

Minutes of the Meeting of the Council held on 22 October 2014 at 7.00 pm

Present: Councillors Steve Liddiard (Mayor), Sue Gray (Deputy Mayor), Chris Baker, Jan Baker, Clare Baldwin, Terry Brookes, Mark Coxshall, Charles Curtis, Oliver Gerrish, Yash Gupta (MBE), Garry Hague, James Halden, Shane Hebb, Terence Hipsey, Victoria Holloway, Barry Johnson, 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, Bukky Okunade, Barry Palmer, Maureen Pearce, John Purkiss, Robert Ray, Joycelyn Redsell, Barbara Rice, Gerard Rice, Andrew Roast, Susan Shinnick, Philip Smith, Graham Snell, Richard Speight, Michael Stone, Pauline Tolson, Simon Wootton and Lynn Worrall

Apologies: Councillors Tony Fish, Robert Gledhill and Roy Jones

In attendance:
Graham Farrant, Chief Executive
Steve Cox, Assistant Chief Executive
Barbara Brownlee, Director of Housing - Thurrock Council
David Bull, Director of Planning and Transportation
Carmel Littleton, Director of Children's Services
Roger Harris, Director of Adults, Health and Commissioning
Sean Clark, Head of Corporate Finance
Fiona Taylor, Head of Legal and Democratic Services
Steve Jones, Democratic Services Manager
Stephanie Cox, Senior Democratic Services Officer

The Mayor welcomed Councillor Terry Brookes to the Chamber, following his victory in the recent West Thurrock and South Stifford by-election.

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

51. Minutes

Councillor Johnson drew Members' attention to the point of order that was referenced on page 17 of the minutes regarding Portfolio Holder reports not containing the requested financial information. He stated that he had not received an update following the meeting, but noticed that the financial information had been supplied in the Portfolio Holder report printed in the agenda.

The Minutes of the Council meeting, held on 10 September 2014, were approved as a correct record.

52. Items of Urgent Business

The Mayor informed the Council that he had agreed to the consideration of an item of urgent business, which related to the result of the by-election in West Thurrock and South Stifford and the appointments that were required to be made to Committees and Outside Bodies, Statutory and other panels.

The Mayor informed the Chamber that a copy of the report had been sent to all Members by email prior to the meeting and that a copy had also been circulated at the meeting.

53. Declaration of Interests

There were no interests declared.

54. Tribute to Councillor Maggie O'Keeffe-Ray

The Mayor invited Members to pay tribute to Councillor Maggie O'Keeffe-Ray, who sadly passed away on 24 September 2014.

Reverend Barlow led the Chamber in prayer and a minute's silence was observed in remembrance of Councillor Maggie O'Keeffe-Ray.

The Leader of the Council led the tribute and was followed by Councillor Halden, Councillor Snell and Councillor Palmer and a number of Members from all political groups represented on the Council.

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

The Mayor informed the Chamber that he did not wish to make any announcements this month.

The Leader of the Council had no announcements that he wished to make.

56. Questions from Members of the Public

The Mayor informed the Chamber that one question had been submitted by a member of the public.

A copy of the transcript of questions and answers can be found at Appendix A to these Minutes.

57. Petitions from Members of the Public and Councillors

The Mayor informed Members that, in accordance with the Council's Petition Scheme, the requisite notice had not been given by any councillors or members of the public that they wished to present a petition at the meeting.

58. Update in respect of petitions presented at Full Council and council offices during the previous 6 months

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

59. Item of Urgent Business - Result of the West Thurrock and South Stifford By-election and changes to appointments to Committees and Outside Bodies

The Mayor informed the Chamber that a report had been circulated to Members which provided detail of the result of the by-election held in West Thurrock and South Stifford on 16 October 2014, together with the changes that were required to Committees and Outside Bodies.

The Leader of the Council informed the Chamber that he would cover the positions on the East of England Regional Transport Forum and the Thames Gateway South Essex Transport Board in the interim period.

He also advised that the Labour group nominated Councillor Gerard Rice to fill the vacancy on the Thames Gateway Innovation Growth and Enterprise (TIGER) scheme.

The Deputy Leader of the Conservative Group offered his congratulations to Councillor Brookes on his recent victory and informed Members that he would like to confirm the following appointments that had been made to the Shadow Cabinet, as detailed below:

Shadow Portfolio Holder	Portfolio
Councillor Robert Gledhill	Housing
Councillor Shane Hebb	Transformation and Corporate Services
Councillor Pauline Tolson	Environment
Councillor Sue Little	Highways
Councillor Barry Johnson	Finance
Councillor Tunde Ojetola	Planning & Regeneration
Councillor Charlie Key	Health & Adult Social Care
Councillor Andrew Roast	Communities & Public Protection

Councillor James Halden	Education and Children's Social Care
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Members unanimously agreed to the recommendations set out in the report, together with the nomination to the Thames Gateway Innovation Growth and Enterprise (TIGER) scheme.

RESOLVED:

1. **That the result of the West Thurrock & South Stifford by-election, held on 16 October 2014, be noted.**
2. **That the Council note the appointment of Councillor John Kent to the vacancies to the East of England Regional Transport Forum and the Thames Gateway South Essex Transport Board.**
3. **That Councillor Gerard Rice be appointed to the Thames Gateway Innovation Growth and Enterprise (TIGER) scheme.**
4. **That the Council do not change the allocation of seats on committees, as set out in Appendix 1, leaving the membership of committees as they are at present until the result of the by-election in the Aveley and Uplands Ward is known and so leave the seats on the following committees vacant:**
 - **Children's Services Overview and Scrutiny Committee**
 - **Health and Wellbeing Overview and Scrutiny Committee**

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

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

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

- for Councillor Brookes to be appointed as a substitute member of the Corporate Overview and Scrutiny Committee.
- for Councillor Smith to be appointed as a substitute member of the Corporate Parenting Committee.
- for Councillor Brookes to be appointed as a member of the Health & Wellbeing Overview and Scrutiny Committee to replace Councillor Gray.
- for Councillor Gray to be appointed as a substitute member of the Health & Wellbeing Overview and Scrutiny Committee.

- for Councillor Brookes to be appointed as a substitute member of the Licensing Committee.
- for Councillor Gerard Rice to be appointed as a substitute member of the Planning Committee.
- for Councillor Gerrish to be appointed as a substitute member of the Planning, Transport & Regeneration Overview & Scrutiny Committee
- for Councillor Gerrish to be appointed as a substitute member of the Standards & Audit Committee.

In addition, the Leader of the Council informed the Chamber that he wished for Councillor Gupta to be appointed to the vacant position of Vice Chair of the Standards and Audit Committee.

The Deputy Leader of the Conservative Group informed the Chamber that his Group wished to make the following changes:

- for Councillor Kelly to be appointed as a substitute member of the Planning Committee to replace Councillor Halden.

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

RESOLVED:

- 1. That Councillor Brookes be appointed as a substitute member of the Corporate Overview and Scrutiny Committee.**
- 2. That Councillor Smith be appointed as a substitute member of the Corporate Parenting Committee.**
- 3. That Councillor Brookes be appointed as a member of the Health & Wellbeing Overview and Scrutiny Committee to replace Councillor Gray.**
- 4. That Councillor Gray be appointed as a substitute member of the Health & Wellbeing Overview and Scrutiny Committee.**
- 5. That Councillor Brookes be appointed as a substitute member of the Licensing Committee.**
- 6. That Councillor Gerard Rice be appointed as a substitute member of the Planning Committee.**
- 7. That Councillor Gerrish be appointed as a substitute member of the Planning, Transport & Regeneration Overview & Scrutiny Committee.**

8. **That Councillor Gerrish be appointed as a substitute member of the Standards & Audit Committee.**
9. **That Councillor Kelly be appointed as a substitute member of the Planning Committee to replace Councillor Halden.**
10. **That Councillor Gupta be appointed as the Vice Chair of the Standards & Audit Committee.**

61. Report of the Cabinet Member for Children's Social Care

Councillor Okunade, Cabinet Member for Children's Social Care, introduced the report and, in doing so, highlighted some of the key successes and update of the service, which included the following:

- Family Support and the Multi-Agency Safeguarding Hub (MASH)
- Child Protection Plans
- Looked After Children and Care Leavers
- The work of the Local Safeguarding Children's Board (LSCB)

The Cabinet Member welcomed Andrew Carter, who had recently been appointed to the position of Head of Care and Targeted Outcomes and thanked Nicky Pace for her work with the service in the interim.

The Cabinet also paid tribute to the fantastic work of Thurrock's loyal foster carers and the Local Safeguarding Children's Board, and stated that she was proud to be Portfolio Holder for the service.

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

- Councillor Halden observed that the Council had given incorrect advice to parents regarding permission for home schooling their children. He called for the Portfolio Holder to undertake a review and to ensure that Council officers received adequate training to allow them to advise parents on the correct procedure in accordance with the law. He also questioned how many parents had been disadvantaged by receiving the incorrect information issued.

The Cabinet Member advised that general education did not fall under her portfolio but assured Members that it was both Members and officers responsibility to ensure that the correct information was disseminated to parents and stated that officers would review this.

- Councillor Roast stated that in 2013 Members approved an increase in the child care budget of £3 million to meet the budget short fall, however it was not expected that this would become a permanent feature of the department's budget setting process. He

questioned what the Portfolio Holder was doing to ensure that the poor budget setting did not happen again.

The Cabinet Member explained that the priority was to safeguard children and that increased demand on the service had increased the placements budget cost. She emphasised that this was difficult to control the placement budget as the Council's priority was to support children who needed help, regardless of the impact of cost. However, she further added that the Council was not complacent and that every placement was reviewed to ensure that money was being spent effectively and that this was regularly reported back and reviewed by the Corporate Parenting Committee.

(At 7.33pm Councillor Ojetola entered the Chamber)

- Councillor Johnson thanked the Portfolio Holder for including the budget outturn information in the report. He observed that the legal costs budget for 2014/15 had increased from £700,000 to over £1.2 million and that in the past year the Council had seen at least one case where a child had been returned to its parents following a court case. He questioned whether the increase in budget was a result of greater scrutiny and challenge of social care decisions rather than errors and mistakes.

The Cabinet Member advised that the legal cost increase was not a result of careless mistakes and that when a child was identified at risk the Council always adopted a cautious approach and without court agreement a child would not be taken into care. She further explained that new guidance had resulted in a reduction of external independent experts and that the creation of a threshold panel reduced the need for a number of Legal Planning meetings and therefore some legal costs.

- Councillor Hebb questioned how the service was working differently with their budgets, in light of the additional £3 million budget short fall that was required in 2013/14.

The Cabinet Member assured Members that a number of measures were in place to reduce the reliance on more expensive external placements and drive forward recruitment for in house foster carers. She noted the progress that had been made so far but reiterated that the priority for the Council was to ensure that every child who needed support received it.

- Councillor Sue Little advised Members that, through her work on the Adoption and Fostering Panel, she had become aware of a number of problems with Social Workers IT systems which had made it more difficult and time consuming to complete tasks. She called for better IT systems that were fit for purpose for Social Workers needs.

The Cabinet Member agreed that IT systems should be in place to support officers in their work and provided assurances that every system to help social workers work more effectively should be achieved.

- Councillor Barbara Rice congratulated the Portfolio Holder for her work on implementing the Multi-Agency Safeguarding Hub (MASH), which had been a fantastic success story. She asked whether Members would be attending the local pantomime again this year with Looked After Children with their Corporate Parenting hat on.
- The Cabinet Member thanked Councillor Barbara Rice for her kind words and agreed that it would be good for all Members to support Looked After Children again this year. She paid particular thanks to Councillor Brian Little for his work in helping to make last year's event a success and hoped that he would continue to provide support this year.

The Cabinet Member briefly summed up the report and thanked all front line staff and partners for their support.

62. Questions from Members

The Mayor informed the Chamber that 2 questions had been submitted to the Leader and a further five questions to Cabinet Members, Committee Chairs and Member appointed to represent the Council on a Joint Committee.

Members were informed that as apologies had been received from Councillor Fish, the Leader of the Council would provide a response to the question that had been submitted to the Cabinet Member.

A copy of the transcript of questions and answers can be found at Appendix A to these Minutes.

63. Reports from Members representing the Council on Outside Bodies

Councillor Ojetola provided an update on the work of the Standard Advisory Council on Religious Education (SACRE) which was now fully constituted. He advised that the recent meeting had been well attended by representatives from all faiths and a new co-opted Member, and that they continued to encourage and support Thurrock schools with their syllabus.

64. Minutes of Committees

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

65. Update on motions resolved at Council during the previous year

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

Councillor Hebb stated that the Chief Executive had circulated a response to all Members regarding a motion from 23 July 2014, however asked for a specific answer in relation to point 2 of the item.

The Chief Executive advised Members that this was being dealt with through the budget process, but that he would look into the matter that had been raised.

Councillor Ojetola referred to a past motion that had been submitted regarding the Council working to support a new GP surgery in Chafford Hundred and asked whether the accompanying strategy could be forwarded to him.

Councillor Barbara Rice confirmed that the strategy was still being developed and assured Members that this would be circulated when finalised.

66. Motion submitted by Councillor Halden

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

Councillor Halden introduced the motion, and in doing so called for a governance review to be carried out in order to judge the advantages and disadvantages of a committee, cabinet, mayoral or hybrid forms of governance.

Councillor Robert Ray proposed an amendment to the motion, so that the motion would read:

“The Chamber instructs the constitution working group to carry out a governance review, in order to judge the need for the committee form of governance from May 2015 onwards.”

The amendment was seconded by Councillor Snell.

At this point, Councillor Ojetola raised a point of order and queried whether the amendment should be allowed, as it ought to have been submitted to the Monitoring Officer by 12 Noon.

Councillor Halden suggested that the meeting be adjourned for 2 minutes so that Legal and Democratic Services could advise on the validity of the amendment that had been proposed. This was agreed by the Chamber.

The meeting was adjourned at 8.24pm.

The meeting was reconvened at 8.30pm.

The Mayor informed the Chamber that he would not allow the amendment and instructed Members to proceed to debate the original motion.

During the course of the debate the following key points were made:

- Councillor Hague supported the motion as the present structure of Democratic decision making had been in place for some time and that it was always wise to review. He felt that it was time to respond to change in order to improve local democracy, efficiency and decision making.
- Councillor Barbara Rice supported the motion but felt that the current system worked well and remarked that in her Portfolio she had strived to work with both Councillors Hebb and Halden for the betterment of Thurrock. She felt that if a review was undertaken thorough research should be conducted with similar size authorities with different forms of governance systems so that Thurrock would get the final recommendation right.
- Councillor Ojetola declared his support for the motion and explained that it was crucial that the Constitution Working Group be constituted and to conduct a thorough review to see what works well, and for the outcome to be reported back to Council.
- Councillor John Kent remarked that a number of Councillors in the Chamber had experience of working under a committee governance system but felt that the system had disadvantages, particularly in relation to the lack of Member accountability.
- Councillor John Kent further added that it was wise to review the current system which had been in place for 14-15 years. He proposed that an item on the Constitution Working Group be brought back to the next meeting and a small budget be allocated to the group to investigate thoroughly the benefits and disadvantages of different forms of governance within similar size authorities, such as Brighton and Hove and East Cheshire.
- Councillor Coxshall remarked that he did not wish to abandon the Cabinet style system altogether but that it was important to examine the benefits and disadvantages in equal proportion to other forms of governance. He remarked that if the review concluded that the Cabinet system be the most appropriate for Thurrock he would not be afraid to support the recommendation to retain a Cabinet style form of governance in Thurrock.
- Councillor Palmer observed that all Members should have the opportunity to review the findings.
- Councillor Gerard Rice agreed that a review would be sensible and to examine the governance models of other local councils.

Councillor Halden echoed the sentiments that were raised by Members and stated that he was looking forward to working in collaboration to review governance arrangements in Thurrock. He felt that all systems would have benefits and weaknesses but that it was a process that must be fully examined.

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

RESOLVED:

The Chamber instructs the constitution working group to carry out a governance review, in order judge the need for the committee, cabinet, mayoral, or hybrid forms of governance from May 2015 onwards.

67. Motion submitted by Councillor Hebb

The Motion, as printed in the Agenda, was proposed by Councillor Hebb and seconded by Councillor Halden. The Motion read as follows:

“Thurrock is an area which is thirsty for regeneration, and needs political stability to attract investment. It therefore needs to demonstrate a more stable; consistent; lower-cost governance system.

Following a number of years of being in No Overall Control (NOC) Thurrock Council resolves to investigate and implement a move to a Four Yearly Election model”.

Councillor Hebb introduced the motion and in doing so made the following key points:

- That a four year election model would make Thurrock more stable and allow time for the ruling group to drive forward and embed their policies.
- That a move to a four year election model would save approximately £400,000 to the Council every four years.
- That it would improve political turnout and engagement.

During the course of debate on the Motion, the following key points were raised both in support and opposition:

- Councillor Gerard Rice felt that in his experience a 4 year election model did not work well or was in the best interests of the electorate, and recounted that some political groups had become complacent for 3 years out of 4 after winning an election. He felt that the current model provided more opportunity for challenge.
- Councillor Speight remarked on the achievements in Thurrock and felt that the electorate wanted more cross-party working not shutting people’s voices out for an additional year.
- Councillor John Kent questioned how elections by thirds created instability, and highlighted a number of regeneration success stories which had been achieved under the current model. He felt that the election by thirds model provided stability.
- Councillor Ray agreed that regeneration was important but felt that the political balance had little effect. He added that there was no

evidence to support the claim that a 4 year election model was good for residents and instead stated that it was of paramount importance to let residents have their say.

- Councillor Johnson felt that there would be greater turnout on general election years and that a 4 year election model supported zero based budgeting.
- Councillor Coxshall felt that the 4 year election model would give more time for policies to embed and for the political majority to deliver their manifesto.
- Councillor Snell explained that the 4 year model would give residents less of a voice and that the current system worked well to keep Members on their toes.

Upon being put to the vote, 15 Members voted in favour of the Motion, and 30 Members voted against, whereupon the Mayor declared the motion was lost.

Before the formal close of the meeting, the Mayor invited Councillor Ray to address the Chamber. Councillor Ray thanked Members for their kind words and messages of support. He also took the opportunity to thank a number of people who were not present in the Chamber for their kind words and support, which included Tim Aker MEP, Jackie Doyle-Price MP and Polly Billington. He added that Maggie O’Keeffe-Ray had been extremely proud to be an Elected Member of Thurrock Council.

The meeting finished at 9.17 pm

Approved as a true and correct record

CHAIR

DATE

**Any queries regarding these Minutes, please contact
Democratic Services at Direct.Democracy@thurrock.gov.uk**