members voted in favour of Councillor Speight, 21 Members voted in favour of Councillor Jones and 3 Members abstained from the vote.

The Mayor declared Councillor Speight duly appointed as the representative of the council on the East Thurrock Community Association.

(iv) Impulse Leisure

A vote was undertaken in respect of the nominations made for the appointment to Impulse Leisure, whereupon 20 Members voted in favour of Councillor Ojetola, 6 Members voted in favour of Councillor Chris Baker and 23 Members abstained from the vote.

The Mayor declared Councillor Ojetola duly appointed as the representative of the council on Impulse Leisure.

(v) Local Government Association

A vote was undertaken in respect of the nominations made for the appointment to the Local Government Association, whereupon 20 Members voted in favour of Councillor Gledhill and 6 Members voted in favour of Councillor Ray and 22 Members abstained from the vote.

The Mayor declared Councillor Gledhill duly appointed as the representative of the council on the Local Government Association.

(vi) Mucking Charitable Trust

A vote was undertaken in respect of the nominations made for the appointment to the Mucking Charitable Trust, whereupon 42 Members voted in favour of Councillor Purkiss and 6 Members abstained from the vote.

The Mayor declared Councillor Purkiss duly appointed as the representative of the council on the Mucking Charitable Trust.

(vii) Thurrock Arts Council

A vote was undertaken in respect of the nominations made for the appointment to Thurrock Arts Council, whereupon 20 Members voted in favour of Councillor MacPherson, 6 Members voted in favour of Councillor Jones and 6 Members abstained from the vote.

The Mayor declared Councillor MacPherson duly appointed as the representative of the council on Thurrock Arts Council.

(viii) Thurrock Sports Council

A vote was undertaken in respect of the nominations made for the appointment to Thurrock Sports Council, whereupon 43 Members voted in favour of Councillor Worrall and 6 Members voted in favour of Councillor Chris Baker.

The Mayor declared Councillor Worrall duly appointed as the representative of the council on Thurrock Sports Council.

(ix) TRUST Management Board

A vote was undertaken in respect of the nominations made for the appointment to the TRUST Management Board, whereupon 24 Members voted in favour of Councillor Speight, 19 Members voted in favour of Councillor Hebb and 6 Members voted in favour of Councillor Chris Baker.

The Mayor declared Councillor Speight duly appointed as the representative of the council on the TRUST Management Board.

(x) William Palmer College Educational Trust

A vote was undertaken in respect of the nominations made for the appointment to the William Palmer College Educational Trust, whereupon 23 Members voted in favour of Councillor Worrall, 20 Members voted in favour of Councillor Halden and 6 Members abstained from the vote.

The Mayor declared Councillor Worrall duly appointed as the representative of the council on the William Palmer College Educational Trust.

(xi) Adoption Panel

A vote was undertaken in respect of the nominations made for the appointment to the Adoption Panel, whereupon 23 Members voted in favour of Councillor Gray and 26 Members voted in favour of Councillor Sue Little.

The Mayor declared Councillor Sue Little duly appointed as the representative of the council on the Adoption Panel.

(xii) Fostering Panel

A vote was undertaken in respect of the nominations made for the appointment to the Fostering Panel, whereupon 23 Members voted in favour of Councillor Okunade and 26 Members voted in favour of Councillor Sue Little.

The Mayor declared Councillor Sue Little duly appointed as the representative of the council on the Fostering Panel.

(xiii) SACRE

A vote was undertaken in respect of the nominations made for the appointment to the Standing Advisory Council for Religious Education (SACRE), whereupon 23 Members voted in favour of Councillor Gupta, 20 Members voted in favour of Councillor Johnson and 6 Members abstained from the vote.

The Mayor declared Councillor Gupta be duly appointed as the representative of the council on SACRE.

The Mayor asked the Chamber to agree recommendation 1.2 as printed in the report. Members voted unanimously in favour of the recommendation, whereupon the Mayor declared these to be carried.

RESOLVED:

- 1. That the uncontested nominations to Outside Bodies, Statutory and Other Panels, as circulated at the meeting, be approved.**
- 2. That Councillor Wootton be appointed as the representative of the Council on the Citizens Advice Bureau Management Committee.**
- 3. That Councillor Cathy Kent be appointed as the representative of the Council on the Coalhouse Fort Project.**
- 4. That Councillor Speight be appointed as the representative of the council on the East Thurrock Community Association.**
- 5. That Councillor Ojetola duly appointed as the representative of the council on Impulse Leisure.**
- 6. That Councillor Gledhill be duly appointed as the representative of the council on the Local Government Association.**
- 7. That Councillor Purkiss be duly appointed as the representative of the council on the Mucking Charitable Trust.**

8. That Councillor MacPherson be duly appointed as the representative of the council on Thurrock Arts Council
9. That Councillor Worrall be duly appointed as the representative of the council on Thurrock Sports Council.
10. That Councillor Speight be duly appointed as the representative of the council on the TRUST Management Board.
11. That Councillor Worrall be duly appointed as the representative of the council on the William Palmer College Educational Trust.
12. That Councillor Sue Little be duly appointed as the representative of the council on the Adoption Panel.
13. That Councillor Little be duly appointed as the representative of the council on the Fostering Panel.
14. That Councillor Gupta be duly appointed as the representative of the council on SACRE.
15. That, further to recommendation 1.1, those Members appointed to the following Outside Bodies, Statutory and Other Panels be required to undertake a CRB check prior to taking up their role:
 - Adoption Panel
 - Fostering Panel

10. Schedule of Meetings 2014-15

The Leader of the Council introduced the report. A copy of the schedule of meetings for 2014-15 was included in the Agenda at Appendix 1 to the report.

Upon being put to the vote, Members voted unanimously in favour of the recommendation to approve the calendar of meetings for 2014-15, whereupon the Mayor declared this to be carried.

RESOLVED:

That the Calendar of Meetings for 2014-15 be approved.

11. Schedule of Elections and Order of Retirement of Councillors

The Leader of the Council introduced the report.

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

RESOLVED:

That the schedule of elections from 2015-18 and order of retirement of Councillors be noted.

12. The Localism Act 2011 – Appointment of Independent Persons

The Leader introduced the report which included the recommendation of the Monitoring Officer, who was of the opinion to recommend that the engagement of the Independent persons should be set to continue until the Annual Meeting of the Council in 2016.

The Leader thanked the Independent Persons for their efforts over the past year.

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

RESOLVED:

That, for the purposes of section 28 of the Localism Act 2011, the Council agree to continue the appointment of Sarah Cooper-James, Fiona Fairweather and Fola Onaeko as its Independent Persons until the Annual Meeting of Council in 2016.

The meeting finished at 8.31pm.

Approved as a true and correct record

MAYOR

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

There are 3 questions from members of the public.

1. **From Mr Perrin to Councillor Worrall**

“You may be aware of the axiom “An Englishman’s home is his castle”, a proposition that commends itself to general acceptance and is a well-established principle. Would you agree with me that the principle should equally apply to the tenant whose home is a Council rented property?”

2. **From Mrs Lodge to Councillor Worrall**

“Whilst I appreciate that the Council cannot remove all Damp and Mould from all properties immediately, I do believe there are some properties that are so badly affected that they are a threat to the health and wellbeing of occupants. Can you assure me that the Council still have a programme for prioritising such homes?”

3. **From Mr P Adams to Councillor P Smith**

“As you will be aware, ECFRS intends to remove the rescue vehicle from Grays Fire Station with the loss of 12 jobs. Such a decision will result in the ‘jump crewing’ of the Ariel Ladder Platform and a ‘front line pumping appliance’. This means the crew is shared between the two appliances, resulting in a reduction in availability of the ‘front line pumping appliance’. In Essex there are 13 top tier COMAH sites, 5 of which are located in Grays. There are a further 3 within the Thurrock area. So, within Grays alone, there are over a third of the counties Major risks, and within Thurrock over half.

The 8 COMAH sites, other local risks and the development of the Thames Gateway has resulted in Gray fire station having one of the highest risk fire grounds in the country. Taking this into account, does the council agree with the proposed changes leading to a reduction in fire cover for this area?”

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Item 8: Petitions Update Report – 23 July 2014

Petition No.	Description	Presented by (and date)	Portfolio Holder	Status Full copies of the responses may be obtained from Democratic Services
433	<p>Allotment Site for the Community of Purfleet.</p> <p>Purfleet has waited a very long time for its very own community allotment site. A place where the youth, parents and elders alike can get involved in community building skills and mutual support, getting to know each other whilst helping one another grow fruit, veg and flowers.</p> <p>I seriously think this is just what our local community needs. Lets take it back to the Roots of knowledge of the good old garden!!</p> <p>Good for the environment, good for the community and Good for you!</p>	e-petition * 15/02/14	Cllr T Fish	At present there is no land owned by the Council available for allotment usage in Purfleet, although the area is to go through a significant regeneration programme in the near future and as a result of these proposals it is possible that some land may become available for this type of demand. In the meanwhile there are allotment associations in nearby Aveley and West Thurrock which in accordance with the Councils policies are self managed by site users. We are happy to put any resident in touch with the management committee of these allotments in order that an interest in the site can be registered with the appropriate individuals.

* indicates petitions handed in at the Civic Offices or e-petitions - not presented at Council

Item 8: Petitions Update Report – 23 July 2014

<p>434</p>	<p>Give cruisers a place to go. Find a place for cruisers and car enthusiasts to go, away from the dispersal zones and complaints and give us somewhere to meet up and park up out of the way of the public.</p> <p>As all these dispersal orders come into effect and force cruisers from one place to another, the cruising community are feeling like they're not being treated fairly, after all, 99% of the community just park up and talk, instead of forcing people to move onto other places and just giving out warnings, If you don't want the cruisers at sites like Laindon, Southend or Lakeside, then the community feels you should find somewhere for all the cruisers to go and be out of the way or people as by paying road tax the cruisers should be treated the same and fairly.</p> <p>To outline what the cruising community wants,</p> <ul style="list-style-type: none"> • somewhere to meet without it being a dispersal zone • somewhere that's large enough for all the cruisers • Somewhere away from houses, to eliminate the noise complaints 	<p>e-petition * 05/02/14</p>	<p>Cllr P Smith</p>	<p>Thurrock Council have previously attempted to identify sites for vehicle activities without success.</p> <p>We are therefore not in a position to identify suitable sites in Thurrock.</p> <p>Should the Cruiser Community be successful in identifying suitable sites in Thurrock and obtaining the agreement of owners to allow use the Council will work constructively with representatives via a safety advisory group to advise on the provision of any proposed events.</p>
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* indicates petitions handed in at the Civic Offices or e-petitions - not presented at Council

Item 8: Petitions Update Report – 23 July 2014

435	<p>Turn the State Cinema into an O2 academy.</p> <p>Using the Historic State Cinema building to bring life and activity to the otherwise stagnant area of Grays town centre, by encouraging O2 to convert the State Cinema into an O2 Academy Music Venue.</p> <p>This will bring jobs and boost the local economy by turning Grays into a location people from all over Essex will come to in order to watch international music acts. This will appeal to wide range of ages and demographics. O2 has a long history of turning unused historic venues into popular attractions, the former derelict nightclub "The Roxy" in Sheffield is a prime example.</p>	e-petition 05/02/14	Cllr A Smith	<p>We recognise the importance of resolving the future of the State Cinema to the fortunes of Grays. The current condition of the building and its potential reuse formed large parts of the discussions which developed the vision for Grays last summer. The Council is committed to supporting efforts to reopen the building and has been working with the owners of the building and stakeholders to test the feasibility of a range of options. This work remains ongoing. In terms of the specific proposal, we have spoken to O2 in the past but understand that the building does not fit their business model and is too close to a number of their London venues for them to consider.</p>
436	<p>A petition on behalf of residents of Viola Close, South Ockendon, Essex Advising of parking issues and requesting a Residents' Parking Scheme on Viola Close.</p>	14/03/14	Cllr A Smith	<p>A letter was sent to the Lead Petitioner on 17/04/14 which explained that:</p> <p>A number of requests have been received from residents of the Flowers Estate for the extents of the Permit Area to be amended.</p> <p>All requests received since the scheme came into force have been listed for consideration, following completion of the monitoring period. This petition was included amongst those requests.</p> <p>The monitoring period was set until the end of May. After this time a letter will be sent to all residents currently not included in the permit</p>

* indicates petitions handed in at the Civic Offices or e-petitions - not presented at Council

Item 8: Petitions Update Report – 23 July 2014

				area in order that an amendment can be made to include new roads that now have a majority view in favour of joining the scheme
437	To stop the menace of HGV's waiting to unload on the Globe Works industrial estate. We also call for suitable traffic management controls or planning constraints to be put in place to stop HGV's exiting.	26/03/14	Cllr A Smith	<p>A letter was sent to the Lead Petitioner on 06/05/14 which explained that:</p> <p>“Unfortunately there are no operating restrictions limiting the number of heavy goods vehicles from entering the industrial estate during the day and Conditions cannot be imposed upon premises already operating with existing Conditions. Vehicles queuing to gain access to premises do not constitute a contravention of the parking restrictions.</p> <p>However, your concern with heavy goods vehicles mounting the footways has been noted. Whilst we can not prevent HGVs from entering the estate, an investigation will be carried out to identify any suitable alternative traffic management arrangements. The investigations will include the feasibility of one way operation being introduced and will be completed within the next 4-6 weeks.”</p>
438	Petition to Thurrock Council for the re-siting of pedestrian crossing and the reinstatement of parking at Tesco Express, Southend Road, Grays	08/04/14	Cllr A Smith	<p>A letter was sent to the Lead Petitioner on 23/04/14 which outlined:</p> <p>Prior to implementation last year, a full investigation was carried out in order to site the crossing at an appropriate location to deal</p>

Item 8: Petitions Update Report – 23 July 2014

			<p>with the unsafe practices that were occurring.</p> <p>A statutory consultation was carried out and letters were delivered to businesses in the immediate vicinity of the proposed crossing location. Meetings were also held with Managers from Tesco and following discussions regarding the safety of customers and road users, the position and the layout of the Zebra Crossing was agreed.</p> <p>An independent Road Safety Audit was carried out on completion of the works on site and recommendations have been made relating to the position of the bollards and the length of the white zig zag markings etc. These amendments will be carried out shortly.</p> <p>There is a clear demand for the Zebra Crossing outside the Tesco store and unfortunately there are no alternative suitable locations that the crossing could be relocated to.</p> <p>Whilst there is concern for the lack of parking facility on the forecourt, the unsafe vehicle and pedestrian manoeuvres that were being undertaken could not be ignored.</p>
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* indicates petitions handed in at the Civic Offices or e-petitions - not presented at Council

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23 July 2014	ITEM: 10
Council	
Overview and Scrutiny Annual Report 2013-14	
Wards and communities affected: All	Key Decision: Non-Key
Report of: Fiona Taylor, Head of Legal and Democratic Services	
Accountable Head of Service: Fiona Taylor, Head of Legal and Democratic Services	
Accountable Director: Graham Farrant, Chief Executive	
This report is public.	

Executive Summary

This report introduces the Overview and Scrutiny Annual Report which, in accordance with the Council's constitution, should be presented to the Council.

1. Recommendation(s)

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

2. Introduction and Background

2.1 Each year an Annual Report is produced detailing the work of the five Overview and Scrutiny committees and their main achievements for that municipal year. The report is designed to inform residents of this work in an accessible and engaging format.

2.2 The last municipal year has seen Overview and Scrutiny tackle a wide range of topics, with Members leading on issues that have come to the fore both through their own research but also by understanding the issues that have arisen in the community. The continued use of task and finish groups has meant that this annual report will focus again on the key issues that the committees picked for in depth investigation, rather than a general overview of each committee's day to day work or a simple recounting of the work programmes of each committee.

3. Issues, Options and Analysis of Options

- 3.1 It is hoped that the format of the Annual Report will highlight to residents how the Overview and Scrutiny committees have picked relevant community issues and how Members undertook work to form recommendations that positively affected these issues.
- 3.2 The report will be published on the Council's website and key community groups and participants from last year's work will be made aware of its publication.

4. Reasons for Recommendation

- 4.1 The report outlines the positive work that has been undertaken during 2013-14 and is being referred to Council for review in order for Members to comment on the overall Overview and Scrutiny function of Thurrock Council, and make recommendations for future work programmes and amended working methods if appropriate.

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

- 5.1 In accordance with Chapter 4, Part 1, Rule 7.1 of the Constitution, the annual report is submitted to Council for their consideration and comment.

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

- 6.1 The positive impact of the work of the Overview and Scrutiny committees for 2013 and 2014, in allowing residents to participate in decision making and tackling key issues of local concern, is clearly documented in the annual report. In receiving this report at its meeting, the Council has the opportunity to further align the Overview and Scrutiny function with corporate and community priorities by suggesting issues for investigation in the forthcoming year.

7. Implications

7.1 Financial

Implications verified by: **Mike Jones**
Management Accountant

There are no direct financial implications arising out of this report. If any recommendations made by the Overview and Scrutiny Committees for adoption by the Council have financial implications they are identified separately in each report.

7.2 Legal

Implications verified by: **David Lawson**
Deputy Head of Legal

There are no direct legal implications arising from this report but it is good practice to produce an annual report reviewing Overview and Scrutiny activity.

7.3 Diversity and Equality

Implications verified by: **Natalie Warren**
**Community Development and Equalities
Manager**

The Overview and Scrutiny function recognises the importance and role of diversity and equality issues. All work in 2013-14 sought to include sections of the community relevant to the issues being investigated. Members made every effort to engage and consult Thurrock residents when required.

7.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

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):

- Agenda, Reports and Minutes of meetings of Overview and Scrutiny Committees and Task and Finish Reviews, available from:

<http://democracy.thurrock.gov.uk/thurrock/>

9. Appendices to the report

- Appendix 1: Overview and Scrutiny Annual Report 2013-14

Report Author:

Stephanie Young
Senior Democratic Services Officer
Legal and Democratic Services

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Overview and Scrutiny

Annual Report

2013-14

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Introduction

Overview and Scrutiny in Thurrock during 2013-14 have tackled a wide range of issues from Non-Residential Care Charges to the Grays Town Centre Regeneration Scheme. Members have also undertaken two significant task and finish reviews in order to consider in detail matters that are important in the Borough.

The agendas and associated reports of each Committee can be accessed by the following link: <http://democracy.thurrock.gov.uk/thurrock/Committees.aspx>

Sadly in the latter part of 2013 Councillor Diana Hale, Chair of the Children's Services Overview and Scrutiny Committee, passed away and we lost a much valued member of the Council's Overview and Scrutiny function. We would like to pay tribute to acknowledge the positive contribution and the lasting legacy of Councillor Hale's work on the Children's Services Committee and for the wider community of Thurrock.

We would also like to take this opportunity to thank all Members who sat on the Committees for their efforts this last year, as well as the specialists and visitors who attended to help understand better some of the issues facing our communities. Council officers, third sector partners and residents also contributed to our work and their role should also be recognised.

What is Overview & Scrutiny?

In general terms, Overview and Scrutiny is the process whereby Councillors investigate, scrutinise and oversee the work of the Council. More specifically Overview and Scrutiny pays particular attention to:

- The decisions made by Cabinet, Council and officers in relation to Council policy or key decisions.
- The activities carried out by the Council and other bodies (such as the National Health Service (NHS)).
- The performance of the Council in relation to its targets and objectives.

Work Programme

The work programme for Thurrock's Overview and Scrutiny is informed by a combination of:

- What Councillors feel are important topics (this is gathered from their work in their wards and activities across the whole of the Council).
- Members of the public highlighting issues for debate, either through Call-Ins or through consultation.
- Requests by Thurrock’s Cabinet for Overview and Scrutiny to undertake “pre-decision scrutiny” prior to policies being taken to Cabinet for consideration and decision.
- Council officers requesting Overview and Scrutiny to investigate and consider certain issues on their behalf.

Committees

At Thurrock, the work of the Overview and Scrutiny function is carried out by six committees, which each have a specific remit:

- Children’s Services Overview and Scrutiny Committee
- Cleaner, Greener and Safer Overview and Scrutiny Committee
- Corporate Overview and Scrutiny
- Health and Well-being Overview and Scrutiny Committee
- Housing Overview and Scrutiny Committee
- Planning, Transport and Regeneration Overview and Scrutiny Committee

Membership

The membership of Thurrock’s Overview and Scrutiny Committees is made up of Councillors drawn from the political parties of the Council. The Overview and Scrutiny function enables Councillors who are not members of the Cabinet (also known as the Executive) to have an active role in the decision-making process of the Council.

Thurrock has a number of non-Councillors sitting on Overview and Scrutiny Committees. The Children’s Services Committee has two parent-governors as well as a diocesan representative from the Roman Catholic and Anglican churches respectively. There are also two co-opted members on the Health and Well-being Overview and Scrutiny Committee representing health interests.

In addition, sub-committees or panels may also be formed by the Overview and Scrutiny Committees to undertake specific tasks, such as a review, the membership of which is decided alongside the remit of the review.

The decision making process

In Thurrock, Overview and Scrutiny plays a key role in adding value to the Council's decision-making process. It also reviews the existing practices of the Council and makes recommendations to Cabinet to enhance and improve service provision.

The Overview and Scrutiny Committees meet in an informal atmosphere and engages with people who can help with their work and provide evidence for their reviews. Members of the public are welcome to attend meetings of the Committees and at the discretion of the Chair may even be able to take part.

Overview and Scrutiny Online

Overview and Scrutiny has a dedicated section on Thurrock Council's website and can be found at (www.thurrock.gov.uk/overview-and-scrutiny/overview-and-scrutiny-committees).

Thurrock Council's website provides the most up-to-date information on Overview and Scrutiny in Thurrock. Participation from the public is actively encouraged and promoted online.

A number of documents are available and easily accessible, including our Overview and Scrutiny annual reports. Reports, agendas and minutes from each Overview and Scrutiny Committee meeting are also available electronically from Thurrock's website.

Getting in Touch

The Overview and Scrutiny process at Thurrock is managed by our Overview and Scrutiny Team. The Team is located within Democratic Services which is part of Legal Services. Democratic Services manages the Council's decision making process and services a wide range of Council decision making bodies including the Overview and Scrutiny Committees, Cabinet, Planning Committee, Licensing Committee as well as full Council.

If you have any queries about this report or the Overview and Scrutiny process, or if you are interested in participating, please feel free to contact us.

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Children's Services Overview and Scrutiny

This year the Committee scrutinised a wide variety of issues and considered both statutory and non-statutory services which will help shape the future of Education in Thurrock. Due to the sad passing of Councillor Diana Hale, the Chair of Children's Services Overview and Scrutiny changed in the latter part of 2013, however her work and legacy has been continued by the Committee and the current Chair, Councillor Charles Curtis.

In particular, this year the Committee were keen to build closer links with Youth Cabinet and give young people a voice on matters affecting children and young people in Thurrock, such as the re-development of Lakeside. Councillor Halden was appointed as Youth Link Champion who worked alongside Members of Youth Cabinet to launch Democracy Week and held a "question time" event in the Council Chamber. Councillor Roast later took up this role, and worked with the Chair and Youth Cabinet in December 2013 to identify the best options for youth participation going forward. As a result of this work an invitation was extended to Youth Cabinet to send representation to Committee meetings, which was met with high demand from Youth Cabinet, who currently nominate and send two different representatives to each Committee meeting. They also present an annual report on their activities and impact of their work to Children's Overview and Scrutiny. This has been a successful arrangement and one that the Committee hopes to continue and build upon in 2014-15.

Thurrock's Education Commission was established by Thurrock Council with cross party support as an independent commission to take a longer term look at the future of education in the borough. The Commission was particularly tasked to consider how to accelerate even further educational attainment. As a result, the Education Commission was an important theme and topic of scrutiny in 2013-14, with the Committee considering the findings of the "warts and all" report in October 2013, receiving regular updates and agreeing to the action plan in March 2014. These reports were crucial in keeping the Committee informed of Thurrock's school improvement strategy and this will be set to continue next year once further aspects of the report's recommendations are embedded, such as the Thurrock Education Alliance and the Thurrock Excellence Network Group.

Following on from the recommendations from the Education Commission other issues have been reviewed by the Committee, such as the developing strategy for school partnerships in Thurrock in order grow the role of schools themselves as the leaders in supporting other schools to improve.



The Committee were keen to hear about the outcomes of the public consultation and proposed Alternative Delivery Models for Grangewaters Outdoor Education Centre to ensure its viability going forward. A working group was established and the Committee were kept regularly up to date of its findings, with a number of Members undertaking site visits to the centre to find out more about the good work undertaken by staff, facilities

that could benefit from improvement and evaluate the opportunities for alternative delivery models, such as a Charitable Trust. The Committee were keen to keep all options open and this matter is expected to come back for scrutiny later this year, prior to a recommendation which is anticipated to be referred to Cabinet in 2014-15.

The Principal and Assistant Principal of Palmer's College provided an update to the Committee in January 2014 following the Ofsted inspection of Palmer's College. The key judgements made by Ofsted and the college improvement plan were a key issue for Members to scrutinise, following which support for the action plan and areas that the local authority may work in partnership with the college were identified in order to facilitate the improvements.

The supply, provision and quality of school places remained at the forefront of education in Thurrock and Members were given the opportunity to comment on the Pupil Place Plan for 2014-18, setting the context of the provision of school places in the Authority.

The introduction of the Early Offer of Help Strategy and Troubled Families Initiative were both welcomed by the Committee alongside the implementation of the Multi-Agency Safeguarding Hub (MASH). Members were particularly pleased at the provision of a single point of entry to multi agency services where there is concern of a risk of harm or where a multi agency response is needed. It is expected that the results of these initiatives will continue to be monitored by the Committee next year to ensure that the programme is on track and making a real difference to the lives of families in Thurrock.

With the sad passing of Councillor Diana Hale last year I was asked by the Leader of the Council if I would take over the role of Chair of this Committee. I can honestly say that the meetings of Children's Overview and Scrutiny were very constructive and that members held very thoughtful and lively debates concerning our children of Thurrock. It is so important that we get things right as the children of Thurrock are our future.

I believe one of the highlights of the year was when the Committee considered the report of the Education Commission. The Commission made six core recommendations:

1. Build a compelling case for change and a powerful vision for education across the whole community in Thurrock that increases pride in what is being achieved and ambition for achieving even more.
2. Redefine the role of the local authority, agree with partners what change means in practice and make sure services are provided efficiently.
3. Grow the role of schools themselves as the leaders in supporting other schools to improve.
4. Recruit and retain the best teachers and leaders by establishing greater pride in Thurrock.
5. Use Governors as key agents of support for improvement both within their own schools and across the school system in Thurrock.
6. Recognise and celebrate education and achievements in Thurrock.

These 6 recommendations are key to ensuring all schools will give our children an opportunity to excel. It will not happen overnight but I believe we will get there.

Other important topics scrutinised this year include Safeguarding and Child Protection and the Troubled Families Initiative, which is a major step forward in turning around the lives of families who face challenging pressures. The Committee have an important role in the welfare of Thurrock's Looked After Children, as we must ensure that they have access to the best opportunities to lead a safe, healthy and full life. There are so many different issues revolving around Children's Services and I have only mentioned a few. I sincerely hope that I have done Diane proud as she was a very hard act to follow.



Councillor Charles Curtis
Chair of Children's Services Overview and Scrutiny Committee

Cleaner, Greener and Safer Overview and Scrutiny

One of the key issues which was scrutinised by the Committee over the past year was bin collections in Thurrock. This was in light of the challenges which were faced by the service in summer 2013. Waste collection is a highly visible front line service affecting every resident in the Borough, and is often perceived by residents as one of the key functions provided by the Council, which is why this issue was prioritised so highly by the Committee.

To optimise performance and gain maximum efficiency from the service, collection rounds were reviewed and reconfigured during early 2013. At the same time, terms and conditions of employment of refuse crews were revised to reflect modern patterns of working and future service demands. The new rounds together with revised workplace methods came into effect in June 2013 and the Committee received regular reports on the outcome, progress, challenges and benefits of the rationalisation of waste collection rounds.

Crime remained high on the agenda, and the Committee reviewed the performance of the Thurrock Community Safety Partnership (TCSP) in 2012/13 in order to provide insight into the priorities for the Partnership and Police and Crime Commissioner for 2013/14. In particular, the Committee recognised the prevalence of violence against women and girls and welcomed the advocacy support for victims, awareness campaigns and the multi-agency approach that was being adopted in an attempt to tackle this issue.



The Committee supported the four priorities of the Community Safety Partnership (CSP) for 2013/14 which are:

1. To reduce anti-social behaviour
2. Tackle violence against women and girls
3. Reduce youth offending and the reoffending rates of adults and youths;
4. Reduce domestic burglary and vehicle crime

As part of the budget setting process for 2013/14, the leader of the Council asked Councillor Simon Wootton, Vice Chair of the Committee, to lead a task and finish group to explore Police Community Support Officer (PCSO) funding, its impact and relevance but also, to recommend to the Council as to whether the funding should continue. Subsequently a Review Panel was established and undertook a four month investigation into PCSO funding, finalising its report in October 2013. The panel

worked alongside a wide cross section of stakeholders including Essex Police, community groups and the Portfolio holder for Public Protection.

Following the PCSO Match Funding Review Councillor Cathy Kent, in her position of Chair of the Cleaner, Greener and Safer Committee, is planning a walkabout with Special Constables to find out more about their work in the community.

The Committee also received a report on the outcome of the working group review of the Future Provision of Civic Amenity Sites and the proposals to introduce access controls at sites such as the Linford Amenity Site. As part of the on-going monitoring of the Linford site the throughput of waste was carefully monitored and it was noted that during the past year there had been a significant change in the patterns and volumes of waste being delivered to the site. As waste that was delivered to the site costs up to £105 per tonne for processing and disposal, it was essential that the Council maintains strong controls over materials that are accepted. Anecdotally it was highlighted that other local authorities had placed much more rigorous controls on the waste that they accepted and that this had led to a number of traders and businesses, as well as residents of other boroughs, visiting Thurrock to dispose of their waste.

Other topics of interest to the Committee have included Climate Local and Designated Public Protection Orders. Pollution monitoring and statistics has been identified as a topic that requires further detailed consideration and monitoring during the next municipal year.

This is just a brief snapshot of the work undertaken by the Committee this year.

I would like to thank all members for their hard work, commitment, enthusiasm and professionalism especially when dealing with subjects that are very close to our hearts, particular thanks to Councillor Wootton for his support as vice chair of the committee.

My thanks to all officers and partner organisations that have given evidence to the Committee over the past year.

And lastly my thanks to democratic services for all their help and support and in particular Matthew Boulter for ensuring that no matter what the committee threw at him he ensured every meeting ran smoothly and efficiently.



Councillor Cathy Kent

Chair of Cleaner, Greener and Safer Overview and Scrutiny Committee

Corporate Overview and Scrutiny

It has been another exciting year for the Thurrock Corporate Overview & Scrutiny Committee. Tasked with oversight over the council's corporate and financial functions, the Committee always considers a wide range of issues and at some point in the year touches on every aspect of the council's work in the Borough.

One of the Committee's standing commitments is to consider progress against the council's key performance indicators. This is always a welcome opportunity for members to assess the success of council policies and strategies in achieving desired outcomes and it provides a jumping-off point for further investigation into areas of concern or good performance. One such area is staff sickness levels where stress-related absence forms a consistent area of concern for Members in 2013-14. The committee considered a thorough report on how the council is hoping to tackle stress related absence and commented on the strategies used to support staff members in difficult times.

The Committee also considered over a number of meetings the implications of the localisation of business rates and were kept updated throughout the negotiations for a local pooling scheme. The end result was an excellent piece of cross-council working that will generate real returns for capital investment in the budget and the Chair strongly commended all the officers involved.

Local government procurement is always a big issue in this era of outsourcing and the Committee considered two reports on the matter: the refresh of the council procurement policies and the implementation of the Public Sector Social Value Act. The latter allows councils to include social and environmental considerations in its procurement processes and offers a really powerful tool to effect change, not just deliver services, through the commissioning process. The Committee hope that the PSSVA delivers on its early promise and is strengthened wherever and whenever possible.

The Committee also convened a special meeting to consider the ongoing delivery of the savings in the two year 2012-2014 budget. This was a welcome opportunity for members to get a sense of the financial challenges facing the council and assess progress in meeting them. It was also indicative of the desire to have an open and transparent budgetary process where decisions are not made in closed rooms but are subject to robust and public scrutiny.

In September 2013 the Corporate Overview and Scrutiny Committee, with cross-party support, agreed to establish a Task and Finish review to look at ways other local authorities deploy equality commissions within budgetary constraints and progress equality issues within their localities. This was an exciting piece of work,

where the panel found that much was being done to address inequalities in the Borough through the work of various strategic boards, partnerships and action plans developed by council officers and partners, and that these strategies were making progress in improving the life chances of Thurrock residents – including children and young people. However, the review panel also identified an equality gap and felt that this was something that will only be set to widen over time, particularly within this challenging economic climate. With this in mind a number of recommendations were made back to Corporate Overview and Scrutiny and referred to Cabinet, one of which was to establish a Thurrock Fairness Commission to progress equality issues within the Borough.

2013/14 saw perhaps the most exciting piece of work in my two year tenure as Chair of the Thurrock Corporate Overview and Scrutiny Committee. The Fairness in Thurrock Review panel considered issues of inequality and unfairness in the Borough and considered whether Thurrock could benefit from the successful Fairness Commission model in use in other Boroughs. The work of the Review Panel was unanimously endorsed by the full committee and the recommendations agreed by Cabinet in April 2014. It could be one of the most interesting and consequential pieces of work that the council does in the coming years.

This brief exploration of the highlights of the year doesn't do justice to the range of the work of the committee. It genuinely is one of the best places in Thurrock Council to debate the big issues that are facing our borough. And with tough financial circumstances likely to continue and a new raft of welfare changes on the way, the committee will continue to be busy in the future. I'd like to thank all the members of the question for their careful and insightful analysis throughout the year and Barry Johnson in particular for his supportive vice-chairing of the full committee and the Fairness Review Panel. I'd also like to thank all the officers who have appeared at the committee for their clear exposition and willingness to get involved in the nitty gritty of the debate. Special thanks go to Matthew Boulter and Stephanie Young from Democratic Services, the former for his excellent support to what can be a tricky committee and the latter for her incredible work on the Fairness in Thurrock Review panel.

Councillor Richard Speight
Chair of Corporate Overview and Scrutiny Committee



Health and Wellbeing Overview and Scrutiny

The Health and Wellbeing Overview and Scrutiny Committee is one of the busiest Committees and one which scrutinises topics of much local interest. One of the positive news stories of this year was that Thurrock was chosen by the Alzheimer's Society to be an early adopter for Dementia Services, due to the notable progress that had achieved in order to make the community of Thurrock dementia friendly. With 1 in 14 people over the age of 65 and 1 in 6 people over 80 years of age with a form of dementia and with a predicted increase of nearly 25% in the next 7 years in the amount of people in Thurrock with the condition, Dementia is a growing issue and becoming an early adopter was a big accomplishment for Thurrock, as areas could only register if invited to do so.

Building Positive Futures was a recurrent issue, with the Committee keen to monitor the progress of Thurrock's transformation programme for Adult Social Care, since it was launched on 1 March 2012. The Committee supported strengthened leadership and governance arrangements, particularly in relation to member involvement and the engagement of Health and other partners, in addition to the government's integration agenda for Adult Social Care and Health – the Better Care Fund.

In November 2013 the Committee examined Non-Residential Care Charges and reviewed the results of the consultation with residents. As part of this review the Committee received a presentation by officers on the technology that was on offer and how this helped Thurrock residents.

Councillor Gupta also visited a telecare service user and the telecare control centre to see firsthand how this service had a positive impact on resident's lives. Following this review and consultation process the Committee recommended that Non-Residential Care Charges be means tested. Other Non-Residential Charges were discussed by the Committee, including double handed care and the meals on wheels service, and important decisions were made on both.



The Committee scrutinised the development of the Essex Primary Care Strategy which would transform regional health services by establishing new models of primary care that are responsive, integrated and deliver a consistent service for patients. The strategy was co-produced between NHS England and Thurrock Clinical Commissioning Group (CCG) and was formed following a series of engagement events with patients and stakeholders.

The business case for the development of Hyper Acute Stroke Services across Essex was also scrutinised, which was resolved in early 2014 with Thurrock Clinical Commissioning Group (CCG) allocating £1 million to strengthen Stroke Services at Basildon & Thurrock University Hospitals. In April 2014 a joint Committee was held between Thurrock and Essex County Council in relation to the performance of Basildon & Thurrock University Hospitals, where representatives from the hospital presented information to Members and provided an update on the outcome of the latest inspections. Basildon and Brentwood Clinical Commissioning Group (CCG) also presented information Members, which overall provided valuable feedback.

Throughout the year Members were kept up to date by Public Health who regularly provided information regarding their annual plan, major commissioning for 2014-15 and public health outcomes in the Thurrock population around the priority areas of smoking and obesity including details of current statistics, priorities and actions. The Committee also worked closely with the NHS Thurrock Clinical Commissioning Group, who provided updates on the progress of the CCG's authorisation journey. In December 2013 the Committee further considered and supported a proposed merger of two Tilbury GP surgeries; however unfortunately this did not come to fruition as NHS England and the two GP Surgeries involved were unable to agree terms that met quality access requirements.

The Committee continued its important work with partners, such as Thurrock Coalition, who were vital in developing initiatives such as the "Sport for You" programme. In May 2013 a "Sport For You" Conference was held in order to engage with residents of Thurrock, parents, carers and families, council officers, Members and Third Sector groups to explore, map and discuss current and potential future provision of Sport and Activity for Disabled people in Thurrock. Four out of the five of the most popular sports identified at the conference (football, archery, table tennis, swimming) are now more widely available in Thurrock. Ian Evans, Executive Director of Thurrock Coalition (The User-Led Organisation for Thurrock) and co-opted Member of the Health and Wellbeing Overview and Scrutiny Committee was vital in coordinating this work and providing invaluable feedback representing the views of service users.

Councillor Barbara Rice, Portfolio Holder for Adult Social Care and Health, presented a report in early 2014 which highlighted the achievements over the past year, which were ever greater given the current economic and demographic landscape. This included the success of the Building Positive Futures programme, which saw the opening of Elizabeth Gardens extra care housing scheme in North Grays, securing an additional £1.3 million of Government funding to support the development of a 28 new properties for older people in Derry Avenue, South Ockendon, and the recruitment to Local Area Coordinator posts to identify people most at risk of needing care and support.

The Committee valued the contributions from the representative from HealthWatch, who provided important input on issues relating to patients' care in the Borough.

This year has been an exciting year for the Committee, where a number of important issues have been scrutinised. I am particularly pleased with all the work that has been undertaken in relation to the strategy that has been developed by Public Health and Adult Social Care to support our older residents in Thurrock. I also welcome the development of Thurrock's Better Care Fund plan which is an opportunity to transform local services so that people are provided with better integrated care and support that will enable the area to deliver better health and care outcomes for residents. It is brilliant to see council officers, health partners, community representatives and voluntary groups coming together to collaborate on strategies and work programmes in order to improve the health outcomes for residents in the Borough.

I would like to thank our partners for all their hard work and invaluable input this year and also my colleagues who worked hard to scrutinise reports presented by council officers and recommended important improvements for the benefit of our local residents. Special thanks to Councillor James Halden for his supportive vice chairing role. I would also like to take this opportunity to thank council officers from Health and Social Care for all their good work and in particular Matthew Boulter from Democratic Services for his continuous support to the Committee Members.

Councillor Yash Gupta MBE
Chair of Health and Wellbeing Overview and Scrutiny
Committee



Housing Overview and Scrutiny Committee

Throughout the year the Housing Overview and Scrutiny Committee have had the opportunity to examine in more detail the Council's borrowing strategy in order to fund the Wholly Owned Housing Company, Gloriana, in addition to the Council's own new housing building schemes within the Housing Revenue Account (HRA). These have been a priority for Members which create positive opportunities for Thurrock residents and will see the construction of new homes in the Borough.

Members were regularly updated on the development of the Council's Transforming Homes five year capital programme, the progress made on the Thermal Efficiency retrofit programme along with actions taken to eradicate Damp, Condensation and associated Mould in Council Properties. The Committee were particularly keen to scrutinise what actions were being taken to reduce the number of residents who experienced fuel poverty and increase the levels of comfort and satisfaction in homes. Independent Customer Satisfaction scores were reviewed in April 2014 in order to transparently and openly reflect on the Housing Directorates performance. This was welcomed by the Committee who were interested to examine direct feedback from residents. In addition the Committee scrutinised the Private Sector Housing Strategy as ensuring that there is a provision of high quality housing in the private sector is becoming increasingly important as over 80% of homes in Thurrock are in private ownership.

Members of the Committee had the opportunity to see firsthand the condition of council properties and the impact of the initiatives when they visited a newly void property, a home on the waiting list for transformation and a newly refurbished home to the Transforming Homes standard in March 2014.

The Committee also reviewed the impact of welfare reform on Thurrock housing tenants, which included the change in allocations policy and the downsizing initiative to support tenants so that they would not be impacted by Social Sector Size Criteria (SSSC).

In July 2013 and January 2014 scrutinised the quality and cost review of the caretaking, cleaning and ground maintenance services and recommended that a further detailed option appraisal be carried out with full resident involvement to ensure that better value for money is achieved.

Other key issues that arose throughout the year included the sheltered housing review, progress on voids, re-charging tenants audit and the examination of the Anti-Social Behaviour (ASB) action plan. The condition and letting of garages is an issue that was raised by Members, and will be an area for further investigation during 2014-15.

This year, the scrutiny committee has reviewed Cabinet policies and execution of Housing services. Working closely with officers, I believe we have achieved much in the way of best practice, efficient procurement and improved housing standards.

Councillor Steve Liddiard
Chair of Housing Overview and Scrutiny Committee



Planning, Transport and Regeneration Overview and Scrutiny

The Planning, Transport and Regeneration Committee have had a very busy year and scrutinised some of the most wide ranging regeneration developments that are set to stimulate Thurrock's local economy for years to come.

This is an exciting period of growth for Thurrock and the Committee have investigated and considered a significant number of high profile developments which are of great interest to both residents and the local business community alike. The scale and pace of regeneration in Thurrock is unprecedented and the volume of developments would be envy of other local authorities around the Country, which is why the role of the Planning, Transport and Regeneration Committee was particularly important this year.

Some of these regeneration plans sought to readdress challenges and issues that have been faced in Thurrock for some time and are at the heart of many resident's, such as the Grays Town Centre Regeneration scheme, which included much needed solutions to the level crossing, refurbishment of commercial buildings, improvement to the shopping area and the conversion of Grays Magistrates Court to create a business incubation centre and possibly 200 new jobs. This is all against the backdrop of the new College Campus set to open in September 2014 – which will draw thousands of new students to Grays Town Centre.

The Committee scrutinised and endorsed the procurement process used to select a development partner for the Purfleet Regeneration Programme which is set to build 3,000 new homes, a primary school, health centre, and shopping and community facilities. This has been nominated in the Regeneration and Renewal Magazines top 100 projects in the UK and the project is number 22 on the list.

Another big issue was the Lower Thames Crossing, which was considered in detail by the Committee and a scrutiny seminar held in July 2013. At the seminar Members worked with local residents and organisations such as Transport for London (TfL) and Natural England to obtain feedback on the proposed options. All responses were fed back into Central Government's consultation process.

A number of other key issues were also examined, which included:

- The **Vision for Tilbury**
- Emerging proposals for **Thames Enterprise Park** (otherwise known as Thames Oilport).
- The review of the **Provision and Delivery of Skills and Training** to meet employment opportunities in the Ports, Logistics and Transport Sector.

- The endorsement of £10 million of expenditure over the next 4 years for the **2014/15-17/18 Highways and Transport Capital Programme**.
- The examination of progress that was being made at **London Gateway**.
- The evaluation and endorsement of the system of prioritisation for **Road Safety Measures outside Schools**.

In January 2014 the Committee established the Bus Working Group in order to examine best practice, other sources of income and partnership working opportunities to improve public transport access for local employees travelling to industrial and retail areas in the Borough. The working group aim to build relationships with local bus companies and also to encourage and improve cycling rates in Thurrock.



Members of the Committee also undertook two site visits this year, one to Thames Oilport and another to London Gateway, where they received presentations from partners on the work that had been undertaken in response to reports that had been submitted to the Committee.

These visits were helpful to the Committee and it is hoped that further meetings with representatives from Thurrock local industry can be arranged and the benefits of partnership working will continue to come to fruition next year.

The Committee visited DP World to see the £1.5 billion investment into the New Port and the Thames Oilport to see the regeneration of this part of East Thurrock and the forward plans for these 2 important sites. The Committee also welcomed the extension of the Port of Tilbury which would generate 750 jobs and the £200 million investment into Lakeside Shopping Centre.

The committee scrutinised the exciting policies for the regeneration Grays Town Centre and Purfleet with an investment of £650 million to provide 2300 homes, a new shopping precinct, and exciting plans for a Film Studio.



Councillor Gerard Rice
Chair of Planning, Transport and Regeneration Overview and Scrutiny Committee

Budget Overview and Scrutiny

This year was year two of the budget saving proposals which had been scrutinised and agreed in 2012-13. However, Members were still keen to scrutinise the budget to ensure that the Council was on target to achieve the significant budget savings and to identify if further value for money and efficiencies could be realised. With challenging public sector cuts and the knowledge that more was to come, Members were keen to ensure that Thurrock was doing all it could to ensure value for money and ascertain any new income streams.

The Corporate Overview and Scrutiny Committee convened a special meeting to consider the ongoing delivery of the savings in the two year 2012-2014 budget. This was an opportunity for members to get a sense of the financial challenges facing the council and assess progress in meeting them.

Scrutiny Committees held productive and engaging debates on a number of key issues in order to maximise efficiency savings to the authority, some examples of these areas are outlined below:

National Non-Domestic Rates Pooling Opportunities

In June 2013 Corporate Overview and Scrutiny Committee received a report outlining changes to the 2013/14 Local Government Finance Settlement which increased the importance of National Non-Domestic Rates (NNDR) to the Council's funding position and introduced the potential to use pooling arrangements to increase funding available to the Council. The new funding system still funds Councils through a mixture of Revenue Support Grant and Business Rates but they are no longer combined into a fixed level of Formula Grant. Instead Councils receive a guaranteed Revenue Support Grant with the balance made up of a share of retained Business Rates, which can increase (or decrease) depending on the growth (or reduction) in business rates collected.

In September 2013 the Committee considered a report summarising the modelling work used to inform a decision about entering into a pooling arrangement. The report expressed a preference for entering into a pooling arrangement with Basildon Borough Council and the London Boroughs of Barking & Dagenham and Havering on the basis of maximising financial benefit for Thurrock and meeting Government criteria for a pool concerning clear strategic links and a rationale for promoting growth.

Highways and Transport Capital Programme

In January 2014 the Planning, Transport and Regeneration Overview and Scrutiny Committee scrutinised the Highways and Transport Capital Programme for 2014/15 based on the Department for Transport's (DfT) allocation; the Council's package of capital measures to be delivered through the Local Sustainable Transport Fund (LSTF) for 2014/15; and the supplementary capital programme that hoped to prevent the decline in the highway infrastructure and how this might be funded. Members fully endorsed the proposals.

Cleaning & Caretaking and Environmental Services Review

The Housing Overview and Scrutiny Committee reviewed the outcome of a quality and cost review of the caretaking, cleaning and ground maintenance services and recommended that a further detailed option appraisal of grounds maintenance service be carried out with full resident involvement. They also agreed that officers should undertake a more detailed review of the caretaking service to ensure that better value for money is achieved and that a new Environmental Services Service Level Agreement be implemented from April 2014.

Alternative uses for money previously used to match fund Police Community Support Officers (PCSOs).

The Cleaner, Greener, Safer Overview and Scrutiny Committee considered the options as to how to use the budget previously set aside for the match funding of PCSOs. Following much debate and review of all the options it was agreed that the portfolio holder for Public Protection, in conjunction with the Head of Public Protection, implement their desired preference with regards to an enhanced enforcement service.

Waste Collection Round Rationalisation

Waste Collection Round Rationalisation was a subject of much debate and scrutiny during 2013-14. Waste collection is a highly visible front line service and is perceived by residents as a key services provided by the Council. To optimise performance and gain maximum efficiency from the service, collection rounds were reviewed and reconfigured during early 2013. At the same time, terms and conditions of employment of refuse crews were revised to reflect modern patterns of working and future service demands. The new rounds together with revised workplace methods came into effect in June 2013 and Members continue to review the work and support the financial and operational benefits delivered by the rationalisation project.

Overview and Scrutiny Reviews

Overview and Scrutiny Committees can establish Scrutiny Review Panels to investigate in-depth issues which have come to their attention. In 2013-14 two Scrutiny Review Panels were established, the details of which are set out below.

Police Community Support Officer (PCSO) Match Funding Review

At Full Council in February 2013 the Leader of the Council asked Councillor Simon Wootton to lead a task and finish group to explore PCSO funding, its impact and relevance but also, to give a steer to the Council as to whether the funding should continue.

A Review Panel was subsequently established and undertook a four month investigation into PCSO funding which involved a wide cross section of stakeholders including Essex Police, community groups and the Portfolio holder for Public Protection. A report was finalised by the panel in October 2013.

The primary aim of the review was to determine whether the Council's funding of PCSOs provided additional value. The panel's investigation found no conclusive evidence that the funding provided additional resources to PCSOs in Thurrock. Arguably there were 14 PCSOs within the current numbers who are there because of the matched funding. The panel also found the special services agreement and the performance monitoring to be inadequate and not fit for purpose.

As a result, 3 options were put forward for consideration by the Cleaner, Greener and Safer Overview and Scrutiny Committee which were agreed and referred to Cabinet in November 2013. However, at the time of finalising the review report Chair of the Panel was contacted by Chief Inspector Ben Hodder. He had been asked to review the management of PCSOs by his superiors. The recommendation had been made for Essex Police to cease all match funded arrangements across Essex and to provide councils the choice to fully fund however many PCSOs they wished.

With this new development the options left to Thurrock Council were reduced and at Cabinet in November 2013 it was agreed to cease match funding of PCSO's. It was also agreed that the Council would acknowledge the confirmation that Essex Police were ceasing match funding opportunities for PCSOs and welcomed the Chief Superintendants commitment that this would not mean any PCSO redundancies for Thurrock.

Fairness in Thurrock Review

The topic of Fairness was brought to the fore by the Corporate Overview Scrutiny Committee, which wanted to explore and evidence issues relating to fairness in order to better understand and address the barriers to equality in the local area. In September 2013 the Committee agreed to establish a Task and Finish group to look at ways other local authorities deploy equality commissions within budgetary constraints and progress equality issues within their localities. The panel's overall aim was to make recommendations on the relevance of a commission for Thurrock, other alternatives, as well as any costs involved. The Fairness in Thurrock Review Panel was subsequently established and undertook this investigation, finalising the report in March 2014.

At the first meeting of the Fairness in Thurrock Review the panel were particularly interested in mapping the pathway of inequality for children and young people (from birth to age 21). As a result, an analysis of the current data available was undertaken so that an informed data comparison of children and young people's life chances by ward area could be made. The panel engaged with officers across the Council to evaluate the current strategies, action plans, partnerships and boards that attempt to tackle inequality and to identify whether a Fairness Commission would add value to the equalities agenda in Thurrock.

A Stakeholder Workshop was held on 30 January 2014 to consult with partners who could be involved in the work of any future Fairness Commission – potential future Commissioners – in order to seek their views and establish whether there was any support. Participants at the workshop included representatives from Thurrock Lifestyle Solutions, Citizens Advice Bureau (CAB), South Essex Rape and Incest Crisis Centre (SERRIC), Open Door, Thurrock Coalition, Thurrock CVS, Thurrock Centre for Independent Living, One Community Development Trust, TRUST, Ngage, Essex Police and a spokesperson from the Troubled Families Initiative.

An open discussion took place on Fairness Commissions and whether this would add value to the equalities agenda in Thurrock. During the review the user-led organisation of Thurrock Coalition ran an engagement workshop with their partners – Thurrock Diversity Network (TDN). Thurrock Diversity Network has a broad membership base of 45 individuals and organisations with an interest in disability issues in connection to Thurrock. Through a series of group work, feedback and discussions they provided a report which informed the work of the Fairness in Thurrock Review.

During the review it was clear that there was a wealth of data that indicates a level of inequality exists in Thurrock and that there were a number of strategies and action plans in place to try to tackle this. The issues and initiatives around reducing

inequalities are cross council, cross theme and cross partners. By examining the evidence the panel found that much was being done to address inequalities in the Borough through the work of various strategic boards, partnerships and action plans developed by council officers and partners, and that these strategies were making progress in improving the life chances of Thurrock residents – including children and young people. Nevertheless there was still an equality gap and as a panel it was felt that this is something that will only be set to widen over time, particularly within this challenging economic climate.

As a result in March 2014 the panel made 4 recommendations to the Corporate Overview and Scrutiny Committee which included that Thurrock establishes a Fairness Commission to progress equality issues within the Borough, that no more than 15 Commissioners form the membership of the Thurrock Fairness Commission, that the work of the Commission was progressed within existing resources and that the work is regularly reviewed with a final report being referred to Cabinet one year after its inception. The Committee endorsed the panel's recommendations, which were subsequently considered and agreed by Cabinet in April 2014.

At the time of this annual report going to print, Directors were tasked to identify appropriate staff in their service area to facilitate the Fairness Commission, including an appropriate officer in the Chief Executive's Delivery Unit to coordinate the work. A Councillor from each of the two largest political parties in Thurrock was also being nominated in order for initial work in appointing Commissioners to begin, and it was intended that the outcomes of the review were reported back to the stakeholders who attended the workshop and contributed to the panel's investigation in order to involve partners and stakeholders to identify potential Commissioners.

Call-ins

Thurrock's Call-In process is a vital aspect of the Overview and Scrutiny function. It allows Councillors or Members of the public to ask that a decision of the Cabinet not be implemented until it has been subject to scrutiny by the appropriate Overview and Scrutiny Committee.

A Call-In of a Cabinet decision can be requested by two elected Members who are not members of the Cabinet, a voluntary group with an interest in the Borough, a local business situated in the Borough or ten residents in the Borough. The Call-In must be in writing and include reasons for the Call-In together with an alternative course of action.

The Call-In once it has been verified as legitimate and in accordance with the provisions of the council's constitution is then referred to the appropriate Overview and Scrutiny Committee for consideration. The Committee receives all the evidence relating to the issue in question and following consideration, makes recommendations about whether the original decision should stand or whether Cabinet should be requested to reconsider its original decision.

During 2013-14 the Overview and Scrutiny Committees considered two Call-Ins as detailed below:

Private Sector Housing Fees

In July 2013 the Housing Overview and Scrutiny Committee considered a Call-In in respect of charges for licence applications for Houses in Multiple Occupation which fall within the mandatory licensing requirements of the Housing Act 2004, for fees for taking certain types of enforcement action and for charges for non statutory inspections, such as inspections of properties in connection with applications for UK Border Agency Clearance Reports. The Members who called-in the decision felt that the proposal did not provide sufficient value for money, provided an unfair advantage to applicants and impacted upon Thurrock tax payers.

The Committee considered the comments of the Call-In Members together with the views and comments of officers. Following a debate the Committee agreed to reject the Call-In on the basis that the licence charges did reflect the full cost of administering the scheme so there was no additional cost to tax payers

Grays Town Centre Regeneration Vision

In November 2013 a Call-In was submitted in relation to the Grays Town Centre Regeneration Vision, specifically pertaining to the exempt nature of the report and

the recommendations regarding possible multi-million pound expenditure on the State Cinema. Alternative proposals were agreed, which resulted in the item being referred back to Cabinet with suggested amendments. This included agreement of a new recommendation that any decision to acquire the State cinema should only be taken in a transparent way, once a full business case had been prepared, including costs of acquisition, conversion to an appropriate commercially viable use, and expected benefits.

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23 July 2014	ITEM: 11
Council	
Adoption of legislation to allow for improved regulation of acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis within Thurrock.	
Wards and communities affected: All	Key Decision: Not applicable
Report of: Councillor P Smith, Portfolio Holder for Public Protection	
Accountable Head of Service: Lucy Magill, Head of Public Protection	
Accountable Director: Graham Farrant, Chief Executive	
This report is Public	

Executive Summary

To enable the Council to regulate the provision of acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis in Thurrock, the Council needs to make a resolution to adopt Sections 14-17 inclusive of the Local Government (Miscellaneous Provisions) Act 1982 and once that resolution is passed and implemented, to then adopt a model bylaw. The model bylaw orders that persons and premises undertaking these activities register with the council, and it enables the council to place conditions on the registrations.

By adopting the legislation and creating a bylaw it will ensure that any person carrying out acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis has to be registered with the local authority. A fee is payable for the registration, and the registration has conditions attached to it, for the purpose of securing the cleanliness of the premises, the cleanliness of persons registered and assisting registered persons, and the cleansing and where appropriate sterilisation of instruments, materials and equipment. Any breach of these conditions could result in formal action.

There are a number of premises in Thurrock which provide these facilities and in the interests of health and safety, such premises should all operate to a similar enforceable standard.

1. Recommendation(s)

- 1.1 That Council agree to adopt Sections 14-17 inclusive of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Local Government Act 2003 Section 120, which deals with the regulation of Acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis**
- 1.2 That following the implementation period for the adoption of the resolution in relation to Sections 14-17 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by The Local Government Act 2003 Section 120, the Council agree to create a bylaw based on the model bylaw which can be found in Appendix 2.**

2. Introduction and Background

- 2.1 Skin Piercing activities include: acupuncture, tattooing, ear piercing, electrolysis, cosmetic piercing (piercing of the body including the ear) and semi-permanent skin colouring (including micro-pigmentation, semi-permanent make-up and temporary tattooing).
- 2.2 At the Environmental Health Committee on the 2nd July 1987 and the Policy and Resources Committee on the 8th July 1987 it was agreed that Sections 14-17 inclusive and the model bylaw for the purposes of the registration of premises for acupuncture, tattooing, ear piercing and electrolysis and also the registration of persons undertaking those trades be adopted from the 1st September 1987.
- 2.3 There is, however, no obtainable evidence to suggest that the notification process as laid out in Section 13 of the Local Government (Miscellaneous Provisions) Act 1982 had been followed or that the bylaw was forwarded to the Secretary of State for adoption, therefore the relevant sections and the bylaw cannot be enforced as it has not been fully adopted.
- 2.4 By adopting the sections and creating a bylaw it allows the Council to put conditions on registrations relating to the cleanliness and hygiene of the premises, practitioners and equipment. This is intended to increase health protection and reduce the risk of transmission of blood-borne virus infections such as HIV, hepatitis B and C and other infections.

3. Issues, Options and Analysis of Options

- 3.1 The Local Government (Miscellaneous Provisions) Act 1982 requires that persons undertaking skin piercing activities obtain a registration from the local authority, and a person cannot undertake skin piercing activities as listed in the bylaw unless they obtain a registration for skin piercing.

- 3.2 The bylaw is to ensure that the premises are following safe procedures, and relate to the cleanliness of the premises, practitioners and equipment. The registration fee is £120.00 per premises and is a one off fee. Premises which are to be used for skin piercing may need to have works undertaken to conform to the conditions such as providing and fitting a wash hand basin to each treatment room with hot and cold running water. The practitioner will need to ensure safe procedures and working methods are in place.
- 3.3 Each premises where skin piercing is to be undertaken will receive a visit from a Thurrock Council Officer to ensure the conditions are being met, and visits will be made to the premises throughout the existence of the registration for the premises, to ensure continued compliance with the bylaw to protect members of the public.
- 3.4 All premises where skin piercing will be undertaken will need to conform to the same standard which will ensure uniformity amongst the premises.

4. Reasons for Recommendation

- 4.1 The adoption of the Sections and the creation of a bylaw will ensure that residents and visitors using premises carrying out skin piercing and related activities are meeting a standard which will help to ensure the persons health and safety.

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

- 5.1 Discussion with the Director of Public Health who supports this proposal.

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

- 6.1 The adoption of the bylaw will contribute to meeting the Council's priority of protecting and promoting our clean and green environment and building pride, responsibility and respect.

7. Implications

7.1 Financial

Implications verified by: **Mike Jones**
Management Accountant

Work Associated with this activity will be funded within the existing budget. The fee is reviewed on an annual basis.

7.2 Legal

Implications verified by: **David Lawson**
Deputy Head of Legal and Democratic Services

The local authority has an obligation to protect public safety and prevent the transmission of diseases; this activity contributes to the fulfilment of this duty.

7.3 Diversity and Equality

Implications verified by: **Natalie Warren**
Community Development and Equalities Manager

This activity does not impact disproportionately on any group of persons that have protected characteristics.

7.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

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):

- Minutes of Environmental Health Committee 2nd July 1987
- Minutes of Environmental Health Committee 17th September 1987
- Minutes of Policy and Resources Committee 8th July 1987

Copies of these minutes are available if needed, please contact the author.

9. Appendices to the report

- Appendix 1 - Section 13 – 17 of The Local Government (Miscellaneous Provisions) Act 1982, as amended by The Local Government Act 2003 section 120,
- Appendix 2 - Model Bylaw: Acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis

Report Author Contact Details:

Nicola Watson
Environmental Health Officer
Public Protection

Title: Year: Number: Type: All Legislation (excluding draft) Search

Advanced Search

Local Government (Miscellaneous Provisions) Act 1982

1982 c. 30 Part VIII

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Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Local Government (Miscellaneous Provisions) Act 1982. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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PART VIII

ACUPUNCTURE, TATTOOING, EAR-PIERCING AND ELECTROLYSIS

13 Application of Part VIII.

- (1) The provisions of this Part of this Act, except this section, shall come into force in accordance with the following provisions of this section.
- (2) A local authority may resolve that the provisions of this Part of this Act which are mentioned in paragraph (a), (b) or (c) of subsection (3) below are to apply to their area; and if a local authority do so resolve, the provisions specified in the resolution shall come into force in their area on the day specified in that behalf in the resolution (which must not be before the expiration of the period of one month beginning with the day on which the resolution is passed).
- (3) The provisions that may be specified in a resolution under subsection (2) above are—
 - (a) sections 14, 16 and 17 below; or
 - (b) sections 15 to 17 below; or
 - (c) sections 14 to 17 below.
- (4) A resolution which provides that section 15 below is to apply to the area of a local authority need not provide that it shall apply to all the descriptions of persons specified in subsection (1) of that section; and if such a resolution does not provide that section 15 below is to apply to persons of all of those descriptions, the reference in subsection (2) above to the coming into force of provisions specified in the resolution shall be construed, in its application to section 15 below, and to section 16 below so far as it has effect for the purposes of section 15 below, as a reference to the coming into force of those sections only in relation to persons of the description or descriptions specified in the resolution.
- (5) If a resolution provides for the coming into force of section 15 below in relation to persons of more than one of the descriptions specified in subsection (1) of that section, it may provide that that section, and section 16 below so far as it has effect for the purposes of that section, shall come into force on different days in relation to persons of each of the descriptions specified in the resolution.
- (6) A local authority shall publish notice that they have passed a resolution under this section in two consecutive weeks in a local newspaper circulating in their area.
- (7) The first publication shall not be later than 28 days before the day specified in the resolution for the coming into force of the provisions specified in it in the local authority's area.
- (8) The notice shall state which provisions are to come into force in that area.
- (9) The notice shall also—
 - (a) if the resolution provides for the coming into force of section 14 below, explain that that section applies to persons carrying on the practice of acupuncture; and
 - (b) if it provides for the coming into force of section 15 below, specify the descriptions of persons in relation to whom that section is to come into force.
- (10) Any such notice shall state the general effect, in relation to persons to whom the provisions specified in the resolution will apply, of the coming into force of those provisions.
- (11) In this Part of this Act "local authority" means—
 - (a) the council of a district;
 - (b) the council of a London borough; and
 - (c) the Common Council of the City of London.

Annotations:

Modifications etc. (not altering text)

C1 Ss. 13-17: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of S.I. 2000/2853, reg. 2(1), Sch. 1

14 Acupuncture.

- (1) A person shall not in any area in which this section is in force carry on the practice of acupuncture unless he is registered by the local authority for the area under this section.
- (2) A person shall only carry on the practice of acupuncture in any area in which this section is in force in premises registered by the local authority for the area under this section; but a person who is registered under this section does not contravene this subsection merely because he sometimes visits people to give them treatment at their request.
- (3) Subject to section 16(8)(b) below, on application for registration under this section a local authority shall register the applicant and the premises where he desires to practise and shall issue to the applicant a certificate of registration.
- (4) An application for registration under this section shall be accompanied by such particulars as the local authority may reasonably require.
- (5) The particulars that the local authority may require include, without prejudice to the generality of subsection (4) above,—
 - (a) particulars as to the premises where the applicant desires to practise; and
 - (b) particulars of any conviction of the applicant under section 16 below,
 but do not include information about individual people to whom the applicant has given treatment.
- (6) A local authority may charge such reasonable fees as they may determine for registration under this section.
- (7) A local authority may make byelaws for the purpose of securing—
 - (a) the cleanliness of premises registered under this section and fittings in such premises;
 - (b) the cleanliness of persons so registered and persons assisting persons so registered in their practice;
 - (c) the cleansing and, so far as is appropriate, the sterilisation of instruments, materials and equipment used in connection with the practice of acupuncture.
- (8) Nothing in this section shall extend to the practice of acupuncture by or under the supervision of a person who is registered as a medical practitioner or a dentist or to premises on which the practice of acupuncture is carried on by or under the supervision of such a person.

Annotations:**Modifications etc. (not altering text)**

C2 Ss. 13-17: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of S.I. 2000/2853, reg. 2(1), Sch. 1

15 Tattooing, ear-piercing and electrolysis.

- (1) A person shall not in any area in which this section is in force carry on the business—
 - (a) of tattooing;
 - (b) of ear-piercing; or
 - (c) of electrolysis,
 unless he is registered by the local authority for the area under this section.
- (2) A person shall only carry on a business mentioned in subsection (1) above in any area in which this section is in force in premises registered under this section for the carrying on of that business; but a person who carries on the business of tattooing, ear-piercing or electrolysis and is registered under this section as carrying on that business does not contravene this subsection merely because he sometimes visits people at their request to tattoo them or, as the case may be, to pierce their ears or give them electrolysis.
- (3) Subject to section 16(8)(b) below, on application for registration under this section a local authority shall register the applicant and the premises where he desires to carry on his business and shall issue to the applicant a certificate of registration.
- (4) An application for registration under this section shall be accompanied by such particulars as the local authority may reasonably require.
- (5) The particulars that the local authority may require include, without prejudice to the generality of subsection (4) above,—
 - (a) particulars as to the premises where the applicant desires to carry on his business; and
 - (b) particulars of any conviction of the applicant under section 16 below,
 but do not include information about individual people whom the applicant has tattooed or given electrolysis or whose ears he has pierced.
- (6) A local authority may charge such reasonable fees as they may determine for registration under this section.
- (7) A local authority may make byelaws for the purposes of securing—
 - (a) the cleanliness of premises registered under this section and fittings in such premises;
 - (b) the cleanliness of persons so registered and persons assisting persons so registered in the business in respect of which they are registered;
 - (c) the cleansing and, so far as is appropriate, the sterilisation of instruments, materials and equipment used in connection with a business in respect of which a person is registered under this section.
- (8) Nothing in this section shall extend to the carrying on of a business such as is mentioned in subsection (1) above by or under the supervision of a person who is registered as a medical practitioner or to premises on which any such business is carried on by or under the supervision of such a person.

Annotations:**Modifications etc. (not altering text)**

C3 Ss. 13-17: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of S.I. 2000/2853, reg. 2(1), Sch. 1

16 Provisions supplementary to ss. 14 and 15.

- (1) Any person who contravenes—
- (a) section 14(1) or (2) above; or
 - (b) section 15(1) or (2) above,
- shall be guilty of an offence and liable on summary conviction to a fine not exceeding [F1 level 3 on the standard scale].
- (2) Any person who contravenes a byelaw made—
- (a) under section 14(7) above; or
 - (b) under section 15(7) above,
- shall be guilty of an offence and liable on summary conviction to a fine not exceeding [F1 level 3 on the standard scale].
- (3) If a person registered under section 14 above is found guilty of an offence under subsection (2)(a) above, the court, instead of or in addition to imposing a fine under subsection (2) above, may order the suspension or cancellation of his registration.
- (4) If a person registered under section 15 above is found guilty of an offence under subsection (2)(b) above, the court, instead of or in addition to imposing a fine under subsection (2) above, may order the suspension or cancellation of his registration.
- (5) A court which orders the suspension or cancellation of a registration by virtue of subsection (3) or (4) above may also order the suspension or cancellation of any registration under section 14 or, as the case may be, 15 above of the premises in which the offence was committed, if they are occupied by the person found guilty of the offence.
- (6) Subject to subsection (7) below, a court ordering the suspension or cancellation of registration by virtue of subsection (3) or (4) above may suspend the operation of the order until the expiration of the period prescribed by Crown Court Rules for giving notice of appeal to the Crown Court.
- (7) If notice of appeal is given within the period so prescribed, an order under subsection (3) or (4) above shall be suspended until the appeal is finally determined or abandoned.
- (8) Where the registration of any person under section 14 or 15 above is cancelled by order of the court under this section—
- (a) he shall within 7 days deliver up to the local authority the cancelled certificate of registration, and, if he fails to do so, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding £50 and thereafter to a daily fine not exceeding £5; and
 - (b) he shall not again be registered by the local authority under section 14 or, as the case may be, 15 above except with the consent of the magistrates' court which convicted him.
- (9) A person registered under this Part of this Act shall keep a copy—
- (a) of any certificate of registration issued to him under this Part of this Act; and
 - (b) of any byelaws under this Part of this Act relating to the practice or business in respect of which he is so registered,
- prominently displayed at the place where he carries on that practice or business.
- (10) A person who contravenes subsection (9) above shall be guilty of an offence and liable on summary conviction to a fine not exceeding [F1 level 2 on the standard scale].
- (11) It shall be a defence for a person charged with an offence under subsection (1), (2), (8) or (10) above to prove that he took all reasonable precautions and exercised all due diligence to avoid commission of the offence.
- (12) Nothing in this Part of this Act applies to anything done to an animal.

Annotations:**Amendments (Textual)**

F1 Words substituted by virtue of Criminal Justice Act 1982 (c. 48, SIF 39:1), s. 46

Modifications etc. (not altering text)

C4 Ss. 13-17: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of S.I. 2000/2853, reg. 2(1), Sch. 1

17 Power to enter premises (acupuncture etc.).

- (1) Subject to subsection (2) below, an authorised officer of a local authority may enter any premises in the authority's area if he has reason to suspect that an offence under section 16 above is being committed there.
- (2) The power conferred by this section may be exercised by an authorised officer of a local authority only if he has been granted a warrant by a justice of the peace.
- (3) A justice may grant a warrant under this section only if he is satisfied—
- (a) that admission to any premises has been refused, or that refusal is apprehended, or that the case is one of urgency, or that an application for admission would defeat the object of the entry; and
 - (b) that there is reasonable ground for entry under this section.
- (4) A warrant shall not be granted unless the justice is satisfied either that notice of the intention to apply for a warrant has been given to the occupier, or that the case is one of urgency, or that the giving of such notice would defeat the object of the entry.
- (5) A warrant shall continue in force—
- (a) for seven days; or
 - (b) until the power conferred by this section has been exercised in accordance with the warrant,
- whichever period is the shorter.
- (6) Where an authorised officer of a local authority exercises the power conferred by this section, he shall produce his authority if required to do so by the occupier of the premises.
- (7) Any person who without reasonable excuse refuses to permit an authorised officer of a local authority to exercise the power conferred by this section shall be guilty of an offence and shall for every such refusal be liable on summary conviction to a fine not exceeding [F2 level 3 on the standard scale].

Annotations: 

Amendments (Textual)

F2 Words substituted by virtue of Criminal Justice Act 1982 (c. 48, SIF 39:1), s. 46

Modifications etc. (not altering text)

C5 Ss. 13-17: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of S.I. 2000/2853, reg. 2(1), Sch. 1

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Local Government Act 2003

2003 c. 26 Part 8 Chapter 1 Other Section 120

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Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Local Government Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations.

View outstanding changes

PROSPECTIVE

120 Regulation of cosmetic piercing and skin-colouring businesses

- (1) Section 15 of the Local Government (Miscellaneous Provisions) Act 1982 (c. 30) (regulation of tattooing, ear-piercing and electrolysis businesses) is amended as follows.
- (2) In subsection (1) (requirement for person carrying on business to be registered), for paragraph (b) (ear-piercing) there is substituted—
 - “(aa) of semi-permanent skin-colouring;
 - (b) of cosmetic piercing; or”
 (and in the side-note for “ear-piercing” there is substituted “ semi-permanent skin-colouring, cosmetic piercing ”).
- (3) In subsection (2) (requirement to register premises where business carried on)—
 - (a) for “ear-piercing” there is substituted “ semi-permanent skin-colouring, cosmetic piercing ”, and
 - (b) for “pierce their ears” there is substituted “ carry out semi-permanent skin-colouring on them, pierce their bodies ”.
- (4) In subsection (5) (local authority may not require particulars about individuals whose ears have been pierced etc.), for “or whose ears he has pierced” there is substituted “ , whose bodies he has pierced or on whom he has carried out semi-permanent skin-colouring ”.
- (5) After subsection (8) there is inserted—
 - “(9) In this section “semi-permanent skin-colouring” means the insertion of semi-permanent colouring into a person’s skin.”
- (6) Schedule 6 (which makes provision about transition) has effect.

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MODEL BYLAW

Acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis

Bylaw for the purposes of securing the cleanliness of premises registered under sections 14(2) or 15(2) or both of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in such premises and of persons registered under sections 14(1) or 15(1) or both of the Act and persons assisting them and of securing the cleansing and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the practice of acupuncture or the business of tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis, or any two or more of such practice and businesses made by Thurrock Council in pursuance of sections 14(7) or 15(7) or both of the Act.

Interpretation

1.—(1) In these bylaw, unless the context otherwise requires—

“The Act” means the Local Government (Miscellaneous Provisions) Act 1982;

“client” means any person undergoing treatment;

“hygienic piercing instrument” means an instrument such that any part of the instrument that touches a client is made for use in respect of a single client, is sterile, disposable and is fitted with piercing jewellery supplied in packaging that indicates the part of the body for which it is intended, and that is designed to pierce either—

- (a) the lobe or upper flat cartilage of the ear, or
- (b) either side of the nose in the mid-crease area above the nostril;

“operator” means any person giving treatment, including a proprietor;

“premises” means any premises registered under sections 14(2) or 15(2) of the Act;

“proprietor” means any person registered under sections 14(1) or 15(1) of the Act;

“treatment” means any operation in effecting acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis;

“the treatment area” means any part of premises where treatment is given to clients.

(2) The Interpretation Act 1978 shall apply for the interpretation of these bylaw as it applies for the interpretation of an Act of Parliament.

2.—(1) For the purpose of securing the cleanliness of premises and fittings in such premises a proprietor shall ensure that—

- (a) any internal wall, door, window, partition, floor, floor covering or ceiling is kept clean and in such good repair as to enable it to be cleaned effectively;
- (b) any waste material, or other litter arising from treatment is handled and disposed of in accordance with relevant legislation and guidance as advised by the local authority;
- (c) any needle used in treatment is single-use and disposable, as far as is practicable, or otherwise is sterilized for each treatment, is suitably stored after treatment and is disposed of in accordance with relevant legislation and guidance as advised by the local authority;
- (d) any furniture or fitting in premises is kept clean and in such good repair as to enable it to be cleaned effectively;
- (e) any table, couch or seat used by a client in the treatment area which may become contaminated with blood or other body fluids, and any surface on which a needle, instrument or equipment is placed immediately prior to treatment has a smooth impervious surface which is disinfected—
 - (i) immediately after use; and

- (ii) at the end of each working day.
 - (f) any table, couch, or other item of furniture used in treatment is covered by a disposable paper sheet which is changed for each client;
 - (g) no eating, drinking, or smoking is permitted in the treatment area and a notice or notices reading “No Smoking”, and “No Eating or Drinking” is prominently displayed there.
- (2)(a) Subject to sub-paragraph (b), where premises are registered under section 14(2) (acupuncture) or 15(2) (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) of the 1982 Act, a proprietor shall ensure that treatment is given in a treatment area used solely for giving treatment;
- (b) Sub-paragraph (a) shall not apply if the only treatment to be given in such premises is ear-piercing or nose-piercing using a hygienic piercing instrument.
- (3)(a) Subject to sub-paragraph (b), where premises are registered under section 15(2) (tattooing, semi-permanent skin-colouring and cosmetic piercing) of the 1982 Act, a proprietor shall ensure that the floor of the treatment area is provided with a smooth impervious surface;
- (b) Sub-paragraph (a) shall not apply if the only treatment to be given in such premises is ear-piercing or nose-piercing using a hygienic piercing instrument.
- 3.—(1)** For the purpose of securing the cleansing and so far as is appropriate, the sterilization of needles, instruments, jewellery, materials and equipment used in connection with treatment—
- (a) an operator shall ensure that—
 - (i) any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such article used in treatment—
 - (aa) is clean and in good repair and, so far as is appropriate, is sterile;
 - (bb) has not previously been used in connection with another client unless it consists of a material which can be and has been adequately cleansed and, so far as is appropriate, sterilized.
 - (ii) any needle, metal instrument, or other instrument or equipment used in treatment or for handling such needle, instrument or equipment and any part of a hygienic piercing instrument that touches a client is sterile;
 - (iii) any jewellery used for cosmetic piercing by means of a hygienic piercing instrument is sterile;
 - (iv) any dye used for tattooing or semi-permanent skin-colouring is sterile and inert;
 - (v) any container used to hold dye for tattooing or semi-permanent skin-colouring is either disposed of at the end of each treatment or is cleaned and sterilized before re-use.
 - (b) a proprietor shall provide—
 - (i) adequate facilities and equipment for—
 - (aa) cleansing; and
 - (bb) sterilization, unless only pre-sterilized items are used.
 - (ii) sufficient and safe gas points and electrical socket outlets;
 - (iii) an adequate and constant supply of clean hot and cold water on the premises;
 - (iv) clean and suitable storage which enables contamination of the articles, needles, instruments and equipment mentioned in paragraphs 3(1)(a)(i), (ii), (iii), (iv) and (v) to be avoided as far as possible.
- 4.—(1)** For the purpose of securing the cleanliness of operators, a proprietor—
- (a) shall ensure that an operator—
 - (i) keeps his hands and nails clean and his nails short;
 - (ii) keeps any open lesion on an exposed part of the body effectively covered by an impermeable dressing;

- (iii) wears disposable examination gloves that have not previously been used with another client, unless giving acupuncture otherwise than in the circumstances described in paragraph 4(3);
- (iv) wears a gown, wrap or protective clothing that is clean and washable, or alternatively a disposable covering that has not previously been used in connection with another client;
- (v) does not smoke or consume food or drink in the treatment area; and

(b) shall provide—

- (i) suitable and sufficient washing facilities appropriately located for the sole use of operators, including an adequate and constant supply of clean hot and cold water, soap or detergent; and
- (ii) suitable and sufficient sanitary accommodation for operators.

(2) Where an operator carries out treatment using only a hygienic piercing instrument and a proprietor provides either a hand hygienic gel or liquid cleaner, the washing facilities that the proprietor provides need not be for the sole use of the operator.

(3) Where an operator gives acupuncture a proprietor shall ensure that the operator wears disposable examination gloves that have not previously been used with another client if—

- (a) the client is bleeding or has an open lesion on an exposed part of his body; or
- (b) the client is known to be infected with a blood-borne virus; or
- (c) the operator has an open lesion on his hand; or
- (d) the operator is handling items that may be contaminated with blood or other body fluids.

5. A person registered in accordance with sections 14 (acupuncture) or 15 (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) of the Act who visits people at their request to give them treatment should observe the requirements relating to an operator in paragraphs 3(1)(a) and 4(1)(a).

COUNCIL'S SIGNATURE

COUNCIL'S SEAL

The foregoing bylaw are hereby confirmed by the Secretary of State for Health
on _____ and shall come into operation on _____

Member of the Senior Civil Service

Department of Health

NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYLAW

Proprietors shall take all reasonable steps to ensure compliance with these bylaw by persons working on premises. Section 16(9) of the Local Government (Miscellaneous Provisions) Act 1982 provides that a registered person shall cause to be prominently displayed on the premises a copy of these bylaw and a copy of any certificate of registration issued to him under Part VIII of the Act. A person who contravenes section 16(9) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale (see section 16(10)).

Section 16 of the Local Government (Miscellaneous Provisions) Act 1982 also provides that any person who contravenes these bylaw shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale. If a person registered under Part VIII of the Act is found guilty of contravening these bylaw the Court may, instead of or in addition to imposing a fine, order the suspension or cancellation of the person's registration. A court which orders the suspension of or cancellation of a person's registration may also order the suspension or cancellation of the registration of the premises in which the offence was committed if such premises are occupied by the person found guilty of the offence. It shall be a defence for the person charged under the relevant sub-sections of section 16 to prove that he took all reasonable precautions and exercised all due diligence to avoid commission of the offence.

Nothing in these bylaw extends to the practice of acupuncture, or the business of tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis by or under the supervision of a person who is registered as a medical practitioner, or to premises in which the practice of acupuncture, or business of tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis is carried out by or under the supervision of such a person.

Nothing in these bylaw extends to the practice of acupuncture by or under the supervision of a person who is registered as a dentist, or to premises in which the practice of acupuncture is carried out by or under the supervision of such a person.

The legislative provisions relevant to acupuncture are those in section 14. The provisions relevant to treatment other than acupuncture are in section 15.

The key differences in the application of requirements in respect of the various treatments are as follows:

*The references in the introductory text to provisions of section 14 (acupuncture) of the Local Government (Miscellaneous Provisions) Act 1982 **only apply to acupuncture.***

*The references in the introductory text to provisions of section 15 (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) of the Local Government (Miscellaneous Provisions) Act 1982 **do not apply to acupuncture.***

*The references in paragraph 1(1) in the definition of "premises" to provisions of section 14 (acupuncture) **only apply to acupuncture.***

*The references in paragraph 1(1) in the definition of "premises" to provisions of section 15 (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) **do not apply to acupuncture.***

*The requirement in paragraph 2(2) that treatment is given in a treatment area used solely for giving treatment **applies to acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis but not to ear-piercing or nose-piercing using a hygienic piercing instrument.***

*The requirement in paragraph 2(3) that the floor of the treatment area be provided with a smooth impervious surface **applies to tattooing, semi-permanent skin-colouring and cosmetic piercing but not to acupuncture or electrolysis or ear-piercing or nose-piercing using a hygienic piercing instrument.***

*The requirements relating to dye or a container used to hold dye used for treatment in paragraphs 3(1) (a) (iv) and (v) **apply to tattooing and semi-permanent skin-colouring.***

*The requirement in paragraph 4(1)(a)(iii) that an operator wears disposable examination gloves that have not previously been used with another client **does not apply to acupuncture otherwise than in the circumstances described in paragraph 4(3).***

*The provisions of paragraph 4(2) in relation to washing facilities **apply to cosmetic piercing using only a hygienic piercing instrument.***

*The exception whereby the bylaw do not apply to treatment carried out by or under the supervision of a **dentist** applies only to **acupuncture** (see section 14(8) of the Act).*

23 July 2014	ITEM: 12
Council	
The Frost Estate Community Governance Review	
Wards and communities affected: Corringham and Fobbing; Stanford East and Corringham Town	Key Decision: Not Applicable
Report of: Graham Farrant, Chief Executive	
Accountable Head of Service: Fiona Taylor, Head of Legal and Democratic Services	
Accountable Director: Graham Farrant, Chief Executive	
This report is public	

Executive Summary

This report relates to an area known as the “Frost Estate”, a very small private road estate which is seeking to become a Parish Council. A petition has been received which calls upon the Council to undertake a Community Governance Review, with the aim of designating a specified area as a parished area and establishing a Parish Council, to be known as the Frost Estate Neighbourhood Council.

The report sets out the steps involved in undertaking a Community Governance Review and highlights an issue to be resolved before the review can commence.

1. Recommendation(s)

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

2. Introduction and Background

2.1 At a meeting on 21 February, the Chief Executive received a petition signed by residents requesting the creation of a Parish Council, which cuts across the boundaries of the Corringham and Fobbing and Stanford East and Corringham Town Wards. The area that is to be covered by the proposed Parish Council is shown on the Plan attached at **Appendix 1** to this report.

2.2 In accordance with the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”), the Council is required to conduct a Community Governance Review following the receipt of a valid petition. This involves a review of the whole or part of the Council’s area for the purpose of making

recommendations with regard to creating parishes, the naming of parishes, and, the electoral arrangements.

- 2.3 Under the 2007 Act, it is for Thurrock Council to determine the terms of reference for the Community Governance Review.
- 2.4 Each page of the petition contains a statement of expectations, as set out below:

“It is expected that the formation of this parish council will bring benefits in that the residents of The Frost Estate will have greater influence and control over making the area a desirable place to live and making improvements whilst maintaining its original characteristics and ensuring that all households contribute equally to the cost. In particular it is intended to:

- *Organise and oversee appropriate road refurbishment and on-going maintenance.*
- *Promote a traffic & pedestrian safety awareness scheme and introduce speed limits and hazard signs.*
- *Monitor HGV traffic with culpability for road damage incurred.*
- *Ensure all households contribute an agreed small monthly amount towards the cost.*
- *Represent the views of estate residents to Thurrock Council and other bodies.”*

- 2.5 The Council is currently seeking external legal advice in respect of a question that has arisen over the responsibility for highways functions and whether these can be undertaken by a Parish Council.

3. Issues, Options and Analysis of Options

- 3.1 The petition received has been validated by Electoral Services, through checking the signatories against the Electoral Register.
- 3.2 The 2007 Act provides for the Council to conduct a Community Governance Review at any time. There are two options for the Council to consider in undertaking a review:
- (a) To respond solely to the petitioners’ request and consult on and investigate the establishment of a Parish Council in the area specified in the petition.
 - (b) To take the opportunity to undertake a wider review of the arrangements for community representation, reviewing the arrangements for Parish Councils in other areas of the Borough.
- 3.3 Due to other commitments at this time, with the introduction of Individual Elector Registration (IER) and the preparation required for the forthcoming Parliamentary and Local elections in May 2015, resources are not available

within the Electoral Services Team to conduct a Community Governance Review for the whole area. It is therefore suggested that the review should be restricted to the petition area.

- 3.4 The specifics of how the Council undertakes the review are not mandated but must take account of the views of local residents and consider the current arrangements for community representation, i.e., community forums and residents' associations.
- 3.5 Under the 2007 Act, the Council is required to consult both those local government electors in the area under review and others which appear to the Council to have an interest in the review. Other bodies might include local businesses and local public and voluntary organisations, such as schools or health bodies. The Council must take into account any representations it receives as part of a Community Governance Review.
- 3.6 Once the results of the consultation exercise are received, the Council will be required to make recommendations as to:
 - (a) Whether a new parish should be constituted and
 - (b) What the electoral arrangements for the new Parish Council should be.
- 3.7 In deciding what recommendations to make, the Council must have regard to the need to secure that community governance reflects the identities and interests of the community in that area and is both effective and convenient. In making its recommendations, the review should consider the information it has received, representations made by local people and other interested persons, and, can also use its own knowledge of the area. The 2007 Act provides that it must also take into account any other arrangements that have already been made, or that could be made, for the purposes of community representation or community engagement.
- 3.8 Any recommendations made by the Council must take account of any representations received, they should be supported by evidence and demonstrate that the recommended community governance arrangements would meet the criteria set out in the 2007 Act. In addition, the Council can make a recommendation that is different than what the petitioners wished the review to make.
- 3.9 Under the 2007 Act, the Council must publish its recommendations and ensure that those who may have an interest are informed of them. In taking a decision as to whether or not to give effect to a recommendation, the Council must have regard to the statutory criteria. After taking a decision to give effect to the recommendations of a review, the Council must publish its decision and take sufficient steps to ensure that persons who may be interested in the review are informed of the decision and the reasons for it.
- 3.10 Whilst a Community Governance review has been requested and the petition validated in terms of the number of qualifying signatories, external legal

advice has been sought in respect of the statement of expectation that forms a part of the petition, as set out at paragraph 2.4. This relates to the responsibility for highways functions and whether these can be undertaken by a Parish Council.

- 3.11 The Council is seeking to ascertain whether the expectations of those who have signed the petition can be fulfilled by a Parish Council, or whether the legal responsibility for highways must remain with the Council. This will be clarified shortly and a further report will be brought to the next meeting of the Council.

4. Reasons for Recommendation

- 4.1 The Council is requested to note that a Community Governance Review has been requested and that until the legal issue identified can be clarified, it is recommended that the Review proceeds thereafter.

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

- 5.1 There has been no consultation undertaken in respect of the recommendation in this report. However, consultation with local residents, businesses and local public and voluntary organisations will be an integral part of a Community Governance Review.

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

- 6.1 The maintenance of good governance is essential to the Council in discharging its functions in a timely, open and transparent manner for the benefit of the residents of the Borough. The request to create a new Parish Council should be undertaken in line with the principles of good governance.

7. Implications

7.1 Financial

Implications verified by: **Sean Clark**
Head of Corporate Finance

The cost of external legal advice can be contained within current budgets and there are no other financial implications to report at this stage.

7.2 Legal

Implications verified by: **Alison Stuart**
Principal Solicitor

External legal advice has been sought to ascertain whether the expectations of those who have signed the petition can be fulfilled by a Parish Council, or whether the legal responsibility for highways must remain with the Council.

Legal advice is being considered as to whether a Parish Council can utilise provisions of the Localism Act to implement and be responsible for highway maintenance

This point must be clarified before the Council commences a Community Governance Review, as this could potentially give rise to challenge and a costly judicial review.

7.3 Diversity and Equality

Implications verified by: **David Lawson**
Deputy Head of Legal and Democratic Services

There are no diversity and equality implications to report at this stage.

7.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

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):

- Local Government and Public Involvement in Health Act 2007 (available online at <http://www.legislation.gov.uk/ukpga/2007/28/contents>)

9. Appendices to the report

- Appendix 1 - area to be covered by the proposed Parish Council.

Report Author:

Fiona Taylor
Head of Legal and Democratic Services
Legal and Democratic Services

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Proposed Boundary for Frost Estate Neighbourhood Council area (ref Ordnance Survey).

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23 July 2014	ITEM: 13
Council	
Cabinet Member Report - Finance	
Report of: Councillor John Kent, Leader of the Council and Portfolio Holder for Finance and Education	
This report is public.	

FINANCIAL BACKGROUND

The delivery of the Council's vision and priorities, as well as the achievements set out below, need to be considered against the backdrop of the national austerity measures and, in particular, how these measures impact on the Council's finances and demands for services.

In the period 2010/11 – 2014/15, the Council has had a reduction in government grants totalling £25.0m that, together with service pressures of £36.4m is mainly due to demographic growth, has required overall savings of £61.4m to be delivered.

The Council has currently set a budget for 2014/15 that requires a £2.4m contribution from reserves – that sum is equivalent to the Council's share of business rates lost from the closure of Tilbury Power Station.

On the subject of business rates, I must also report that this Council has had to make a provision of £12m towards the potential successful business rate appeals by local businesses, of which half will have to be borne by Thurrock Council. A significant proportion of this sum relates to business rates paid before the business rate retention scheme started on 1 April 2013, effectively handing this Council further reductions in core funding over and above the headline grant reductions.

The Chancellor has announced further cuts to the public sector, highlighting a 10% year on year reduction throughout the medium term. This is in line with the Council's Medium Term Financial Strategy that assumes this level of reduction (£9.1m, £8.2m and £6.7m in 2015/16 through to 2017/18 respectively) although, with growth from inflation and more residents requiring services such as social care, the savings required are in the region of £37m for the period 2015/16 through to 2017/18.

STRATEGY

As set out above the reduction in funding is unprecedented requiring a fundamental change in the way the Council approaches addressing the budget gap and in

considering the future shape of the Council going forward. This means that the development and delivery of the vision and priorities and relationship with the Medium Term Financial Strategy (MTFS) is key.

In light of the financial position and MTFS, as part of Strategy Week in June 2014, Directors Board, the Leader and Cabinet members reflected with partners on the community priorities as set out in the Community Strategy (agreed unanimously by Council in September 2012). In July 2014, Cabinet agreed a minor refresh to reflect the ambition and focus for the borough as well as the changing relationship between the Council and the community, and our role in place shaping and enabling community leadership. The revised vision and priorities are being consulted on over the summer and partners asked for their views. However, the consistency in our long term ambition for the people of Thurrock and place has enabled us to make significant achievements even with the financial constraints.

Despite having already saved £50m over the last four years, the year end performance report for 2013/14 showed that 80% of indicators in the corporate scorecard had either been met or were within an acceptable tolerance of their target. 100% of Year 1 deliverables progressed in line with projected timelines or within tolerance showing the Council's continued commitment to achieving the ambitious priorities for the community. Examples include:

Two Thurrock schools named as amongst the best primary schools in the country
Over 600,000 people visited our managed natural areas, including Coalhouse Fort
Over 1700 homes transformed as part of the Housing Transformation Programme
Carer's service rated best in the Eastern region for user experience and support
Completed the Artists' Studios on High House Production Park
Secured funding to deliver the Royal Opera House costume store
Joint best social care services in the country for zero delayed hospital discharges
Council achieved Investors in People Gold status
9.9 million household wheelie bins collected, 15,600 miles of road swept, 3,135 tonnes of street litter collected and 1,150 fly-tips cleared
Level 2 qualifications were above national average for the first time ever
Largest Local Development Order in country for London Gateway logistics park
Legal services awarded Lexcel accreditation & highly commended at MJ Awards

To meet the ongoing budget challenge, Cabinet in July 2014 endorsed efficiency savings and management action being taken in year for 2014/15 and for 2015/16 to partially address the budget gap. Other proposals to reshape and in some cases reduce services are now being reviewed by Overview and Scrutiny committees and by residents and partners as part of the consultation process to inform the difficult budget decisions and tough choices that will need to be made later in the year. There is still more to be done to fully close the gap. Despite the scale of savings already delivered, we face even tougher times ahead with cuts in government support over the next few years representing around 20% of our net budget.

The Year 2 delivery plan agreed by Cabinet in March 2014 will help ensure we continue to focus our resources on delivering positive outcomes for our residents in

line with our priorities and protect frontline services for those most in need.

The Strategy Team will continue to support the organisation to meet the challenge of finding significant savings, shaping services for the future, planning for and mitigating the impact of national policy changes such as the Care Act, Children and Families Act and the cumulative impact of welfare reform. The team provide valuable research and intelligence to inform the evidence base for decision making including analysis and projections for the growing population placing increased demand on services and for specific projects. Recent work has informed the Joint Strategic Needs Assessment, Fairness Commission, NNDR pooling and the Private Sector Housing Strategy.

COMMUNICATIONS

The financial challenge facing the Council is enormous. During a time of significant change excellent communication is needed with a wide range of audiences, both externally and internally, to manage reputation and expectation, create awareness, foster engagement, change perceptions and build and maintain confidence and trust. This is an ongoing process managed through planned, proactive, targeted campaigns as well as effective reactive responses to emerging issues.

A key focus in recent months has been developing our approach to digital communications with the launch of the new website in October 2013 enabling residents to do more for themselves on line. The use of social media continues to develop and will be a priority for communication and engagement over the coming months, with Members supported to maximise the benefits of these tools and also in handling the media.

Supporting our digital communications is our new email subscription service. This allows anyone to subscribe to news emails on topics of interest. Our current topic list includes events, consultations, news, fostering and specific services such as Langdon Hills. The email subscription service is a key tool in enabling channel shift – moving residents to using online services. Currently we have around 13,000 subscriptions.

Alongside the website we launched the new visual identify and branding of the Council. This reflects a distinctive and contemporary style demonstrating both our focus on being a digital council and entrepreneurial approach to achieving our ambitions for Thurrock.

Key campaigns in the last 12 months include:

- Increasing civic pride through the highly successful Civic Awards
- Two year old childcare and early education – multi media campaign to raise awareness of the free childcare entitlement
- Housing fraud and key amnesty – targeted campaigns to tackle housing issues
- Discover Thurrock – major campaign to recruit social workers
- Fostering – continued awareness of our fostering offer
- Environmental reporting and benefit claims online – as part of our online digital offer

- Lower Thames Crossing – continued campaigning (announcement due 15 July)
- Continued work with High House Production Park around cultural entitlement

Over the last three years, communications savings total in excess of £350,000 with additional savings achieved in 2014/15 by transferring responsibility for communications to the Head of Strategy. This has strengthened the Council's approach to strategic planning with a joined up approach to public affairs and raising the profile and reputation of the Council and place.

We are exploring opportunities to deliver more savings through maximising income generation opportunities from sponsorship and advertising as well as the growing demand for filming locations in the region, building on the success of the London Borough of Barking and Dagenham's film office and shared ambition to support the development of creative industries locally.

As in other areas further savings will be required for 2015/16. A communications strategy will be developed to maximise the resources available by ensuring they are targeted on communication and marketing activity that will have the most impact on achieving the community priorities.

ASSET MANAGEMENT

The Council continues to progress its intention to dispose of those properties it doesn't need to deliver services, and to make better use of the properties it does keep for that purpose. In January this year Cabinet agreed a land and property disposals protocol, which is informing this property rationalisation. Under the key principles of this Protocol, while maximising capital income is clearly a significant priority, this is balanced by our need to dispose of property in ways that both supports future service delivery, and adds to the well-being of the Borough's communities;

- To date £3.75m of property sales, recommended by a cross party Member group, and agreed by Cabinet, have now been completed (against a target of £7m by the end of 2014/15).
- Cabinet has also agreed to some land disposals at less than market value, in pursuit of wider strategic objectives. For example we are working with health agencies on the disposal of surplus Council land to support the development of new primary health care facilities, and also with well-established sporting clubs in the Borough on the transfer of recreational land to support their sustainable relocation plans
- As services in the Culver Centre are relocated to alternative locations including High House Production Park, Civic Offices and the planned brand new education building on a disused school site in Tilbury, we are drawing up ambitious plans to use the Culver Centre site to help regenerate the centre of Ockendon.

There remains a lot to do in improving our knowledge of the condition our operational buildings, and establishing cyclical programmes to keep them in good condition. We also need to ensure a consistent approach to letting our property to third parties, and to progress our aspiration to transfer the control of community

buildings to our communities where that works best for all. These and other necessary improvements will be achieved through our increasingly corporate approach to property use and management.

CORPORATE FINANCE

General Fund

Despite all of the pressures set out above, I am pleased to confirm that the Council has:

- for the fourth year running, come in on budget once again, despite significant in-year pressures;
- maintained the General Fund balance at £8m; and
- set aside reserves to meet the budgeted shortfall in the 2014/15 budget of £2.4m, equivalent to the amount lost to Thurrock Council Tax payers through the closure of Tilbury Power Station.

Housing Revenue Account (HRA)

Although the Housing Finance Reform that took place in March 2012 meant that the Council had to increase its debt by £160m, it has given this Council exciting opportunities to provide improved or new housing throughout the borough and to stabilise the HRA's financial base. The Council has:

- commenced the new capital programme of £68m over a 5 year period to enhance its existing housing stock;
- committed to providing new affordable housing throughout the borough and has set aside £5.5m as at 31 March 2014 towards capital, regeneration and development; and
- increased its unallocated balances to £2.6m to support any future pressures that may arise from welfare reform.

Final Accounts

I can report that the external auditors signed off the Council's accounts in September 2013 with no material issues. After the problems encountered in 2010/11, I am pleased to report that significant progress has been made in this area over the last two years with the external auditors reporting "*We would particularly like to highlight the significant improvements in the quality of the accounts and working papers that the Council has submitted for audit for 2012/13. This has resulted in a much reduced number of amendments to the accounts, as reflected in this report. Some further improvement is still required but there has been a real step change in arrangements for 2012/13 compared to previous years*".

Capital Expenditure

Capital expenditure for 2013/14 totalled £34.6m. Council may like to note that there have been several notable achievements in investment in infrastructure during 2013/14 and these are set out in the supporting financial information.

KEY CHALLENGES 2014/15 AND BEYOND:

- Ongoing budget pressure, latest spending review announcement, etc;
- Risks and opportunities from business rate retention;
- Cumulative impacts of welfare reform changes e.g. size limit rules, benefit cap and Universal Credit, putting pressure on a range of Council services including housing, adult and children's social care, mental health and benefits services, and support and advice services provided by the voluntary sector;
- Pressure from growing population and demographic changes impacting on specific areas of the borough;
- Completion of the service and budget review work to inform decision making for 2015/16 and beyond;
- Identifying and implementing other shared service/partnership opportunities to deliver efficiencies where appropriate;
- Delivering the asset disposal programme in difficult market conditions;
- Maximising the new Council website and digital platform; and
- Introducing and embedding digital by design in everything we do.

SUMMARY:

The Council has worked with Thurrock partners to agree a clear vision and priorities for the Borough. The Council has carried this strategy into its own Corporate Plan setting out ambitious plans for 2014/15 and beyond. Once again this administration has demonstrated strong financial leadership through coming within budget for the fourth year running and taking difficult financial decisions for the future. This creates a strong basis upon which to continue delivering transformation across the Council and to prepare for the very difficult financial decisions to be reached during 2015/16.

SUPPORTING FINANCIAL INFORMATION

1. Government grant reductions and cost pressures over the period 2010/11 – 2017/18
2. General Fund 2013/14 Outturn
3. Housing Revenue Account 2013/14 Outturn
4. Capital 2013/14 Outturn
5. Schedule of Reserves
6. Schedule of Assets and Supporting Financial Information

**1. Government grant reductions and cost pressures over the period
2010/11 – 2017/18**

	2010/11- 2013/14	2014/15	2015/16	2016/17	2017/18
	£m	£m	£m	£m	£m
Reduced Grant	19.1	5.9	9.1	8.2	6.7
Inflation/Service Pressures /Other	32.2	4.2	6.5	3.6	2.8
Savings Requirements	51.3	10.1	15.6	11.8	9.5
Cumulative Savings	51.3	61.4	77.0	88.8	98.3

Notes:

- Inflation – this has largely been limited to contractual annual increases and utilities;
- Service pressures are largely as the result of growing numbers accessing both Children’s and Adult Social Care;
- Other includes collection fund adjustments, including changes to business rate income;
- Up to the current financial year, the table shows that the Council has had to identify £61.4m in savings to meet the pressures set out above; and
- The table shows that a further £36.9m is required totalling £98.3m over the eight year period.

2. General Fund 2013/14 Outturn

The financial outturn was reported to Cabinet on 2 July 2014 and is set out below:

General Fund Outturn by Service Areas:	Revised Budget £'000	Outturn £'000	Variance £'000
Adults, Health and Commissioning	37,219	37,116	(103)
Central Services	21,929	21,783	(146)
Children's Services	34,896	34,765	(131)
Environment	19,095	18,917	(178)
Housing	782	742	(40)
Planning and Transportation	7,913	7,615	(298)
Public Health	(210)	(210)	0
Public Protection	2,815	2,783	(32)
Serco / Corporate Savings	17,352	17,701	349
Operating Net Surplus	141,791	141,212	(579)

This table above confirms that the Council underspent against the agreed budget envelope by £0.579m.

This is despite significant pressures faced during the financial year namely relating to Children's Social Care and corporate savings targets.

3. Housing Revenue Account 2013/14 Outturn

The Housing Revenue Account (HRA) shows the income and expenditure incurred on Council housing. The outturn position is shown below:

HRA Outturn by Service Areas:	Revised Budget	Outturn	Variance
	£'000	£'000	£'000
Area Office	1,148	1,126	(22)
Caretaking	1,494	1,512	18
Financing	18,940	18,928	(12)
Grounds Maintenance	1,330	1,251	(79)
Lettings and Allocations	739	651	(88)
Rental Income	(47,093)	(48,256)	(1,163)
Repairs and Maintenance	12,198	12,431	233
Sheltered Complexes	1,272	1,342	70
Central HRA	9,972	10,061	89
Grand Total	0	(954)	(954)

After a favourable level of income against the budget, the HRA generated a surplus in year of £0.95m. A major contributing factor to this was a comprehensive review of the level of housing rent arrears relating to current and former tenants which resulted in a favourable adjustment.

The only area of significant adverse variance was in relation to housing repairs and maintenance. The largest contributing factor was as a result of the number of void properties in exceeded the estimated level on which the budget was predicated. This resulted in an increase in expenditure to meet demand and ensure that the allocation policy was complied with.

The surplus generated in year has increased the level of the HRA general reserve from £1.7m to £2.65m. In addition, the HRA holds a balance in its Major Repairs Reserve of £2.3m towards the enhanced capital programme that has been agreed for the Council's housing stock and the level of reserves available for Capital, Regeneration and Development now stand at £5.5m

4. Capital 2013/14 Outturn

The total capital expenditure for 2013/14 amounted to £34.635m. A summary of this expenditure analysed by service is set out below and also shows the sources of financing:-

Service	Budget £000s	Total £000s	Variance £000s
Learning & Universal Outcomes	7,607	4,882	2,725
Adult Social Care	144	82	62
Housing General Fund	1,992	1,052	940
Housing Revenue Account	18,425	16,451	1,974
Environment	1,210	1,158	52
Planning and Transportation	5,830	5,091	739
Transformation	5,689	5,059	630
Commercial Services	189	56	133
Chief Executives	11	9	2
Chief Executives Delivery Unit	1,434	795	639
Total	42,531	34,635	7,896

Source of Finance	Budget £000s	Total £000s	Variance £000s
Prudential Borrowing	6,294	4,448	1,846
Supported Borrowing (SCER)	715	715	0
Usable Capital Receipts	2,933	2,826	107
Earmarked Usable Capital Receipts	253	228	25
Major Repairs Reserve	15,951	13,660	2,291
Grants	11,061	7,995	3,066
Developers Contributions	1,923	1,444	479
Trusts	183	162	21
Reserves	3,218	3,157	61
Total	42,531	34,635	7,896

The following are key headlines for capital investment:

- A new skills centre was completed at the Hathaway Academy, with a gross spend of £1.67m over the period 2011/12 to 2013/14.
- £1.24m spent on the customer services programme which is delivering the strategic objective to create a great customer experience and achieve the lowest transaction costs possible - enabling those who can to self-serve and providing a consistent response to those least able to meet their own needs.
- £15.49m spent on transforming Council homes, with the replacement of kitchens, bathrooms, electric, boilers, windows and roofs. The transforming homes programme aims to refurbish every Council home in Thurrock and aims to maximise energy efficiency and to rid properties of damp and mould.
- £5.19m spent on improvements to the highways infrastructure, including works to Oliver Road, Arisdale Avenue, drainage works in Orsett and works on the A13 at the Manorway interchange.
- £0.36m spent on improving children's play areas in the borough, including play equipment at Hathaway Road, Parker Road, Hardie Road, Cruick Avenue and Thurrock Park.
- £0.91m spent on grants to the disabled which will fund adaptations to their homes and continued independent living.

5. Schedule of Reserves

TRANSFERS TO/ FROM EARMARKED RESERVES

The Council maintains a number of reserves which have been set up as a means of earmarking resources to meet future spending needs. This note shows details of amounts set aside in the year and of amounts posted back to meet General Fund expenditure during the year.

Balance at 1 April 2012 £000	Net Transfers (In)/Out £000	Balance at 31 March 2013 £000		Balance at 1 April 2013 £000	Net Transfers (In)/Out £000	Balance at 31 March 2014 £000
(7,024)	577	(6,447)	Balances held by	(6,447)	1,628	(4,819)
(1,260)	0	(1,260)	Schools under a Scheme of Delegation Revenue Grants	(1,260)	605	(655)
(1,000)	(1,278)	(2,278)	Budget Management	(2,278)	1,099	(1,179)
(8,442)	6,790	(1,652)	Commuted Sums	(1,652)	127	(1,525)
0	(1,541)	(1,541)	DCLG DC Reserve	(1,541)	1,253	(288)
0	(2,262)	(2,262)	Grant Carried Forward	(2,262)	135	(2,127)
0	(1,000)	(1,000)	School Improvement Reserve	(1,000)	0	(1,000)
0	(2,714)	(2,714)	DSG	(2,714)	(67)	(2,781)
0	(2,791)	(2,791)	Development Reserve	(2,791)	2,791	0
0	0	0	Public Health Grant	0	(1,053)	(1,053)
(6,254)	451	(5,803)	Other Earmarked Reserves	(5,803)	719	(5,084)
(23,980)	(3,768)	(27,748)	Earmarked Reserves	(27,748)	7,237	(20,511)

6. Schedule of Assets and Supporting Financial Information

SCHEDULE OF PROPERTY, PLANT AND EQUIPMENT

The following assets were owned by the Council as at 31 March 2014 and the figures as at 31 March 2013 are shown as comparators:

Property, Plant and Equipment		2012/13	2013/14
	No. of Assets	No. of Assets	No. of Assets
Council Dwellings	Housing and Bungalows	5,519	5,450
	Flats and Maisonettes	3,525	3,511
	Aged Person's Dwellings	1,222	1,222
	Traveller Sites	3	3
Land and Buildings	Sports Centres	3	3
	Village Halls	19	19
	Community Halls	33	33
	Offices/Depots, etc.	19	19
	Car and Lorry Parks	26	25
	Garages	2,745	2,745
	Theatre	1	1
	Schools/Colleges	26	21
	Other Education Assets	17	17
	Residential Homes	3	3
	Other Social Services Assets	4	4
	Libraries	8	8
	Magistrates Court	1	1
	Landfill Site	2	2
	Other Housing Assets	8	7
	Other General Fund Assets	1	1
	Hostels	1	1
Scout Halls	8	8	
Vehicles, Plant, Furniture and Equipment	Vehicles - Non Finance Lease	119	119
	Plant - Non Finance Lease	78	78
	Computer Equipment	7	7
	Equipment - Other	various	various
Community Assets	Parks	138	138
	Burial Grounds	8	8
	Allotment Sites	34	34
	War Memorials	10	10
	Historic Buildings	2	0
Infrastructure	Highways Land and Infrastructure	numerous	numerous
Commercial Properties	Shops	142	142
	Other Commercial	50	50
Assets under Construction		0	0

Material Items of Asset Related Income and Expenditure

Expenditure	2013/14 Outturn
Building Maintenance / Health and Safety Works	864,685
Rent & Premises Charges	464,921
Business Rates / Council Tax	1,221,570
Cleaning / Rubbish Removal	1,016,661
Grounds Maintenance	1,012,874
Insurance	447,233
Utilities	1,860,868
Grand Total	6,888,812

Income	2013/14 Outturn
HRA Rent and Charges	(54,150,999)
Theatre/Museums/Libraries	(239,072)
Service/Hire Charges	(378,668)
Commercial Rents	(1,222,708)
Grand Total	(55,991,448)

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QUESTION TIME

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 are 3 questions to the Leader and a further 7 questions to Cabinet Members, Committee Chairs and Member appointed to represent the Council on a Joint Committee.

QUESTIONS FROM MEMBERS TO THE LEADER

1. From Councillor S Little

“Please can the portfolio holder tell me how many village halls the council are responsible for?”

2. From Councillor Hebb

“Please can you provide the chamber a detailed analysis of what impacts the public sector pay strike held on 10 July 2014 had on the tax-paying public of Thurrock?”

3. From Councillor Gledhill

“Can the Leader of the Council outline what services we are sharing with which local authority and what actual saving we are making on each service please?”

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

1. From Councillor Hipsey to Councillor A Smith

Would you please confirm whether the sound barrier that has been installed by contractors employed by DP World along parts of Corringham Road, Stanford Le Hope, the entire route of the Manorway and along the A13 from Stanford Le Hope to Orsett, meets safety collision standards and whether the coating treatment used on the barriers is resistant to deliberate or accidental fire hazards?

2. From Councillor S Little to Councillor P Smith

“Can the portfolio holder please give me an update on actions being taken across the Borough regarding fly tipping?”

3. From Councillor Redsell to Councillor Holloway

“When is the Council going to deliver a decent telephone system that is fit for purpose for both Members and Officers?”

4. From Councillor Redsell to Councillor Fish

“Can the Portfolio Holder inform the Council what has happened to the roundabout sponsorship which was developed in 1997 to recognise and improve the appearance of the borough?”

5. From Councillor Hebb to Councillor A Smith

Please can you provide an update of the bend leading into Wharf Road on The Green, Stanford-le-Hope, specifically what results the assessment you committed to has produced, and what the forward plan is to reduce the likelihood of any more motor vehicle accidents in this area.

6. From Councillor B Little to Councillor A Smith

“Can the portfolio holder update me on the Rio waste facility in Orsett, which he stated he would look into at the council meeting in November last year?”

7. From Councillor Kelly to Councillor A Smith

“Can the portfolio holder for highways outline what plans the Council has to roll out more green verge hardening schemes like those seen on stretches of Lenmore Avenue and Rectory Road?”

Item 17 - Update on Motions agreed by the Council – 23 July 2014

Date	From	Motion	Status	Accountable Director
24/07/13	Cllr W Curtis	This Council calls upon Essex and Suffolk Water Company to provide a Water Ring Main to service the Buckles Lane, South Ockendon area. This is to ensure the appropriate water pressure is available to the Fire Service in the event of another fire.	<p>The issues with the water supply are associated with the site itself as opposed to the public supply provided by Essex and Suffolk Water. This is due to the size of the site meaning that some areas on it are distant from the public main.</p> <p>In order to provide the best fire cover in these circumstances, Essex Fire have enhanced their prearranged attendance for this site to include a water tanker and a hose laying vehicle. Any enhancements to the water distribution system on site to improve fire fighting capabilities would be the responsibility of the site owner or occupier.</p> <p>A letter was written to the Commercial Director of Essex and Suffolk Water on 14 November, requesting a local meeting to discuss the problem and a technical response has been received. A meeting has been arranged for 16 January 2014 for the Council to understand precisely what that might mean to residents.</p>	Darren Henaghan
24/07/13	Cllr B Rice	Thurrock Council Welcomes the transfer of Public Health functions to this council and notes that, despite promises that funding would be at 2012/13 levels, the public health grant awarded for 2013/14 includes a funding cut of 12.7% - or £1.124m. The Council calls on the Department of Health to fully restore the level of Public Health Grant funding to £8.541m.	<p>We have produced a detailed analysis of how the funding of Public Health services was built up during the last financial year (2012/13) when run by the SW Essex PCT – to show that Thurrock has experienced a £ 1.1m shortfall.</p> <p>This has now been submitted to the Department of Health and we await their formal response.</p> <p>November Update: As of 11 November 2013, we are still awaiting a response.</p> <p>Letter received 16 December 2013, confirming that the</p>	Roger Harris

Item 17 - Update on Motions agreed by the Council – 23 July 2014

			<p>£1.124m has been added to Thurrock Council's baseline allocation from 2013/14.</p> <p>March Update : HWB Board in March 2014 agreed Public Health Budget for the forthcoming year.</p> <p>No further updates required as matter is now resolved (1.7.14)</p>	
24/07/13	Cllr P Smith	<p>Whilst welcoming the principles behind the Troubled Families Project, Thurrock Council feels that the project should have been fully funded.</p> <p>Councils are expected to fund 60% of this project whilst facing year on year cuts to their operating budgets and to fund this initiative will mean that another service provided to our residents will have to be cut to fund this Government plan.</p> <p>We ask that the Council writes to the Secretary of State for Communities and Local Government, Eric Pickles MP, and the Chief Secretary to the Treasury, Danny Alexander MP, to ask that this important project is fully funded by the Government.</p>	<p>The Chief Executive has written to the Secretary of State for Communities and Local Government and the Chief Secretary to the Treasury requesting a response to the motion. The position of the council underlying this motion was also explained at a meeting with DCLG representatives when they visited the Troubled Families Programme in mid September.</p> <p>Response received from DCLG (Baroness Hanham CBE) dated 7/10/13.</p> <p>"The costs associated with troubled families are shared between central government, local authorities and other bodies on a payment by results basis. We estimate that troubled families cost the country £9 billion a year, £8 billion of which is spent reacting to the problems they have that they cause to local communities. This is why this Government has committed nearly £450 million in additional investment to help unlock some of these savings. As you know, local authorities and their partners are already spending a huge amount reacting to these families' problems and this programme is about reducing the need for some of this investment by achieving results and saving money. We do not agree that this programme, in the way it is funded, requires cuts to other services".</p>	Carmel Littleton

Item 17 - Update on Motions agreed by the Council – 23 July 2014

23/10/13	Cllr Ojetola	<p>This Council requests that NHS England and Thurrock CCG consider the introduction of a further GP surgery in Chafford, to meet increasing demand, as part of the Primary Care Strategy work already in progress.</p>	<p>November Update: NHS England Essex Area Team is in the process of developing the Primary Care Strategy from Essex. Listening events have taken place and a draft Strategy is scheduled to be developed towards the end of the year. The Strategy will then be subject to consultation. The Primary Care Strategy will look at future models of primary care – including how demand can best be met across Thurrock.</p> <p>January update – we are expecting the first draft of the primary care strategy towards the end of January 2014. This will be taken through the Health and Wellbeing Board for debate to ensure that this motion and the wider concerns of the Council over Primary Care in Thurrock are fully addressed.</p> <p>March Update – The Health and Well-being Board in March discussed the first draft of the Primary Care Strategy. Formal consultation will start later in the year.</p> <p>July Update – Consultation events have taken place across Essex and a refined version of the Strategy is expected to be available in September 14.</p>	Roger Harris
27/11/13	Cllr B. Rice	<p>In May Newcastle City Council passed a declaration setting out their commitment to tackle the harm smoking causes their communities. This has become known as the Local Government Declaration on Tobacco Control and been endorsed by, among others, The Public Health Minister, Chief Medical Officer and Public Health England.</p> <p>This Council will sign up to the Declaration and commit to:</p> <ul style="list-style-type: none"> • Reduce smoking prevalence and health inequalities 	<p>Thurrock Council is now listed as a signatory to the Local Government Declaration on Tobacco Control on the Smokefree Action website: (http://www.smokefreeaction.org.uk/declaration). A paper is being considered on this topic by the Thurrock Health and Wellbeing Board on 9th January.</p> <p>March Update – The Thurrock Tobacco control strategy will come back to the HWB Board in May.</p> <p>July Update – this was deferred from the May HWB Board meeting and will come back to the September meeting.</p>	Roger Harris

Item 17 - Update on Motions agreed by the Council – 23 July 2014

		<ul style="list-style-type: none"> • Develop plans with partners and local communities • Participate in local and regional networks • Support Government action at national level • Protect tobacco control work from the commercial and vested interests of the tobacco industry • Monitor the progress of our plans • Join the Smokefree Action Coalition. 	Thurrock CCG have also agreed to sign up to the declaration.	
27/11/13	Cllr Anderson	That Thurrock Council will work pro-actively with local community groups to create a comprehensive list of Assets of Community Value in Thurrock, which would then be protected by the Community Right to Buy provisions of the Localism Act.	<p>Thurrock Council is a member of the ACE Partnership with libraries, Thurrock Adult College, engage and Thurrock CVS. The ACE Partnership organises free training for community groups and residents on issues relating to empowerment and voluntary action. The Partnership is negotiating training dates with Locality, a national organisation commissioned by the government to support the implementation of community rights. This will provide an opportunity to promote the Community Right to Bid and to encourage nominations to the Assets of Community Value.</p> <p>All forms for nominating Assets of Community Value are available on the Council website.</p> <p>Training by Locality will be included in the next ACE programme May – July 2014. Targeted promotion will highlight Thurrock's Community Right to Bid process and how to make a nomination. Staff in the Council and voluntary sector supporting community development will promote the training and take a pro active role in encouraging residents to understand the rights and use the processes in place.</p> <p>Locality delivered a workshop on Community Rights at the Civic Office June 2014. Over 50 people attended including councillors, officers and community members.</p>	Steve Cox

Item 17 - Update on Motions agreed by the Council – 23 July 2014

			<p>The session was very informative and we are confident this will support a wider understanding of the community rights in Thurrock. Sessions will be considered in neighbourhoods via the ACE Training programme.</p>	
27/11/13	Cllr Gledhill	<p>The Council request that a review be carried out of the implementation of the Veteran’s Charter and publish the results before its second anniversary (March 2014), to ensure that the commitment we signed up to is working in Thurrock.</p>	<p>A review will be carried out and published within the requested time frame.</p> <p>March 2014 – 12 responses were received to inform the review. A report has been sent to those who responded and added to the Council website. A press release will communicate this to a wider audience.</p> <p>The review concluded that although the Veterans’ Charter has supported some individual cases, more could be done to raise awareness and promote the Charter. This will be achieved through staff training and an event with service organisations to promote awareness about the Charter, and support Veterans use the charter effectively. The event will provide an opportunity to consider other possible actions that either the Council or partners could take to promote the Veterans Charter.</p> <p>In response to the review an event will be held 15 July to promote the Charter and Community Covenant. The event will incorporate a drop in for veterans and serving personnel and a workshop with partners to consider how we can work in partnership to join up support in the future. Also, talks will be held to support awareness raising of the issues faced by veterans returning to civilian life. This information will be developed into a training session for staff in future months.</p>	Steve Cox

Item 17 - Update on Motions agreed by the Council – 23 July 2014

22/01/14	Cllr Hebb	<p>Thurrock Council seeks to address the following concerns of residents and businesses in Stanford-le-Hope following their recent experience of significant flooding underneath the railway line in Wharf Road, and formally requests that DP World and Network Rail engage in a process to manage the following issues:</p> <ol style="list-style-type: none"> 1. General accessibility and emergency plans to be looked at to minimise the isolation of residents and businesses, with particular regard to emergency services, school and workplace commutes etc. 2. Free and direct access be re-established to the pumping plant for Thurrock Council to complete any required works as quickly as possible. 	<p>This is a long standing issue that has proved difficult to progress as the result of the intransigence of other parties. Due to the extreme weather conditions experienced over recent weeks, all available resources have been allocated to deal with immediate flooding issues in other locations. We remain committed to resolve this difficulty and meetings are being arranged to discuss and negotiate a satisfactory solution.</p> <p>New controls fitted to the system since New Year have increased the reliability of the pumping station, with no further reported issues in recent weeks.</p>	David Bull
22/01/14	Cllr Halden	Thurrock Council objects to any bid for a road/bridge connecting Canvey and East Thurrock, and pledges to use any appropriate resources to challenge this.	<p>Castle Point Council recently consulted on the link road through their Local Plan consultation. This Council formally objected to this proposal. We also asked Thurrock residents to object to the proposal through the Castle Point website.</p> <p>This Council's formal response to the Local Plan consultation (including objection to the link road) was submitted before the end of the extended closing date of 28th March 2014.</p>	David Bull
22/01/14	Cllr Gaywood	In recognition of the wonderful support and much needed food provided by Thurrock Foodbank to our families and residents in need, particularly over the Christmas period, this Council resolves to write to the Thurrock Foodbank to thank and congratulate them.	<p>Letters are being prepared to address the requests highlighted in the motion.</p> <p>An update is provided on Thurrock Foodbank below:</p> <p>The foodbank is Garron's Lane is now up and running and has been for a few months. They already have high</p>	Barbara Brownlee

Item 17 - Update on Motions agreed by the Council – 23 July 2014

		<p>Furthermore, Thurrock Council calls upon Government to reconsider its decision to refuse the £22 million European Union funding available to help with the costs of running UK food banks.</p>	<p>demand and are already outgrowing the property that they let from the Council. There is a meeting to take place on 19th February 2014 to look at what future needs the Foodbank will have and how Housing might be able to help accommodate these.</p> <p>A further site visit was also carried out by Lands and the Head of Housing after the meeting. A few options have been to provide more space for the business and they are currently being evaluated.</p> <p>Thurrock Housing continue to work with the Foodbank and are helping them to expand by providing increased storage options.</p>	
26/02/14	Cllr Hipsey	<p>Recently national publicity has demonstrated the Treetops school is among the very best schools in the country for children with special needs, (autism). Therefore, council resolves to congratulate the school on its continued fantastic work with our children and young people.</p>	<p>A letter has been sent to Treetops school to congratulate the staff for their fantastic work with Thurrock's children and young people.</p>	Carmel Littleton
26/03/14	Cllr Hipsey	<p>This elected chamber condemns the acts of indecent exposure where individuals are using the public highway to relieve themselves, which is starting become a regular occurrence seen along major trunk routes within Thurrock's boundary. Council also request the urgent assistance of Essex Police to attempt to clamp down on this ignorant disgusting behaviour.</p>	<p>This has been passed to Essex Police and we await a response.</p>	Lucy Magill

Item 17 - Update on Motions agreed by the Council – 23 July 2014

26/03/14	Cllr Ojetola	<p>The Thurrock Business Awards on Friday 14 March was a unique occasion in Thurrock as numerous businesses were commended for their resilience for surviving the difficulties in the economy.</p> <p>This Council hereby delightfully congratulates all businesses on their achievements whether they won or were finalists.</p>	No update required.	Graham Farrant
26/03/14	Cllr Anderson	<p>This council would like to put on record its thanks to those Members who are standing down at the 2014 local elections for their service to Thurrock during their time in office.</p>	No update required.	Graham Farrant

Motions Submitted to Council

In accordance with Chapter 2, Part 2 (Rule 15) of the Council's Constitution

Motion 1

Submitted by Councillor J Kent

"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."

Monitoring Officer Comments:

There are no legal implications arising from this Motion.

Section 151 Officer Comments:

Any cost arising from this motion is impossible to calculate or even estimate. There is no telling whether any of our current or future contractors would be using the scheme and, if they were to, any additional cost arising from them having to make other arrangements on behalf of Thurrock Council.

Is the above motion within the remit of Council to approve?

Yes

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Motions Submitted to Council

In accordance with Chapter 2, Part 2 (Rule 15) of the Council's Constitution

Motion 2

Submitted by Councillor C Kent

"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 brought to our attention by the Fire Brigades Union highlighting Thurrock as an area of extremely high risk."

Monitoring Officer Comments:

There are no legal implications arising from this Motion.

Section 151 Officer Comments:

There are no financial implications arising from this Motion.

Is the above motion within the remit of Council to approve?

Yes

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Motions Submitted to Council

In accordance with Chapter 2, Part 2 (Rule 15) of the Council's Constitution

Motion 3

Submitted by Councillor Hebb

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).

Monitoring Officer Comments:

There are no legal implications arising from this Motion.

Section 151 Officer Comments:

In terms of senior management, a 5% saving of remuneration and related costs of those senior officers employed by the Council is approximately £100,000.

The Council directly funds one full time Branch Officer for Unison. This is the most cost effective arrangement for the Council and avoids releasing stewards from across the organisation for formal consultation with associated back fill costs and increased management time.

Is the above motion within the remit of Council to approve?

Yes

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Motions Submitted to Council

In accordance with Chapter 2, Part 2 (Rule 15) of the Council's Constitution

Motion 4

Submitted by Councillor Halden

“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.”

Monitoring Officer Comments:

The Council supports transparent decision making whilst acknowledging its responsibility to deal with confidential personal information appropriately.

Section 151 Officer Comments:

I support the principle of members receiving relevant financial information to aid decision making but also acknowledge the need to retain confidentiality around characteristics that could identify individuals. Officers will report in a format that meets both criteria.

Is the above motion within the remit of Council to approve?

Yes

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