

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
September 2015**

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

Membership of the Council:

Sue Gray (Mayor)
Cathy Kent (Deputy Mayor)

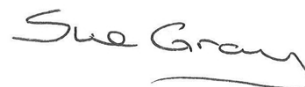
Tim Aker
Chris Baker
James Baker
Jan Baker
Clare Baldwin
Russell Cherry
Colin Churchman
Mark Coxshall
Leslie Gamester
Oliver Gerrish
Robert Gledhill
Yash Gupta (MBE)
Graham Hamilton
Garry Hague
James Halden
Shane Hebb

Terence Hipsey
Clifford Holloway
Victoria Holloway
Barry Johnson
Roy Jones
Tom Kelly
John Kent
Martin Kerin
Charlie Key
Steve Liddiard
Brian Little
Susan Little
Sue MacPherson
Ben Maney
Tunde Ojetola
Bukky Okunade

Barry Palmer
Jane Potheary
Robert Ray
Joycelyn Redsell
Barbara Rice
Gerard Rice
Andrew Roast
Peter Smith
Graham Snell
Richard Speight
Deborah Stewart
Michael Stone
Pauline Tolson
Kevin Wheeler
Lynn Worrall



Lyn Carpenter
Chief Executive



Councillor Sue Gray
Mayor of Thurrock

Agenda

Open to Public and Press

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1	Apologies for absence	
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	To approve as a correct record the Minutes of the meeting of the Council, held on 26 August 2015.	
3	Items of Urgent Business	
	To receive additional items that the Mayor is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
4	Declaration of Interests	
	To receive any declaration of interests from Members.	
5	Announcements on behalf of the Mayor or the Leader of the Council	
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	In accordance with Chapter 2, Part 2 (Rule 14) of the Council's Constitution.	
7	Petitions from Members of the Public and Councillors	
	In accordance with Chapter 2, Part 2(Rule 14) of the Council's Constitution.	
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9	Appointments to Committees and Outside Bodies, Statutory and Other Panels	
	The Council are asked to agree any changes to the appointments made to committees and outside bodies, statutory and other panels, as requested by Group Leaders.	

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12	Report of the Cabinet Member for Adult Social Care and Health	51 - 60
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In accordance with Chapter 2, Part 2 (Rule 14) of the Council's Constitution.

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15	Minutes of Committees	

Name of Committee	Date
SACRE	15 January 2015
Cleaner, Greener Safer Overview and Scrutiny Committee	22 January 2015
Health and Well-being Overview and Scrutiny Committee	17 February 2015
Planning, Transport and Regeneration Overview and Scrutiny Committee	4 March 2015
Children's Services Overview and Scrutiny Committee	10 March 2015
Standards and Audit Committee	17 March 2015
Housing Overview and Scrutiny Committee	17 June 2015
Planning Committee	9 July 2015
Planning Committee	13 August 2015
Licensing Sub-Committee	1 September 2015

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17	To consider motions from Members in the order in which they were submitted	67 - 76

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:

28 October 2015, 25 November 2015, 27 January 2016, 24 February 2016, 23 March 2016, 25 May 2016 (Annual Council)

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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.

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

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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

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- 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		

Vision: 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 aspiration and attainment so that residents can take advantage of local job opportunities
- Support families to give children the best possible start in life

2. Encourage and promote job creation and economic prosperity

- Promote Thurrock and encourage inward investment to enable and sustain growth
- Support business and develop the local skilled workforce they require
- Work with partners to secure improved infrastructure and built environment

3. Build pride, responsibility and respect

- Create welcoming, safe, and resilient communities which value fairness
- Work in partnership with communities to help them take responsibility for shaping their quality of life
- Empower residents through choice and independence to improve their health and well-being

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 and safeguard the most vulnerable people with timely intervention and care accessed closer to home
- Enhance quality of life through improved housing, employment and opportunity

5. Promote and protect our clean and green environment

- Enhance access to Thurrock's river frontage, cultural assets and leisure opportunities
- Promote Thurrock's natural environment and biodiversity
- Inspire high quality design and standards in our buildings and public space

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100 Years in Memoriam

Remembering Thurrock's Fallen of World War One

Each month during the centenary period of the First World War, Thurrock Council will pay tribute to the 834 local residents known to have lost their lives due to causes associated with the war and their service. At each meeting of Council until November 2018, the 100th anniversary of signing of the Armistice with Germany, a Roll of Honour will be published with the agenda detailing the casualties from that month 100 years ago to commemorate the sacrifice made by Thurrock residents.

September 1915

DATE	SURNAME	FIRST NAME	AGE	WARD	RANK	SERVICE	DIED
08-Sep	NASH	JOHN	30	W/TH	PTE	BUFFS - 6	HOME
09-Sep	TAYLOR	WILLIAM	21	TIL	PTE	ESSEX - 10	FRANCE
12-Sep	KENNEDY	JOHN	29	G	ENG. OFF	MERC. MARINE RES.	GREECE
13-Sep	DEEKS	FREDERICK WILLIAM	29	E/TIL	2/LT	RFA	FRANCE
14-Sep	SALMON	FREDERICK JOHN	21	G & MUCK	PTE	ESSEX - 2	FRANCE
25-Sep	GRAVES	JAMES	36	G & BUL	PTE	HIGHLAND L.I. - 2	FRANCE
25-Sep	TYLER	JAMES WILLIAM	20	AVE	PTE	KOSB - 6	FRANCE
26-Sep	JONES	CHARLES	30	G	PTE	ESSEX - 11	FRANCE
26-Sep	PLUMB	WALTER JOHN	18	S.OCK	PTE	ESSEX - 11	FRANCE
28-Sep	HIGGS	FREDERICK	30	TIL	L/CPL	BUFFS - 2	FRANCE
28-Sep	CROW	GEORGE FREDERICK	21	STIFF	PTE	COLDSTRE AM GDS. - 1	FRANCE
29-Sep	LAW	ALFRED THOMAS	31	G	L/SGT	COLDSTRE AM GDS -1	FRANCE
29-Sep	PETTY	ARCHIBALD DYKE	26	SLH	PTE	R/FUS - 3	FRANCE
29-Sep	GIGGINS	WILLIAM GEORGE	28	S.OCK & ORS	SGT	MIDDLESEX - 4	BELGIUM

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Minutes of the Extraordinary Meeting of the Council held on 26 August 2015 at 7.00 pm

Present: Councillors Sue Gray (Mayor), Cathy Kent (Deputy Mayor), Tim Aker, Chris Baker, James Baker, Jan Baker, Clare Baldwin, Russell Cherry, Colin Churchman, Leslie Gamester, Oliver Gerrish, Yash Gupta (MBE), Graham Hamilton, James Halden, Shane Hebb, Terence Hipsey, Victoria Holloway, Barry Johnson, Roy Jones, Tom Kelly, John Kent, Martin Kerin, Charlie Key, Steve Liddiard, Brian Little, Susan Little, Sue MacPherson, Bukky Okunade, Jane Potheary, Robert Ray, Joycelyn Redsell, Gerard Rice, Andrew Roast, Peter Smith, Graham Snell, Deborah Stewart, Kevin Wheeler and Lynn Worrall

Apologies: Councillors Mark Coxshall, Robert Gledhill, Garry Hague, Ben Maney, Tunde Ojetola, Barry Palmer, Barbara Rice, Richard Speight, Michael Stone and Pauline Tolson

In attendance: David Bull, Interim Chief Executive & Director of Planning and Transportation
Steve Cox, Assistant Chief Executive
Carmel Littleton, Director of Children's Services
Roger Harris, Director of Adults, Health and Commissioning
Sean Clark, Head of Corporate Finance
Mike Heath, Head of Environment
Ann Osola, Head of Highways
Karen Wheeler, Head of Strategy & Communications
Daniel Toohey, Principal Solicitor - Contracts & Procurement
Fiona Taylor, Head of Legal and Democratic Services
David Lawson, Deputy Head of Legal and Monitoring Officer
Matthew Boulter, Principal Democratic Services Officer
Stephanie Cox, Senior Democratic Services Officer

Before the start of the meeting, the Mayor explained some general housekeeping as the meeting was being held in a different venue, and advised on the process for considering Item 6, Frost Estate Community Governance Review.

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.

54. Minutes

The Minutes of the meeting of the Council, held on 22 July 2015, were approved as a correct record.

55. Items of Urgent Business

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

56. Declaration of Interests

Councillor Churchman declared a non-pecuniary interest in respect of Agenda Item 6, Frost Estate Community Governance Review, as a family member resided on the Frost Estate in Corringham. He affirmed that this would not affect his decision and that he had an open mind throughout the public consultation process.

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

The Mayor advised that she had not intended to make any comments before the extraordinary meeting of Council, but that something had come to mind which she felt deserved to be highlighted.

The Mayor reported that one hundred years ago on 30 August 1915 an awful tragedy took place on the Thames off from Purfleet. It was further reported that sixteen young cadets and an officer, all from the Training Ship Cornwall, were killed when the boat they were in was struck by a government steam tug which had failed to give way to sail. The cadets were buried in a mass grave alongside their officer who died with them, at St Clement's Church in West Thurrock.

The Mayor advised that an open day would be held at St Clement's Church on Sunday 30 August 2015 from 12 noon to 4.30 pm, where a remembrance ceremony would also take place, and encouraged those present to attend.

58. Frost Estate Community Governance Review

Mr Bull, Interim Chief Executive, introduced the report which presented the outcomes of the community governance review and requested Council to consider additional information in order to decide whether it wished to change the community governance arrangements for the Frost Estate and create a new Parish Council, or whether it considered that there should be no changes to the governance arrangements for the area. In introducing the report, the following key points were highlighted:

- 355 properties had been surveyed and 715 questionnaires delivered during September 2014.
- During the Stage 1 Consultation process 357 responses had been received which equated to 49.93% of the electorate. Of those 299 indicated a preference for a Parish Council, which was 83.75% of the 357 voters (41.81% of the electorate).

- During the Stage 2 Consultation process, 380 residents had agreed to a Parish Council, 70.9% of 536 responses, in comparison to 156 who disagreed which equated to 29.1% of responses.
- 369 respondents agreed to 9 Parish Councillors if a Parish Council was created, which would result in 7 Parish Councillors for the Frost Estate East Ward and 2 for the Frost Estate West Ward.
- That in March 2015 Council deferred the decision on a Parish Council in order to address the key issues.
- That in July 2015 a public meeting with senior council officers had been held and attended by over 200 residents.
- In August 2015 a meeting with those for and against the Parish Council had been convened.
- That if a Parish Council was created Thurrock Council would remain the Council Tax billing authority.
- An example of the householder charges for each property band was provided based upon a £38,700 precept, which equated to a £99 charge for band D properties, £66 for band A (or £50 if the resident was entitled to a 25% discount) and £143 for a band F property.
- That if created the first Parish Council election could not be held until May 2016, which would result in the first precept being set from April 2017, which thereby would result in any scheme implementation taking two years.

The Interim Chief Executive further reported that following discussions with the Frost Estate Residents Association (FERA) and the Against Parish Council Committee (APCC), he felt that a consensus had been reached so that if a Parish Council was agreed both organisations would work together to help form the Shadow Parish Council. Conversely if the Parish Council was not agreed both organisations could work together to form a charity or Limited Company in order to create a legal entity which would be eligible to bid for funding.

Members were advised of the possible options going forward, and asked to consider both the points outlined in the report and the weight given to the following matters, which had been raised during the last two meetings the Interim Chief Executive had chaired with Frost Estate residents:

- That during the Stage 2 Consultation process over 70% residents had voted in favour of a Parish Council and over 29% had opposed its creation, but subsequently it could be argued that residents now had a better understanding of the issues.
- That a new petition with 298 signatures against the formation of a Parish Council had been received earlier in the month, and that some who had signed it stated they had initially voted in favour of a Parish Council but had since changed their mind.

The Interim Chief Executive recognised that the decision on whether to establish a Parish Council on the Frost Estate was not an easy one, and that in deciding which of the two options to take forward, asked Members to

consider future relations between residents and the importance of maintaining community cohesion.

At 7.20 pm Members agreed to suspend Council Procedure Rules for 45 minutes in order to allow for statements and questions from members of the Public (in accordance with Council Procedure rule 25.1, Chapter 2, Part 2 of the Council Constitution).

The Mayor reminded registered public speakers that they each had 3 minutes to speak and would be dealt with in the order in which statements and questions had been received, as detailed below:

- Mr Parker observed that he was in opposition to the formation of a Parish Council and stated that 70% of the 'yes' vote only equated to 53% of the registered electorate of the Frost Estate. He felt that those who had voted 'yes' had done so at a time without full knowledge or significant disclosure of the facts and that this had been substantiated by Councillor J. Kent's proposal to defer the decision due to concerns highlighted through the Stage 2 Consultation process. As a result he questioned the validity of the results of the Stage 2 Consultation, which was supported by the receipt of a petition against the Parish Council which contained almost 300 signatures. He called upon the Council to consider the alternatives, and in doing so made reference to the Council's promises through the Customer Charter and Thurrock Vision.
- Mr Thorogood explained that he wanted the best for the Frost Estate, and a cohesive group to work together to improve the condition of the roads in order to improve safety for motorists, pedestrians and cyclists. He highlighted that the APCC had obtained a quotation of £14,000 just to repair one intersection of the estate and felt that without a Parish Council it would be unsustainable to implement. He further observed that if a Parish Council was not agreed the democratic vote of residents would have been disregarded, as the results of both stages of the public consultation had been a resounding 'yes'.
- Mr Plant observed that more detailed information had become available after the two consultations had taken place and felt that if a democratic decision was to be made regarding the Parish Council it should take into account the latest developments, which included the petition signed by nearly 300 residents who were in objection to the Parish Council. He further emphasised that the number of responses to the consultation against the Parish Council equated to less than half of the registered electorate and argued that a Parish Council should be formed.
- Mr Noble explained that at the first ever public meeting held with the then local Ward Councillor and MP regarding the issues of roads and waste collections, it was made clear that Thurrock Council was

not responsible for the maintenance of the un-adopted roads of the Frost Estate and it was suggested that residents could make voluntary contributions to maintain the roads and the frontages. He felt that at this meeting there was a general feeling among those in attendance that this was not wanted and therefore the Frost Estate Residents Association (FERA) was created in order to bring together residents in a legitimate way in an attempt to identify a fair solution to solve the problems of the roads on the estate. He recognised that FERA had made some mistakes during the public consultation and community governance review process, but affirmed that FERA had always tried to act in good faith. He acknowledged that the beginning of the process FERA had been unaware that any precept must be raised in proportion with Council Tax Bands and not distributed equally among each household, however felt that a Parish Council would foster a long-term solution for residents of the estate. He called on the Council to establish the Parish Council, without which residents would have no legal legitimacy to collect money to make the much needed road repairs.

- Mr Rayner asked members to consider the best long-term solution for the Frost Estate, to vote for a Parish Council, and not to opt for an alternative short-term solution. He observed that 47.5% of respondents were against the Parish Council, compared with 53.6% who were in support. Whilst he recognised that this was finely balanced he expressed a view that petitions could be prone to bias as it was dependent on how the information was presented to residents before they signed. He stated that if Members voted 'no' for a Parish Council, FERA would work with the APCC to attempt the road repairs through voluntary contributions, however he explained that FERA had tried this in the past and it had been unsuccessful. He felt that people would not come together to repair the roads and that if Members voted 'no' it would be a short-term solution.
- Mr Gorham appreciated the comments that had been made before him by other residents, but felt that it was unfair properties on the higher Council Tax Band would pay a higher precept in order to repair roads elsewhere on the estate, when their road was in good order and would remain untouched. He felt that the creation of a Limited Company or charity would be a fairer, quicker and cheaper mechanism to improve the condition of the roads on the estate, and that through a combination of bidding for funding and voluntary householder contributions – through Community Fun Days for example – the required funds could be raised to carry out the much needed repairs, such as on the junction of Central Avenue and Giffords Cross. He appreciated that the consultations had produced hard data but highlighted the responses only represented 53% of the registered electorate. He emphasised that he wanted the community to come together and not be divided, and felt that the Parish Council was not the right solution.

- Ms. Barker stated that she was in opposition to the creation of a Parish Council and felt that FERA had led residents in the wrong direction as residents had been un-informed when the original petition was circulated. She highlighted that as more information had become available, particularly since June 2015, people had changed their minds as they had become better informed. Ms. Barker emphasised that a Parish Council would take 2 years to set up, which combined with 9 Parish Councillors, she felt would carry too much of a risk as they could decide to charge much more than the suggested precept. In summary she observed that FERA and APCC agreed on the same goal but not on the best route to get there, and explained that in other parts of the Country groups of residents had been successful in bidding for funding to improve their areas.
- Mr O'Rourke informed Members that he had originally been in favour of the Parish Council but at the time was unsure of the full implications. As time had passed he explained that he had changed his view, as had others which was highlighted through the most recent petition that contained almost 300 signatures in opposition. He stated that he had surveyed residents when the petition was conducted and that most would find a one-off contribution of £50 or so acceptable in order to repair the crossroads. In the spirit of community and to foster cohesion he felt the establishment of a Community Environmental Development Fund was favourable as residents could make voluntary contributions to bring roads up to an acceptable standard without having to be tied into an annual imposed precept.
- Mr Ravenhill explained that at the first meeting MP Stephen Metcalfe and the then local Ward Councillor Mark Coxshall had advised that the establishment of a Parish Council was the best way forward, subsequent to which FERA was founded. He highlighted that of the 9,000 Parish Councils that were already in existence around the Country not one dealt with highways repairs and maintenance, and that if established on the Frost Estate it would be a risky precedence. He reported that since the public meeting held in June 2015 residents had been better informed, which resulted in the most recent petition of almost 300 residents in opposition. He added that the APCC had attempted to create an alliance with FERA and the votes were now in the hands of Councillors. He strongly urged all Members to vote 'no' to a Parish Council.
- Ms. Lindsay explained that she was in opposition of the Parish Council and highlighted a similar instance in Linford where there were also un-adopted roads many years ago. She felt that the Parish Council would be a liability as there would be empty costs of running of a Parish Council that would need to be met by a precept

before the funds could be spent on improvements. She further reported that the majority of residents would have no real idea of how a Parish Council should be run and called on Members to think carefully about the results and whether it was right that they should be swayed by the initial figures arising from the public consultation and petition when much had changed. She called on Members to make the right decision to protect the unique area of the Frost Estate which needed to be maintained.

The Mayor thanked all the public speakers for their statements and asked the three residents who submitted questions to read their questions as follows:

- Mr Moore stated that he respected all residents views, even those he did not agree with, but was concerned that Frost Estate residents did not understand the real costs involved as there had not been a strong enough debate in the early stages of the review process. He highlighted that a vote had been undertaken before the costs were known and asked whether Thurrock Council was 100% sure that the consultation process was carried out in and presented to the residents, without any persuasion or misleading information?

It was of Mr Moore's view that it was not and that when the residents voted, they voted without prior knowledge of the costs, the concessions and the functionality and authority that a Parish Council had, and therefore the process was flawed.

- Mr Manning observed that something had to be done but felt that a Parish Council was not the correct way forward, as the precept did not need to be spent on hanging baskets and benches. He explained that he lived at the end of York Avenue adjoining Brampton Avenue and that in order to prevent through traffic from York Avenue into Brampton Avenue concrete bollards had been erected thereby closing the road to cars and motorcycles. He requested assurances that if or when any road repairs should take place these bollards would remain in place thus preventing York Avenue becoming part of a dangerous rat run.
- Mr Wheeler questioned if the Full Council decided not to vote yes for a Parish Council for the Frost Estate, could they tell the people of the Frost Estate tonight the Council's immediate plans to solve the problems of the roads and pavements and other problems that people of the Frost Estate were looking forward to being resolved if a Parish Council was set up and approved by a Parish Council.

He further asked whether there were any plans to use Council emergency funding to solve the worsening roads and pavement problems or is Thurrock Council's plan to use government funding already received to make cycle ways and repair roads and pavements by implementing a cycle way scheme for the Frost Estate.

The Interim Chief Executive asked the Deputy Head of Legal Services and Monitoring Officer and the Head of Highways to respond to the questions as appropriate and the following responses were received:

- In response to Mr Moore's question, the Deputy Head of Legal Services and Monitoring Officer explained that he had not been involved in the original consultation but that it had been correctly undertaken by the Authority in accordance with its duties under the Local Government and Public Involvement in Health Act 2007, as amended and the relevant statutory guidance. He personally felt that the Authority had in fact exceeded, both in detail and the extent of consultation, normally provided in community governance reviews. He further added that the consultation was both impartial and contained extensive detail on the role and function of parish councils in that it clearly received numerous representations during both the Stage 1 and Stage 2 Consultations which were legal consultations.
- In response to Mr Manning's question, the Head of Highways explained that the roads in question were not adopted and local residents were responsible for organising repairs. However, should there be proposals to open up access on to Council roads, the Council as Local Highway Authority would have a view, with particular emphasis on safety.
- In response to Mr Wheeler's question, the Head of Highways explained that the mechanism whereby local residents address maintenance issues on private streets remained a matter for residents to decide. There were no plans to use the Council's emergency reserves to address this matter, or to redirect government funding which had been already given to the Council for agreed purposes.

At 8.10 pm the meeting moved into Member Debate, thereby the suspension of Council Procedure Rules was lifted.

Councillor Halden recognised that the decision being made was in relation to the condition of roads and community cohesion. He explained that Members were at the meeting to make a decision based upon 70% of the vote and added that he believed in the power of referenda and direct democracy. He felt that he would not have much integrity if he opposed the creation of the Parish Council and accepted the principle of voting down people's views, which he believed would destroy of any future plans of community action.

Councillor Halden reported that people would still have the right to challenge a Parish Council and Parish Councillors would be elected to make decisions and not avoid the issues.

Councillor Snell observed that when the original discussions took place no other option was presented to residents apart from the creation of a Parish Council, and felt that it was convenient that some of those particular Councillors involved were not in attendance at the meeting. He acknowledged that informative public meetings should have been held much earlier so that residents could be better appraised of the options, however as that had not happened the community appeared to have been divided from the beginning.

Councillor Snell added that consultations had been undertaken and encouraged residents not to vote when ill-informed in the future as the results would stand as a valid democratic process, and in light of this he felt that he had no choice but to follow the democratic mandate and support the creation of the Parish Council. Nevertheless he observed that lessons had to be learnt should a community undertake a similar review again.

Councillor Stewart, as local ward Councillor, recognised the Council had worked tirelessly with residents but there were no guaranteed solutions. She reported that the community were cohesive but it could not be agreed on the best way forward to repair the roads and felt that in light of the two consultations the fairest way forward was to create a Parish Council.

Councillor Ray advised that he had visited the Frost Estate and researched other Parish Councils, subsequent to which he felt that the Frost Estate and proposed Parish Council area was too small for it to be viable. He stated that there would be an ongoing cost to householders that would not be fixed, and coupled with the cost of administering the Parish Council itself, was concerned about the level of detail that had been taken into consideration. He explained that he was unimpressed with the poor condition of the cross roads but felt that a Parish Council was not needed simply to address highways issues.

Councillor Roast thanked all speakers from FERA and APCC for their contributions and explained that for a number of years residents had put their hands in their own pockets to repair the roads, which they had done a brilliant job on. However, he reported that significant sums of money was now needed in order to repair intersections, and felt that the formation of a Parish Council would be welcomed by the majority and would be a fair solution that would provide security for years to come.

Councillor G. Rice reported that there were a considerable number of Parish Council's elsewhere in Essex and that resident's in some of these Parish Councils paid an additional £200 a year on top of their Council Tax in a precept. He felt that Frost Estate residents had been unaware of the additional financial commitment at the time of the public consultations and felt that another public vote or consultation should be arranged so that residents could undertake a final vote with knowledge of the full financial implications.

Councillor MacPherson thanked the public speakers and recognised that no Parish Council had ever tackled the issue of road repairs and maintenance through a precept. As there was an opportunity for the community to come

together as a Limited Company or charity in order to apply for funding to repair the roads, she felt that this was the best solution to the problem, which would also assist others in Thurrock as the fund would be open to people across the Borough.

Councillor J. Kent recognised that this was a tough decision, as seldom did Members make a decision that affected a community for 20, 30, 40 years or more, and explained that as everyone would have to pay together there had to be strong reasons for the formation of a Parish Council. He reported that up and down the country Parish Councils struggled to recruit Parish Councillors but accepted the views of all residents.

Councillor J. Kent emphasised that a public consultation was not a referendum and that there was a significant difference between the two. He explained that in light of the almost 300 signature petition and statements made by residents who had been initially in favour of a Parish Council but were now against, although he had been unsure at the beginning of the meeting how he would vote he now was against the formation of a Parish Council.

Councillor Hamilton was concerned that the full cost and expenses of Parish Council had not been clear when residents had voted in the public consultation and added that there would likely be additional costs for drainage and surveyors.

Councillor Jones felt that a Parish Council should bring the community together and not be divisive. He recognised that the process would have benefitted from public meetings in the early stages to fully inform residents before the public consultations were undertaken, and that lessons needed to be learnt for future. He thanked Mr Bull for his efforts and believed that if Mr Bull had been leading on the process from the beginning such public meetings would have happened.

Councillor Jones further reported that there were over 9,000 Parish Councils around the country and that none of these were tasked with the remit of highways maintenance, nevertheless he felt that the results of the public consultation could not be ignored.

Following the debate the Mayor proposed to undertake a vote in respect of recommendation 1.1 first, and if agreed that a Parish Council would be created, advised that a vote for recommendations 1.2 – 1.8 would then be taken en-bloc.

Councillor G. Rice proposed that he would like to introduce a new recommendation that called on the Council to hold one more vote with the Frost Estate residents, who could then vote 'for' or 'against' the Parish Council, in order to offer some clarity now that further information about the full impact of a Parish Council was known.

The Mayor advised that it was not possible to introduce a new recommendation at this late stage and proposed to move to the vote.

At this point in the meeting there were a number of outbursts from the public gallery.

In response the Interim Chief Executive, Mr Bull, provided an explanation as to why it was difficult to introduce a new recommendation at this stage of the process.

The Interim Chief Executive explained that the process to decide whether to establish a Parish Council had to be completed within one year, and that an extraordinary meeting of Council had been convened as this period was soon to expire. He reported that there was no further Council meeting scheduled before the next meeting, due to be held in September, which was why a decision needed to be made this evening as a further vote could not be organised within the short timeframe.

The Interim Chief Executive added that he felt the only option which allowed for another vote to be undertaken would be to go through the entire process again, which would mean voting against the creation of a Parish Council.

The Mayor thanked Mr Bull and moved on to the vote of recommendation 1.1, whereby the Council was requested to consider whether, in light of the additional information presented and the recommendations of the General Services Committee, the interests of effective and convenient local government and community identities for the Frost Estate would be:

- (a) best served by the creation of a new Parish Council; or
- (b) best served by remaining unchanged

Upon being put to the vote, 17 Members voted in favour of recommendation 1.1 (a) for the creation of a Parish Council, 20 Members voted against the creation of the Parish Council in support of 1.1 (b) and 1 abstained, whereupon the Chair declared the recommendation to create a new Parish Council was lost.

RESOLVED:

That in light of the additional information presented and the recommendations of the General Services Committee, the interests of effective and convenient local government and community identities for the Frost Estate would be best served by remaining unchanged.

At 8.44 pm the Mayor advised that there would be a short break to allow for members of the public to leave the meeting, if they wished to do so.

At 8.49 pm the Mayor reconvened the meeting.

59. Political Balance

The Mayor advised that the report requested the Council to confirm the calculations relating to the allocation of seats on committees following Councillor Churchman ceasing to be a member of the UKIP group, as stated at Full Council on 22 July 2015.

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

RESOLVED:

That the allocation of seats, as set out in Appendix 1 and 2.16, be approved.

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 in light of the changes to the Political Balance which had been agreed.

The Leader of the Council advised that he wished to make a number of changes to appointments; however he would confirm these during the Council meeting in September.

The Leader of the UKIP group informed Members that he wished to make the following changes:

- for Councillor Snell to be the UKIP appointed representative on the Health Overview and Scrutiny Committee, and thereby to remove Councillor Cherry from the membership of the Health Overview and Scrutiny Committee in accordance with the revised political balance.
- for Councillor Churchman to be removed as a UKIP representative on the Licensing Committee.
- for Councillor Chris Baker to be appointed to the UKIP vacancy on the Planning Committee.
- for Councillor Chris Baker to be appointed as a member of the Planning, Transport and Regeneration Overview and Scrutiny Committee to replace Councillor Churchman.

Councillor Churchman, Independent Member, advised that no changes would be made to the appointments of Independent Members until himself and Councillor Ray had an opportunity to consult with Councillor Palmer, who was unfortunately unwell.

Members voted unanimously in favour of the changes to Appointments to Committees and Outside Bodies, Statutory and Other Panels.

RESOLVED:

1. That Councillor Snell be appointed as a member of the Health Overview and Scrutiny Committee.
2. That Councillor Cherry be removed as a member of the Health Overview and Scrutiny Committee.
3. That Councillor Churchman be removed as a UKIP member from the Licensing Committee.
4. That Councillor Chris Baker be appointed as a member of the Planning Committee.
5. That Councillor Chris Baker be appointed as a member of the Planning, Transport and Regeneration Overview and Scrutiny Committee to replace Councillor Churchman.

61. Questions from Members of the Public

The Mayor advised that no questions from members of the public had been received.

The meeting finished at 8.52 pm

Approved as a true and correct record

CHAIR

DATE

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

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QUESTIONS FROM MEMBERS OF THE PUBLIC

There is 1 question from a member of the public.

1. From Mr Perrin to Councillor J. Kent

“During the Sky News televised final debate, featuring the candidates for the Leadership of the Labour Party, Yvette Cooper stated Local Government Councils should accept refugees. If you agree with her would you give some indication as to how many refugees Thurrock Council considers it would be capable of assimilating into the Borough?”

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Item 8: Petitions Update Report – 23 September 2015

Petition No.	Description	Presented by (and date)	Portfolio Holder	Status Full copies of the responses may be obtained from Democratic Services
459	This Petition is the Thurrock Council to take action to make an indoor shopping centre in our local area South Ockendon. We want it to be built in the free space around the station area.	22/06/2015*	Cllr Speight	<p>South Ockendon is an area that the Council is focussing on through a number of initiatives such as the development of the Community Hub and delivery of high quality housing. We recognise that Derwent Parade has declined over the years and now has a number of units vacant, but this decline is symptomatic of a lack of demand for retail floorspace in the area which makes it unlikely that a private sector developer could be secured to deliver a new covered shopping centre in this location.</p> <p>The development of South Ockendon over the next 20 years is, like the rest of the Borough, being considered through the development of the Local Plan. It may be that, in putting the plan together, further retail demand is identified which might encourage the provision of more retail space but this would require significant growth in the local residential population and, even then, consideration would need to be given to increasing provision in Derwent Parade over providing a wholly new facility.</p>

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

Item 8: Petitions Update Report – 23 September 2015

460	Save Corringham Green Belt. We the undersigned object to the proposed development on Green Belt land comprising of up to 750 dwellings to the North East of Corringham which has been submitted under planning reference number 15/00205/OUT.	17/07/2015*	Cllr Speight	<p>The petition exceeded the threshold of 1500 verified signatures, and in accordance with Chapter 1, Part 2, Article 3 of the Constitution qualified to be debated by full Council.</p> <p>The lead petitioner has been invited to present the petition at the 23 September 2015 meeting of Council and it is recommended that the petition be referred to the Planning department in order to be considered as part of the decision making process for the decision in question.</p>
461	We the undersigned residents of Crest Ave & Manor Way, petition the Council to request that double yellow lines are placed in Manor Way & that either double yellow lines or parking time restrictions & NOT parking permits are placed within Crest Ave.	01/07/2015*	Cllr J Potheary	<p>A service request has been raised for this matter to be investigated. All service requests received are scored and prioritised for consideration for inclusion in the works delivery programme.</p> <p>We will carry out an on-site investigation to determine the feasibility of this proposal, new lengths of Waiting Restrictions require a Traffic Regulation Order to be drafted and are then subject to a Statutory Public Consultation period.</p> <p>Subject to successful feasibility and prioritisation, we will be in a position to carry out a Public Consultation on this proposal by the beginning of October 2015.</p>

Item 8: Petitions Update Report – 23 September 2015

462	Residents from Parkside are asking for one way system between Kind Edward Drive and Woodview	22/07/2015	Cllr J Potheary	<p>A service request has been raised for this matter to be investigated. All service requests received are scored and prioritised for consideration for inclusion in the works delivery programme.</p> <p>The concern for the residents is vehicles from Stanford Road and the roads off King Edward Drive shortcutting through Parkside to get to Old Dock Approach Road, leading to the request for a one way working along Parkside. The direction for the one way working would be from Woodview towards King Edward Drive.</p> <p>We will carry out on-site investigations to determine the feasibility of the proposal. A new one –way system will need a Traffic Regulation Order to be drafted and be subject to a Statutory Consultation period. Subject to successful feasibility and prioritisation, we will be in a position to carry out a Public Consultation on this proposal by the beginning of October 2015.</p>
463	We the undersigned call on Thurrock Council to immediately review the service it provides to the residents of Chafford Hundred particularly with regards to the environment, public protection, road safety, and traffic.	22/07/2015	Cllr J Potheary	<p>The council has finite resources which are being reduced annually through reductions in the revenue support grant it receives from government cover all services. The Environment team is just one area where the council has been forced to reduce the services it provides. Chafford Hundred receives the same level of cleansing, litter-picking and grass cutting/verge maintenance</p>

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

Item 8: Petitions Update Report – 23 September 2015

			<p>as all other areas of the borough where the service is supported by the council's General Fund. Having seen the impact of the cuts on the budget for the Environment Services and in order to try to mitigate the reductions in the workforce cabinet this year identified funding for an additional 12 operatives to work on the environment across the borough during the main growing season.</p> <p>The council as Highway Authority reviews its highway services annually when it allocates funding for improvements and maintenance. In addition the highway network is regularly inspected for defects. All of these traffic duties - highway, road safety, and others - are delivered in accordance with the Highways Act and other statutory responsibilities. The service is managed on a Thurrock-wide basis and the work is prioritised on the basis of safety, maintaining the highway, and providing targeted improvements.</p> <p>On public protection, see https://www.thurrock.gov.uk/news/community-safety-and-crime/man-fined-for-allowing-dog-to-foul, but the council again carries out enforcement activity based on demand and the availability of evidence. The council does not have area-specific policies; the same teams and criteria are applied borough wide. Should specific enforcement queries be raised with the council these can be</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 September 2015

				answered on a case-by-case basis by the most appropriate officer and you will need to contact us with your question in order that it can be directed appropriately.
464	<p>Petition received by the Council from residents in opposition to the proposed Parish Council on the Frost Estate.</p> <p>There is no denying that some roads of the Frost Estate have fallen into a very poor state of dis-repair. In particular the cross roads on the junction of Central Avenue and Gifford's Cross Avenue.</p> <p>While the majority of residents want to see this area brought up to an acceptable condition and maintain the character of the estate, there is a split in the opinion that a Parish Council is the correct way to address this issue.</p> <p>We the undersigned want to identify an alternative solution to the Parish Council that has (as a result of the public meeting on the 15/06/2015) highlighted many issues including:</p> <ol style="list-style-type: none"> 1. Road repair is not historically within a Parish Council's responsibility. 2. No confirmed precept costs 	12/08/2015*	Cllr J Potheary	This petition was considered by Members as part of the decision making process regarding the Frost Estate Parish Council at the Extraordinary Council meeting held on Wednesday 28 August 2015.

Item 8: Petitions Update Report – 23 September 2015

	3. Precept costs linked to Council Tax banding – not equal across the estate!			
465	Petition received by the Council from residents in respect of the nuisance of silver birch trees at The Close, Grays	08/08/2015	Cllr G Rice	<p>The Council has responded to comments regarding the Silver Birch trees in this area in the past and after complaints about the potential safety of the tree by a local resident, the tree was inspected by an independent arboriculturalist and he reported in March 2014. A copy of the report was provided to the resident which showed that the tree was in good health and should have maintenance on a less frequent basis. The trees in this area are Silver Birches which are widely used as street trees both in Thurrock and across the country due to their strength and suitability in an urban environment.</p> <p>There are many hundreds of similar trees across the borough and to remove these particular trees which are in good health would set an unwarranted precedent. Street trees are an important feature across the urban environment breaking up the monotony of buildings, providing shelter for birds and insect life and through photosynthesis removing carbon dioxide from the air and re oxygenating the atmosphere.</p> <p>The reasons put forward to remove these trees have now changed from the original</p>

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

Item 8: Petitions Update Report – 23 September 2015

				complaint but do not offer any new compelling reason for the destruction of the greening of the local environment.
466	A Petition to Thurrock Borough Council by residents to reinstate the 374 bus route service.	9/9/2015	Cllr O Gerrish	Residents of Fobbing or Corringham and other visitors, who relied on the 374 bus route that previously ran along High Road, Fobbing urge Thurrock Borough Council to commit to reinstating this much valued public transport service. The deadline to respond to the lead petitioner is 9 October 2015.

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23 September 2015	ITEM: 10
Council	
Debate of a Petition containing over 1500 verified signatures – Save Corringham Green Belt	
Wards and communities affected: Corringham and Fobbing	Key Decision: Not applicable
Report of: Councillor J. Kent, Leader of the Council	
Accountable Head of Service: David Lawson, Monitoring Officer and Deputy Head of Legal Services	
Accountable Director: Lyn Carpenter, Chief Executive	
This report is public	

Executive Summary

In July 2015 a petition was submitted at the Civic Offices entitled “Save Corringham Green Belt”.

The petition exceeded the threshold of 1500 verified signatures, and in accordance with Chapter 1, Part 2, Article 3 of the Constitution qualifies to be debated by full Council.

1. Recommendation(s)

1.1 That the Petition be referred to the Planning Committee and be taken into consideration when the Planning Committee is called upon to determine the relevant planning application, reference number 15/00205/OUT.

2. Introduction and Background

2.1 A petition in respect of any matter relating to a planning decision, including enforcement action, a development plan document or community infrastructure levy is dealt with as part of the decision making process for the decision in question and will not follow the processes set out within the Council’s Petition Scheme. (Paragraph 5.1 of the Council’s Petition Scheme).

2.2 However, where a petition in respect of any matter relating to a planning decision has a number of signatories equal to or greater than the 1500 verified signatures threshold set out in paragraph 7.1 of the Council’s Petition Scheme it *may* be debated by the Council.

2.3 In July 2015 a petition was hand delivered to the Civic Offices by the Lead Petition entitled “Save Corringham Green Belt”. The statement which details the action the petitioners wish the Council to take is outlined below:

“Save Corringham Green Belt. We the undersigned object to the proposed development on Green Belt land comprising of up to 750 dwellings to the North East of Corringham which has been submitted under planning reference number 15/00205/OUT.”

2.4 Democratic Services have verified the petition and confirmed that of the 2767 signatures 2534 were valid, a detailed breakdown of which is provided below:

Number of Valid Signatures	2534
Number of Invalid Signatures	223
Number queried	10
Number of queried deemed valid	1
Number of queried deemed invalid	9

2.5 Due to the considerable number of valid signatures, the Mayor has agreed that the petition may be debated at full Council.

Procedure for dealing with the petition at the meeting

2.6 Under the Council’s petition scheme, the petition organiser will be given a period of up to five minutes to speak to the subject matter of the petition at the meeting.

2.7 In accordance with the rules of Full Council debate (Paragraph 7.3, Chapter 1, Part 2 – Article 3) the petition will then be discussed by Councillors for a maximum of 15 minutes.

3. Issues, Options and Analysis of Options

3.1 The purpose of this report is to inform the Council of the receipt of the petition which has attracted 2534 signatures from people who live, work or study in the Borough.

3.2 The petition will be referred to the Planning Committee, given that it is the body charged with making quasi-judicial decisions on individual applications, and will be taken into consideration when the Planning Committee is called upon to determine the relevant planning application, reference number **15/00205/OUT**.

4. Reasons for Recommendation

4.1 To comply with the requirements of the Council’s adopted petition scheme.

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

- 5.1 The petition will be considered by the Planning Committee as part of the decision making process for decision **15/00205/OUT** given that the Planning Committee is the body charged with making quasi-judicial decision on individual applications.

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

- 6.1 Not applicable.

7. Implications

7.1 Financial

Implications verified by: **Jonathan Wilson**
Financial Accountant

There are no finance implications arising directly out of this report.

7.2 Legal

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

The Council's scheme for responding to petitions states that petitions *may* be debated by Council if the number of signatories is equal or greater to 1500. (Paragraph 5.3 of Article 3). Petitions are founded upon the subjective views of the prime mover and the signatories persuaded to sign. Whilst they deserve serious consideration and debate, this does not oblige the Council to agree with them or take the action requested.

This petition concerns an application due to come before Planning Committee therefore Members and substitute Members of the Planning Committee should, if they take part in the debate, take care not to give the impression that they have a closed mind.

The law on bias and predetermination is part of the general legal obligation on public authorities to act fairly. Decision makers (as Members of the Planning Committee will be when this application comes before them) are entitled to be predisposed to particular views. However, predetermination occurs where someone closes their mind to any other possibility beyond that predisposition, with the effect that they are unable to apply their judgement fully and properly to an issue requiring a decision.

Case law has made it clear that the words used by particular Members and the interpretation put on those words is of particular importance. So care needs to be taken by Planning Committee Members when making statements in advance of the determination of planning applications as there is a risk that they can be misinterpreted or taken out of context.

With this in mind:-

- It is always advisable to avoid giving the impression that you have made up your mind prior to the decision making meeting and hearing the officer's presentation and any representations made on behalf of the applicant and any objectors.
- If you do comment on a development proposal in advance the decision, consider using a form of words that makes it clear that you have yet to make up your mind and will only do so at the appropriate time and in the light of the advice and material put before you and having regard to the discussion and debate in the Panel meeting.

As councillors operating within a political environment you should not be afraid to express views on issues. However, in doing so it is important that you avoid giving the impression that you have already made up your mind and that your part in the decision is a foregone conclusion.

You should also have reference to the further guidance in our Constitution Chapter 5, Part 3 Planning Code of Good Practice – particularly paragraph 5 “Fettering Discretion in the Planning process: predetermination, predisposition or bias”

Legally it would be difficult to see that Full Council has any other option than to refer the petition to the Planning Committee given that that is the body charged with making quasi-judicial decision on individual applications.

It is suggested that Members and substitutes on the Planning Committee should consider absenting themselves from any debate at Full Council on this item – although they could clearly listen to the debate outside – in order to minimise any risk of later allegations of predetermination and legal challenge.

7.3 **Diversity and Equality**

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

There are no diversity and equality implications arising directly out of this report.

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):

- Minutes of the Council meeting held on 22 January 2014, during which a debate took place in response to a petition containing over 1500 valid signatures, which was also entitled "Save Corringham Greenbelt". This petition was submitted and presented by the same lead petitioner.
<http://thurrock.moderngov.co.uk/Data/Council/201402261900/Agenda/11079%20-%2020536.pdf>
- Constitution Chapter 5, Part 3 Planning Code of Good Practice – particularly paragraph 5 "Fettering Discretion in the Planning process: predetermination, predisposition or bias"
<https://www.thurrock.gov.uk/constitution-of-council/thurrock-council-constitution>

9. Appendices to the report

- None

Report Author:

Stephanie Cox

Senior Democratic Services Officer

Legal and Democratic Services

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23 September 2015	ITEM: 11
Council	
Enterprise Units	
Wards and communities affected: West Thurrock and South Stifford	Key Decision: Key
Report of: Councillor Richard Speight, Portfolio Holder for Regeneration.	
Accountable Head of Service: Matthew Essex, Head of Regeneration.	
Accountable Director: Steve Cox, Assistant Chief Executive.	
This report is Public	

Executive Summary

Thurrock is undergoing transformational change with one of the most exciting Growth Programmes in the country. The programme will change the landscape of the borough as commercial, public and residential development brings new homes and a large number of new jobs. The Council's Regeneration Strategy seeks to harness the ambitious growth agenda to strengthen and diversify the local economy and create opportunities for local people. One element of this strategy has focussed on ensuring appropriate sites and premises are available to support business growth, with the Council providing business centres in the borough, delivering accommodation for start-up and small businesses and supporting local employment opportunities.

At its July 2014 meeting, Cabinet approved savings proposals which included the need to save £500,000 from the general fund budget for Regeneration activity. Part of the strategy for meeting this savings target was to move towards an income generation model, using the surplus generated from business centre accommodation to support the costs of the Regeneration service. With two business centres (Tilbury Riverside Business Centre and the Old Post Office in Grays) already open and the former Magistrates Court in Grays nearing completion, attention is now focussed on developing the two further schemes needed to deliver the income required to meet the savings target.

To maximise the benefit of the programme, it was considered that the centres should provide broad geographic and sectoral coverage to support the Council's work in its six Growth Hubs and the aims of the Economic Development Strategy which seeks to support core (already strong) and opportunity (potential to grow) sectors.

Accordingly, proposals have been developed for a range of accommodation (offices, workshops and light industrial units) supporting the Council's wider ambitions in Tilbury, Grays and Purfleet.

This report seeks:

- (a) To update Full Council on the refurbishment of the Magistrates Court and on progress with the two new business centre schemes.
- (b) Approval to add commercial enterprise units at High House Production Park to the capital programme.

1. Recommendation(s)

That Full Council:

- 1.1 Note progress made with the Enterprise Units programme and the positive impact this will have on supporting business growth and job creation in the borough as well as supporting the Council's savings programme.**
- 1.2 Approve an addition of £1.5m to the Council's capital programme for investment in Council owned commercial enterprise units as part of the National College building at High House Production Park.**
- 1.3 Grant in principle approval to underwrite up to £150,000 of the fundraising target for the National College project. Final approval to be subject to a report to Cabinet.**

2. Introduction and Background

- 2.1 The Council has owned business accommodation in Thurrock for a number of years. The Tilbury Riverside Business Centre opened in 2005, offering over 27,000sq.ft. of small business units ranging in size from 230 to 1,883sq.ft. Demand for accommodation is strong with occupancy levels consistently over 90% and, at the time of writing, is at 100%.
- 2.2 In 2012, the Council took over ownership of the old Post Office in Grays, which had previously been controlled by Thurrock Development Corporation. The accommodation in the Old Post Office has also been in high demand, in response Cabinet approved (February 2013) the principle of converting and refurbishing the former Grays Magistrates Court to provide more business space. Subsequent Cabinet reports outlined proposals to create 39 small business units with a total lettable space of over 12,700sqft. A local contractor, Beardwell Construction Limited, was appointed to carry out the works last summer and the conversion is now nearing completion, with the former Magistrates Court (The Old Courthouse business centre) expected to be completed in October 2015 and formally launched later in the year. The facility offers an ideal environment for start-up businesses with access to

business support; serviced meeting rooms; conference; training and breakout facilities. Initial interest in the space has been very positive.

- 2.3 The provision of high quality workspace in support of businesses is a key element of the Council's Regeneration Strategy, with firms routinely citing a lack of available accommodation as a barrier to their growth. As well as supporting local companies and job opportunities, Council owned business accommodation has historically generated a modest revenue which has been used to support other regeneration projects. In July 2014 Cabinet approved savings proposals which included a £500,000 reduction in the general fund budget for Regeneration activity. Part of the strategy for delivering this savings target has been an expansion of Council owned business accommodation, generating a larger surplus to be used to support the costs of the wider Service. The capital costs of these developments would be met through prudential borrowing and, where possible, external funds on the basis that schemes can be added to the Council's capital programme '...where it can be evidenced that there is a spend to save opportunity'.
- 2.4 A review of the various income forecasts from the existing centres demonstrated that the savings target could be achieved with two new developments. To maximise the benefit of the programme, it was considered that the centres should provide broad geographic and sectoral coverage to support the Council's work in its six Growth Hubs and the aims of the Economic Development Strategy which seeks to support core (already strong) and opportunity (potential to grow) sectors. Discussions with the operators of the Council's existing centres and others in the market place encouraged the development of a diverse portfolio of flexible accommodation including offices, workshops/studio spaces and light industrial units across the Borough. Based upon the Council's work within and visions of the six Growth Hubs it was considered that the most appropriate locations for centres would be Tilbury, Grays and Purfleet.
- 2.5 With the Riverside Business Centre (Tilbury) and Old Post Office (Grays) well established and the conversion of the former Magistrates Court in Grays into business accommodation already agreed. It was proposed that the two further centres required should be delivered through the expansion of the Tilbury Riverside Business Centre and development(s) at High House Production Park in Purfleet.
- 2.6 In November 2014, Cabinet received a report outlining proposals to expand the Riverside Business Centre in Tilbury onto a vacant adjacent plot (0.7acres) which is owned by the Council. The report outlined the results of an initial assessment which showed that the Council could create 18 business units on the site, providing 12,600sq.ft. of accommodation in addition to the 27,000sq.ft. already provided through the existing centre. Cabinet approved the proposal and added the scheme to the Council's Capital Programme.
- 2.7 Since the November 2014 report good progress has been made. A professional team led by Frankham Consultancy Group have been appointed

to undertake detailed design and oversee construction of the new building. The scheme has been developed to RIBA stage 2 with the most recent iteration providing 20 self-contained workshop units with a total net lettable area of 13,993 sq ft. The planning application for the proposed expansion will be submitted later this year. Subject to planning permission being granted, procurement of the building contractor will take place in early 2016 and the building will be completed in 2017. Consideration will be given to promoting the centre across Tilbury to ensure that local residents can benefit from the new spaces and the jobs created,

- 2.8 In March 2015, Cabinet received a report which proposed that the Council fund and develop further business accommodation as part of a partnership approach seeking to bring forward two new developments on High House Production Park in Purfleet – the new accommodation/student services building supporting the development of the National College for Creative and Cultural Industries and a new Artists' Studio complex. Cabinet agreed the principle of the Council seeking to include business accommodation within these developments and supported undertaking the work required to develop the proposals further.
- 2.9 This report seeks to update Full Council on the outcome of the work completed to date and seeks approval to add one of the new buildings at High House Production Park to the capital programme.

3. Issues, Options and Analysis of Options

- 3.1 The March 2015 report to Cabinet outlined the close working relationship between the Council and the Production Park and described the proposals for the two new buildings which could contribute to the delivery of the Council's Enterprise Units Programme, attract new creative businesses and other uses to the Park and, through service charges, generate additional income that will ensure the park is sustainable in the longer term.
- 3.2 The first High House Artist Studios building opened in 2013. The development has proved to be a great success with the building achieving full occupancy within 12 months and now with a waiting list of approximately 160 artists. Proposals are being developed to capitalise on demand by bringing forward a new mixed use building to include 48 artists' studios alongside new small business units. Funding opportunities for the new building, including Council capital funding for the business units, the Arts Council Capital Programme and European Regional Development Fund, are being explored. Project development will continue once there is more certainty on the funding package that will deliver the building.
- 3.3 In the meantime work to develop new facilities for the National College has gained momentum. In November 2014 the Backstage Centre was informed

that its application to the Department for Business, Innovation and Skills (BIS) to become one of seven industry-led National Colleges has been successful. The National College for Creative and Cultural Industries will be launched in September 2016, offering an industry designed curriculum to meet the higher level skills requirements of the various technical trades associated with the music, performing arts, events, film, television and visual effects industries.

- 3.4 While the Backstage Centre already boasts high quality training facilities it does not possess dedicated residential accommodation or associated pastoral, catering and other spaces required to support intensive full-time residential course modules. BIS and the Skills Funding Agency (SFA) have made £50,000 available through a project development grant to support the National College programme. This funding has been used to undertake initial feasibility and design work, to RIBA Stage 2, to inform an application for capital funding in support of the construction costs of a new building on site. The initial design proposals for the new building are appended to this report (Appendix 1). The application for funding was submitted in July 2015 and the results are expected in September 2015.
- 3.5 The initial design proposals show that the new building could contain approximately 10,000sqft of commercial space which could be leased to the Council. This is sufficient accommodation to support a business centre in its own right but, coupled with the extra accommodation that could be provided through the new artists' studio building and the other facilities on site, it represents a highly desirable and economic location for a Council owned business centre focussed on supporting small and emerging creative businesses.
- 3.6 The Council has been a party to a variety of demand studies undertaken in the past which have consistently demonstrated strong interest from creative firms in taking up space on the Production Park site. Interest historically has come from a variety of operators across the creative and cultural sectors including graphic designers, specialist theatre companies (lighting and sound designers etc), commercial artists and various consultancy operations all of which could be accommodated within the proposed new building. This interest has steadily built as the site has grown. The existing presence of the Royal Opera House, Backstage Centre and Artists' Studios together with the potential creation of the National College for Creative and Cultural Skills have served to develop a genuine cluster which related firms are keen to associate with.
- 3.7 The total cost of the new building is estimated to be £8.9 million. The funding package includes capital funds from BIS/SFA, Industry support and match funding from High House Production Park and Creative and Cultural Skills. It is proposed that the Council invests £1.5m to secure a long lease over the new commercial units which would form part of the enterprise centre estate and generate an income for the Council. Based on this investment the projection of the potential income generated is:

Year	Occupancy Levels		Income	Operational Costs	Net Income per annum	Net Profit / Loss per annum (Minus finance costs)
	Total Lettable Area: 9,774 ft ²	% Occupied				
1	4,076	42%	£ 107,803.80	£ 118,158.04	(£ 10,354.24)	(£ 47,854.24)
2	6,597	68%	£ 174,502.55	£ 118,158.04	£ 56,344.51	£ 18,844.51
3	8,152	83%	£ 215,607.60	£ 118,158.04	£ 97,449.56	£ 59,949.56
4	9,188	94%	£ 250,301.29	£ 121,060.92	£ 129,240.37	£ 91,740.37
5	9,188	94%	£ 250,301.29	£ 121,060.92	£ 129,240.37	£ 91,740.37

- 3.8 The assessment demonstrates that the scheme is a viable investment for the Council - the income generated will be sufficient to cover the operational costs of the Council's elements of the building, the finance costs and produce an appropriate surplus. The figures shown do not include the additional business rates income which will be generated. It is proposed that this scheme be added to the Council's capital programme.
- 3.9 Whilst a large proportion of the capital funding has been identified there remains a funding gap which BIS/SFA have made clear must be closed in order for their funds to be secured. To address this, a fund raising target of £500,000 has been set to be secured from third parties including private donors, trusts/foundations and public sector grants. Work is already underway to meet this target. Following discussions with the Arts Council, the National College has been invited to apply for a £200,000 grant through its small grants programme. However, BIS/SFA require confirmation that, in the event that the funds cannot be secured from other sources, the project partners will provide the necessary funds to allow the project to proceed. It is therefore proposed that HHPP Ltd (£100,000), the Backstage Centre (£250,000) and Thurrock Council (£150,000) underwrite the fundraising target. Council is requested to approve the principle of underwriting the fundraising target to a maximum of £150,000 which, if required, would form a grant in support of the National College project. Final approval to be subject to a report to Cabinet.
- 3.10 The anticipated timescale for delivery of the new building is dependent on BIS' spending requirements and is very tight. Whilst this could be subject to change, the current timetable, assuming the application for capital funding is successful, requires their funds to be spent by March 2017 and the building to be completed just six months later. The delivery route for the new building will depend in part on feedback from Government and the VAT implications of different procurement routes. However, as with other developments on HHPP, it is currently anticipated that the Council will manage the capital project on behalf of the partnership and will facilitate the procurement and management of the design and build works on HHPP's behalf.

4. Reasons for Recommendation

- 4.1 This report outlines progress made with the programme to expand Council owned business accommodation in Thurrock. The programme will provide high quality accommodation to attract and retain businesses and employment opportunities in the borough while helping to address the savings target for Regeneration in the savings programme.
- 4.2 Approval is required from Full Council to add the National College project to the Council capital programme.

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

- 5.1 Previous reports to Cabinet in July 2014, December 2014 and March 2015 have explained the development of the business units programme. Cabinet Members were supportive of proposals to address the Regeneration savings target through expanding the Council's business accommodation portfolio.

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

- 6.1 The proposals are consistent with the Council's strategic objective to 'encourage and promote job creation and economic prosperity'. The report supports the priorities set out in the Thurrock Regeneration Strategy and the Economic Development Strategy.

7. Implications

7.1 Financial

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

As the report sets out, the Medium term Financial Strategy assumes income generation through the development of business units and supporting infrastructure.

The £1.5m contribution and £150,000 underwriting towards the HHPP development are not included within the capital programme and require Full Council approval.

7.2 Legal

Implications verified by: **David Lawson**
Monitoring Officer and Deputy Head of Legal & Governance

This report is required to come before Full Council under the budget framework rules to seek approval to add the High House Production Park scheme to the capital programme

7.3 Diversity and Equality

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

The Enterprise Units schemes create opportunities for small and medium sized enterprises to grow and strengthen their business base in the borough,

Occupiers will have access to business support; serviced meeting rooms; conference; training and breakout facilities. The centres offer a quality professional environment that focuses on supporting business growth, generating further employment opportunities and ultimately contributing towards the prosperity of the borough. Accessibility requirements are reflected in all of the schemes proposed by the Council.

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

There are no other significant implications arising from the report.

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

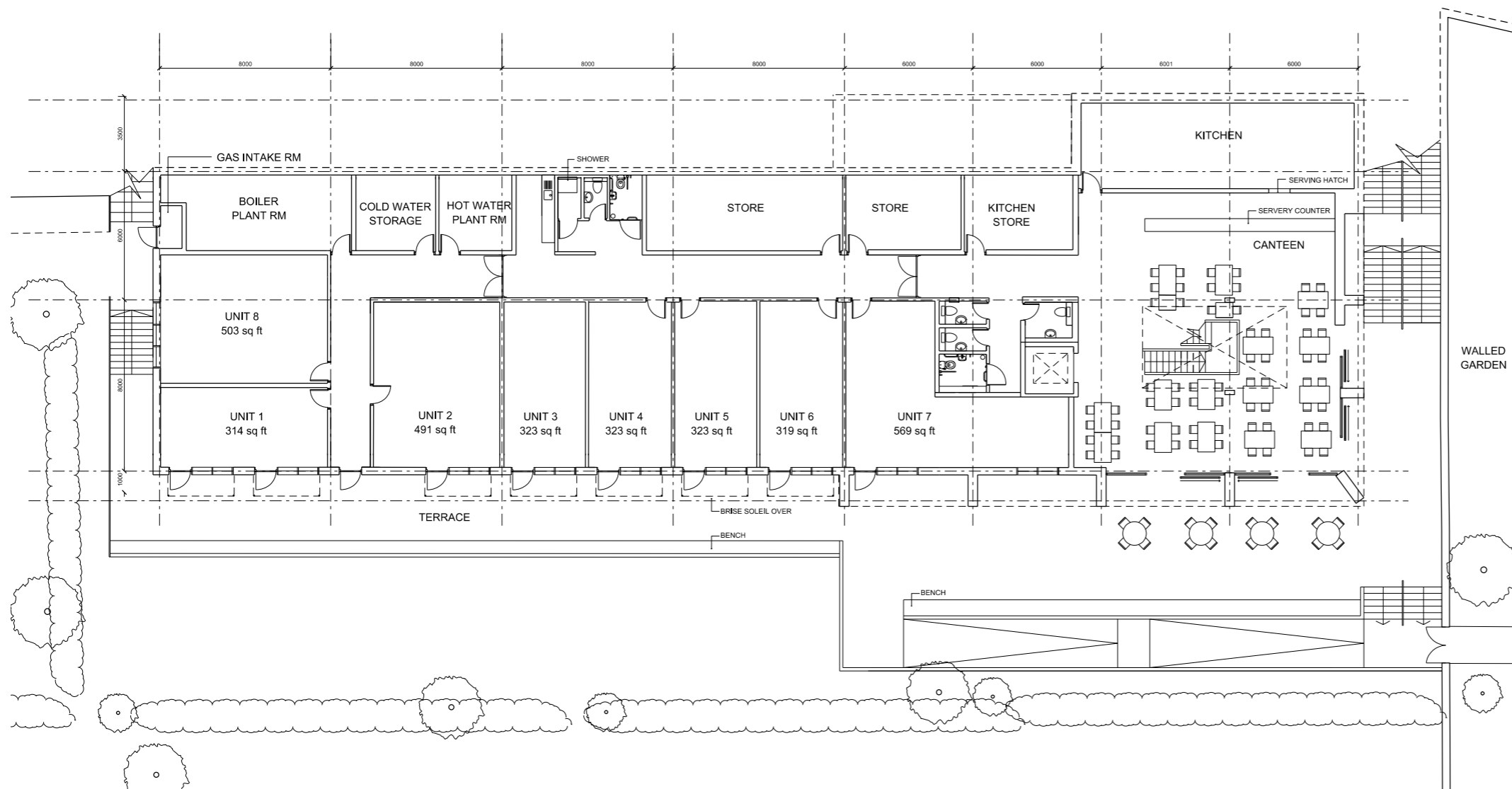
None.

9. Appendices to the report

Appendix 1 - National College Layout

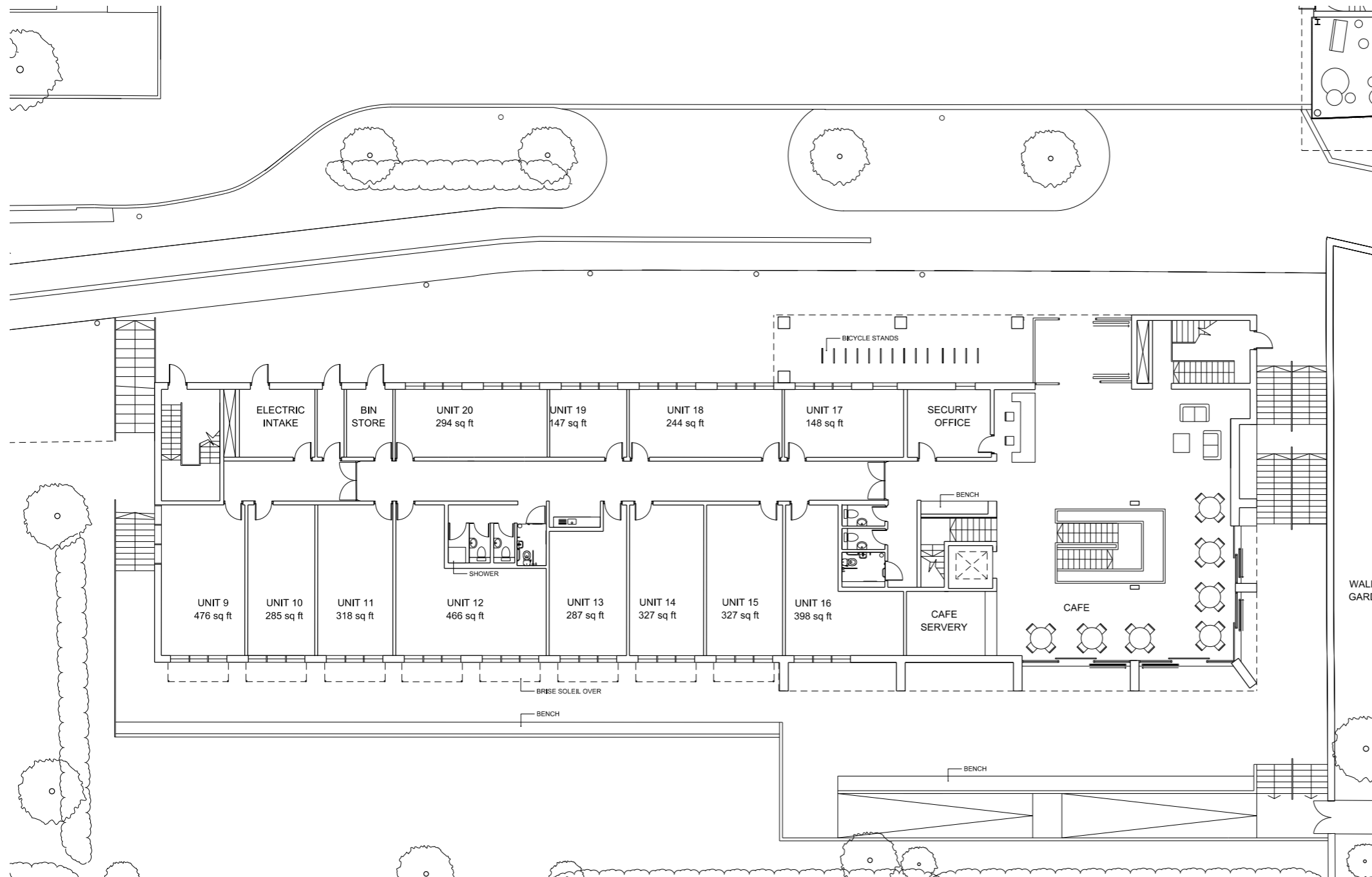
Report Author:

Bernice Lim
Capital Projects Manager
Regeneration



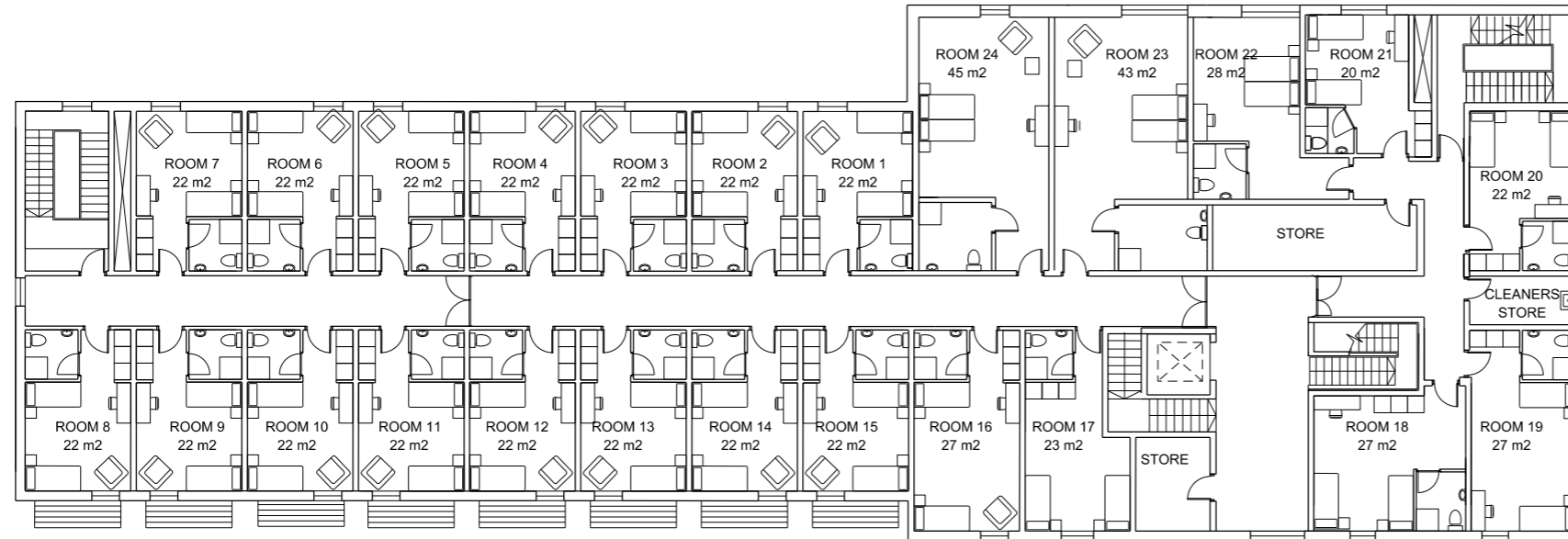
Lower Ground Level

Canteen	159 m2	
Kitchen	51 m2	
Public WC's	20 m2	
Unit 1	29 m2	314 sq ft
Unit 2	46 m2	491 sq ft
Unit 3	29 m2	323 sq ft
Unit 4	29 m2	323 sq ft
Unit 5	29 m2	323 sq ft
Unit 6	30 m2	319 sq ft
Unit 7	53 m2	569 sq ft
Unit 8	47 m2	503 sq ft
Total Net Lettable	292 m2	3168 sq ft
WC's & Teapoint	22 m2	
Workspace Circulation	87 m2	
Workspace Demise	401 m2	
Stores	69 m2	
Plant	54 m2	
Total GIA	800 m2	



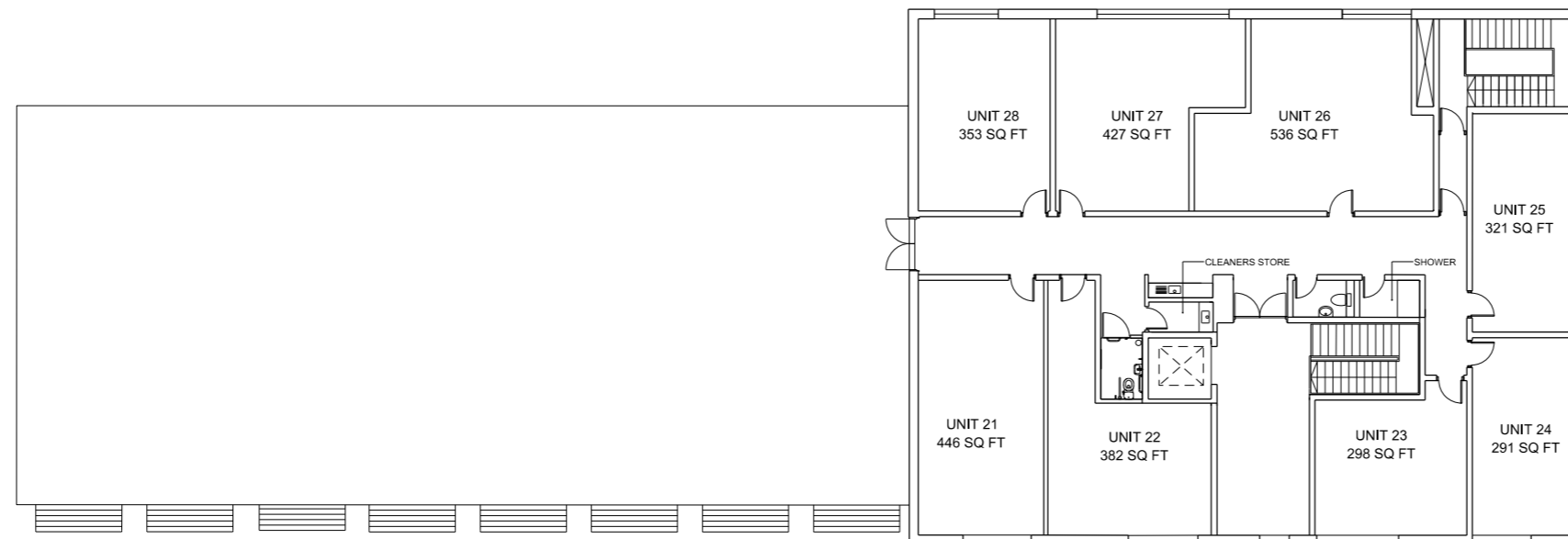
Upper Ground Level

Cafe	168 m2	
Public WC's	16 m2	
Unit 9	33 m2	476 sq ft
Unit 10	27 m2	285 sq ft
Unit 11	30 m2	318 sq ft
Unit 12	43 m2	466 sq ft
Unit 13	27 m2	287 sq ft
Unit 14	29 m2	327 sq ft
Unit 15	30 m2	327 sq ft
Unit 16	32 m2	398 sq ft
Unit 17	21 m2	148 sq ft
Unit 18	27 m2	244 sq ft
Unit 19	13 m2	147 sq ft
Unit 20	27 m2	294 sq ft
Total Net Lettable	332 m2	3717 sq ft
WC's & Teapoint	19 m2	
Workspace Circulation	77 m2	
Workspace Demise	428 m2	
Security Office	15 m2	
Store	13 m2	
Plant	13 m2	
Total GIA	800 m2	



First Floor Level

Bedrooms 1-15	22m2 each
Bedroom 16, 18, 19	27 m2
Bedroom 17	23 m2
Bedroom 20	22 m2
Bedroom 21	20 m2
Bedroom 22	28 m2
Bedroom 23 (Fully Accessible)	43 m2
Bedroom 24 (Fully Accessible)	45 m2
Total Bedrooms	538 m2
Stores	32 m2
Total GIA	878 m2



Second Floor Level

Unit 21	41 m2	446 sq ft
Unit 22	35 m2	382 sq ft
Unit 23	28 m2	298 sq ft
Unit 24	27 m2	291 sq ft
Unit 25	30 m2	321 sq ft
Unit 26	50 m2	536 sq ft
Unit 27	40 m2	427 sq ft
Unit 28	33 m2	353 sq ft
Total Net Lettable	284 m2	3024 sq ft
WC's & Teapoint	15 m2	
Circulation Workspace	84 m2	
Workspace Demise	383 m2	
Total GIA	442 m2	

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23 September 2015	ITEM: 12
Council	
Cabinet Member Report – Adult Social Care and Health	
Report of: Councillor Barbara Rice, Portfolio Holder for Adult Social Care and Health	
This report is public.	

1. Introduction

This is my fourth report to Council as portfolio holder for Adult Social Care and Health. As I have done in previous iterations, I wish to use this opportunity not only to reflect the challenges we face and the successes we have made over the previous year, but to raise the profile of what is both a vast and significant agenda.

My report is divided in to the following sections:

- Adult Social Care
- Public Health
- Health and Wellbeing

2. Adult Social Care

Key Challenges and Pressures

The budget for Adult Social Care is, and continues to be, extremely challenging. I featured the budget strongly in my last report to Council, and no doubt I'll be doing the same next year too. To date we've delivered the reductions required, but this has meant making difficult decisions – decisions that impact on service users, some of whom are the most vulnerable residents in the Borough. For example, as part of delivering the latest in-year savings, proposals include stopping paying for small items of equipment under £50 and increasing the charges for our services. We are also looking at how we deliver day care and extra care housing. We rely strongly on the funding we receive from the NHS and from charges. This equates to about 25% of our gross budget. How much longer we can continue to make reductions whilst delivering our statutory duties is uncertain, but I know that time is not far away.

The following couple of charts demonstrate the extent to which we have reduced costs for older-age and working-age client groups over the last few years. The charts help to demonstrate the significant commissioning and procurement work that has been carried out, and also the work carried out to ensure we are getting value

for money from our most costly external placements – bearing in mind that external placements equate to over 50% of our budget and can cost as much as £3k per week.

Chart 1 - Thurrock's gross spending trend on older clients per head of older population (2013/14 prices)

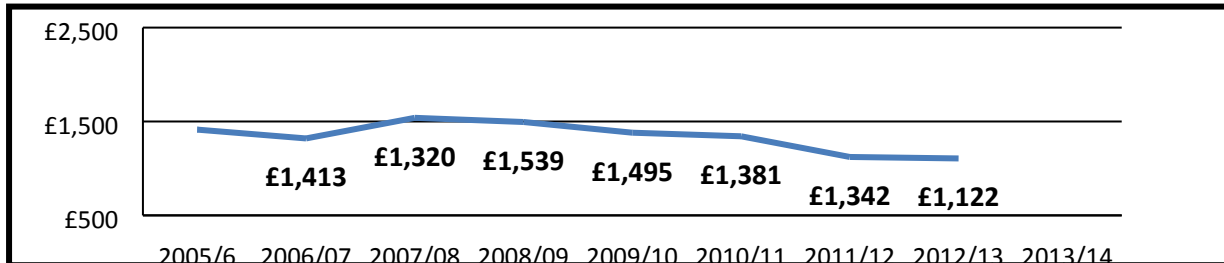
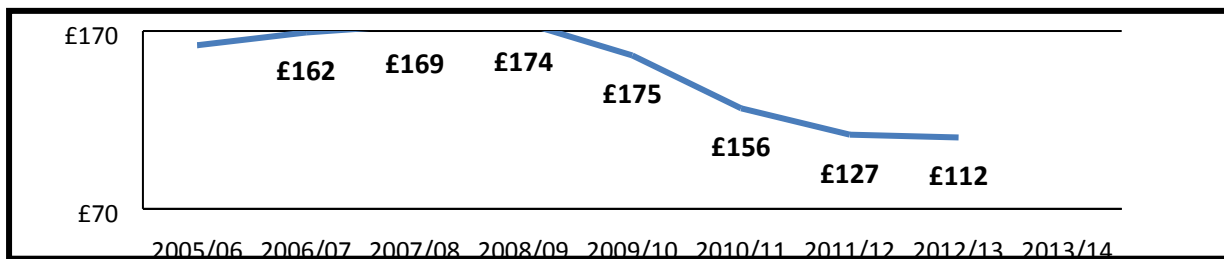


Chart 2 - Thurrock's gross spending trend on working-age adults with learning disabilities per head of working-age population (2013/14 prices)



Our budget amounts to approximately 40% of the Council's General Fund, and the majority of that budget is spent on external purchasing – e.g. with providers of domiciliary and residential care. The provider market is in an extremely difficult position – a national position that has been well reported in the media of late. With the potential introduction of a living wage and some providers unable to survive on existing contract values, additional budget pressures for adult social care are a certainty.

Demography continues to be a key challenge to our budget and to our ability to meet need. The numbers of adults with autism transitioning from children's services are increasing year on year, and these are often our most expensive care packages. The numbers of people with dementia are also increasing – between 5-10% per annum, as are the numbers of people with increased complexity – e.g. living with more than one long-term health condition.

Whilst we are taking steps to prevent, reduce and delay our residents from requiring care services, and looking to deliver care in different ways, the short-term picture is very testing.

Demand Management

Whilst the demand for services continues and the complexity of the cases that we see has increased, we are taking a proactive approach to keeping people out of mainstream services and from reaching crisis point. In short, we have had to rethink

our entire approach to delivering services and meeting need. Our approach includes developing alternatives to 'services' and looking at the 'assets' that exist within our communities. We know that the current system is not sustainable in its current form – for the reasons I've outlined in the section on 'key challenges and pressures'.

Part of our approach includes our successful **Rapid Response and Assessment Team** (RRAS), which is an integrated team with the community health provider. The service has seen a considerable increase in demand since its inception in April 2012, with over 300 referrals received on average each month. The service has expanded to include COPD and dementia crisis expertise – which are conditions linked to why individuals often reach crisis point and end up as emergency admissions to Hospital and/or unable to cope at home.

The team has continued to perform beyond expectation, with current outturns indicating less than 2% of service users being admitted to hospital and approximately 200 per month avoiding the need for a social care intervention. Over 83% of referrals are seen within 2 hours.

I want to highlight as part of our approach to reducing and managing demand our successful **Local Area Coordination** (LAC) initiative. Starting as a pilot in 2013 with 3 Local Area Coordinators (LACs) identifying and working with vulnerable individuals and their communities to share strengths and find local solutions, we now have Borough-wide coverage and have received national recognition.

The number of individuals the team see continues to rise, with excellent stories of how people have been helped to build resilience and have avoided services. This has included a profound impact on loneliness and isolation – often a cause of depression and decline of health. A number of referrals have come from GP practices – with GPs noting that some regular attenders at their surgeries are no longer coming through their doors.

Local Area Coordination is one element of the Council's 'Stronger Together' programme – aimed at building connected and resilient communities and individuals.

Transformation

We are working hard to transform our services so that we can continue to provide choice and quality despite the tough financial circumstances we find ourselves in. We have established an **Adults Transformation Programme** for this purpose. The Programme consists of the following projects and builds on work already started:

- Integrated Access – developing integrated access arrangements across adult social care and the current community health provider (NELFT);
- In-house Provider Development – optimising the configuration and operation of in-house provider services, including an evaluation of spin-out options;
- Fieldwork Redesign – optimising the configuration and operation of our social care fieldwork services, including an evaluation of spin-out options;
- Integrated Commissioning – to outline, agree and then undertake the steps required to achieve an integrated commissioning functions – with public health

and exploring possibilities with health;

- Market Management – creating a ‘fit for purpose’ provider market for adult social care; and
- Business Support – developing and evaluating a range of options for the development of a business support unit to support future transformation and service delivery.

Part of our transformation journey includes developing a market that supports the aims of the Council and of Adult Social Care – e.g. a market that allows people to have choice and to retain their independence. We have and continue to work closely with Housing and Planning colleagues to achieve this aim. For example, we have recently submitted a bid for Government funding to support the development of specialist housing for adults with autism. As I mentioned earlier, adults with autism transferring from children’s services is a significant budget pressure, and one that is increasing year on year. We also continue to work with our Housing and Planning colleagues to influence housing options that support people as they grow older – e.g. such as the Derry Avenue specialist housing scheme that I mentioned in my report last year.

Care Act Implementation

Part 1 of the Care Act 2014 became operational as of April 2015. I reported last year that we were working to ensure we were compliant. Our work over the year has helped to ensure that the necessary arrangements were in place as of April. This included our new Adult Social Care Information and Advice Portal which offers a range of advice for those want information about what we offer and how to access it. The Portal also offers advice about what’s available in the community, not just about services.

We’ve also been working with our social care practitioners to ensure that when they carry out assessments, these are focused on what outcomes an individual wishes to achieve rather than only focussing on their needs. This also means looking at innovative ways of meeting outcomes and looking at what someone can do, and how their friends, family and community might be best placed to help. A key element of our approach is reducing dependency – but we recognise that a change in culture can take time.

The second part of the Care Act was due to be implemented from April 2016. This included a cap on care costs and an extension to the means test. As I reported last year, the part 2 changes would have meant an additional cost pressure as people would no longer have to pay care costs when their total care reached £72k.

The Government has recently announced that part 2 changes will be delayed until 2020. Whilst this is positive for the Council’s finances, it is not a welcome announcement for those residents who pay for their care. We wait to see the outcome of the Comprehensive Spending Review in late November to see what has happened to the money that was set aside for the implementation of Part 2 of the Car Act.

2. Public Health

The Council gained responsibility for Public Health in 2013 as a result of the Health and Social Care Act 2012 and subsequent NHS reorganisation. I see this as an extremely positive move. The Team has already made quite an impact since 2013 and we recently appointed a full-time Director of Public Health, Ian Wake.

Public Health Grant

My report details the need for a focus on prevention – particularly if we are to manage and reduce demand and maintain and increase independence. I'm therefore extremely concerned that the Government has decided to make in-year cuts to the Public Health Grant – a grant that is supposed to be ring-fenced and is supposed to support the prevention agenda.

Whilst the exact reduction for Thurrock is currently unknown, it could be as much as £614k. The Government has announced that it is reducing the grant nationally by £200m, which is a 6.2% reduction.

I'm obviously concerned about the reduction for a number of reasons:

- It signifies a precedent for cutting ring-fenced grants;
- It impacts upon our ability to deliver preventative initiatives and potentially exacerbates existing health inequalities across the Borough and therefore increased demand for services; and
- The majority of our existing grant is already tied up in externally commissioned contracts leaving us little option as to how we make the cuts.

Health Improvement

Thurrock has a number of health outcomes that are significantly poorer than the England average. These include:

- Child and adult obesity;
- Smoking prevalence and smoking attributable mortality;
- Male and female life expectancy at 65;
- <75 mortality from cardio-vascular disease.

We know that the three biggest causes of premature death in Thurrock are:

- Cardio-vascular disease;
- Cancer; and
- Respiratory disease.

I am extremely pleased that with the new Director of Public Health, we will have a renewed focus on improving health in Thurrock. Over the past year, we have

established our Tobacco Control Strategy and also our Weight Management Strategy.

We are also working closely with Thurrock CCG to ensure that clinicians are supported to identify, prevent and manage some of the key conditions that result in premature mortality. I'm keen that a proactive approach is used to help people live healthier lives – and that means a range of partners playing their role, including individuals themselves.

Our Public Health Team has delivered a number of projects recently to ensure that staff and residents improve their health and are aware of how to live a healthy life. This has included the Thurrock 100 walking project that took place across 10 days in July; and Step Jockey – a project designed at getting staff to use the stairs more rather than the lift.

In addition, the Team has used some of its budget to support community-based initiatives. This is something extremely close to my heart as I have been delivering a number of chair-based exercise classes to older people living in sheltered accommodation schemes and residential care homes with clear results. There are individuals who previously would not have been able to walk unaided who now have significantly more mobility. I'm extremely keen that community-based initiatives continue as they are able to get right to the heart of the problem for less cost but with often better results.

4. Health and Wellbeing

The Council has a key leadership role in ensuring the health and care system improves and maintains health and wellbeing. This means working with, influencing, and holding to account parts of the system that sit outside the Council. It also means ensuring that the 'system' works together to prevent ill-health and enable good health and wellbeing. I am pleased that we are already making steps that will shift the system towards prevention – but there is more to do to ensure that all parts of the system play their part. This includes:

- Developing and implementing Thurrock's Stronger Communities programme in partnership with the voluntary and community sector;
- Influencing planning and housing to ensure we have adequate housing to support and maintain independence;
- Implementing initiatives to prevent people from reaching crisis point or from even requiring a service – e.g. through Local Area Coordination; and
- Funding community-based health improvement initiatives – e.g. via the Public Health Grant.

Primary Care

Whilst I know we are making progress in shifting the health and care system towards maintaining health and wellbeing, I do have significant concerns about some elements of the NHS. For example the Essex health economy has become so challenged that it is one of a small number of areas subject to a 'Success Regime'.

What that actually means in reality and how it's going to support sustainability is still unclear to me. What I'm keen to avoid is a further reordering of the deck chairs. I'm pressing to ensure that Thurrock has a voice in any plans that affect us – as I know that isn't always the case.

My biggest concern locally remains the quality and accessibility of primary care – particularly in relation to GP practices. Even more concerning is that I've been making the same points in my report each year, and I will continue to do so until I am satisfied that Thurrock's residents are receiving the service they should.

The failure is being felt acutely by some of our most deprived communities. In Tilbury for example, CQC inspections rated one surgery as 'inadequate' and another as 'requires improvement'. At another Tilbury surgery, the GP contract holder was suspended following an inspection, with the surgery being covered by locums.

I feel that Thurrock's residents are being failed in some areas of the Borough. Whilst NHS England has stated that work is taking place to address the issues, I remain to be convinced. The same concerns apply to the delivery of health checks for learning disabled residents, where the same issues appear to remain and some GPs still don't appear to be carrying out the checks they signed up to deliver. As such, improving the quality and capacity of Primary Care in Thurrock remains one of my top priorities.

Health and Social Care Transformation

We are continuing to work closely with the NHS on system transformation. This includes looking at progressing integration. I stated earlier in my report that this includes looking at integrated access between social care and the community health provider. We are also looking at integrating areas of commissioning – e.g. Mental Health and Learning Disabilities.

Other initiatives being explored are development of health and wellbeing centres. For example, we are working with the NHS to look at what a health and wellbeing centre on the new Purfleet development could look like. I feel this is a real opportunity for partnership working and is the kind of initiative that will make a difference to a community. This will mean that residents can not only access primary care services, but access to a range of other services, access information and advice, and also have access to community space. I hope to write about this more in the future.

Finance Report

Detailed below at Appendix 1 is a budget summary for the Adults, Health and Commissioning Directorate. We are currently reporting a small forecast overspend for the year end of £ 207k. On a budget of £ 30m net that is a small percentage but my officers are working to reduce that to zero over the coming months.

I have detailed above some of the budget pressures and financial challenges adult social care and public health are facing. Day to day our biggest challenge remains our external placements budget – demand is growing, pressures within the NHS

have a clear effect on us and costs continue to increase.

Packages of care can be very expensive and we are looking at more and more creative ways to deliver a better service at lower costs – another example is a scheme we are developing called Shared Lives which is an Adult Placement Scheme which will allow people with long term conditions to live with a Thurrock family – either short term or even longer term – rather than entering expensive residential care; we are moving a number of our residential care schemes over to Independent Living and we are working with our local providers to deliver more services locally rather than having to place people out of borough.

Conclusion

This is a portfolio that I feel passionate about but also enjoy enormously. Often it doesn't get the profile it deserves – locally or nationally. I will do everything that I can to ensure that some of the most vulnerable people in Thurrock get the best possible service they deserve.

Appendix 1	Service	Sub-Service	Revised Budget	Budgets to Date	Actuals To Date	Variance	Forecast Outturn	Forecast Variance
External Commissioning	Blue Badges		(19)	(4)	(3)	0	(13)	6
	Commissioning Team		335	153	137	(16)	262	(73)
	Health Watch		101	111	102	(5)	110	9
	Meals on Wheels and Assistive Technology		223	94	38	(55)	209	(14)
	Service Management and Support		(15)	(15)	(90)	(75)	(42)	(27)
	Social Care Performance, Quality, Information & Complaints		961	382	366	(16)	816	(145)
	Special Equipment		79	103	64	(38)	79	0
	Supporting People		1,140	475	526	51	1,154	14
	Voluntary Sector Contracts		528	380	435	55	607	79
External Commissioning Total			3,333	1,677	1,574	(99)	3,182	(152)
External Placements	External Purchasing - Learning Disabilities		9,338	3,899	3,419	(480)	9,419	81
	External Purchasing - Mental Health Team		2,256	940	880	(60)	2,467	211
	External Purchasing - Older People		5,016	2,090	2,899	809	5,002	(13)
	External Purchasing - Physical Disabilities		2,767	1,153	926	(227)	2,769	2
External Placements Total			19,377	8,082	8,123	41	19,658	281
Provider Services	Carers Centre - Cromwell Road		70	49	34	(16)	71	1
	Collins House Residential Home		621	372	547	175	797	176
	Community Mental Health Team		807	403	287	(115)	705	(102)
	Core Fieldwork / Extra Care Housing		2,619	1,583	1,524	(59)	2,623	4
	Day Care Services		424	219	203	(16)	464	40
	Hospital Team		362	291	253	(38)	412	51
	Joint Reablement Team		627	447	414	(33)	536	(91)
	Local Area Co-ordinators		18	119	132	13	19	1
	Older People's Mental Health		277	201	153	(48)	226	(51)
	Provider service management and Support		191	79	153	74	183	(8)
	Sitting Service		169	90	115	25	199	30
Thurrock Lifestyle Solutions		1,492	769	953	184	1,518	26	
Provider Services Total			7,676	4,621	4,766	145	7,753	78
Public Health	Staffing		770	321	418	97	770	0
	Commissioned Services		7,654	2,128	1,820	(308)	7,654	0
	Grant income		(8,631)	(4,316)	(4,361)	(45)	(8,631)	0
Public Health Total			(207)	(1,867)	(2,123)	(256)	(207)	0
Grand Total			30,179	12,513	12,342	(168)	30,385	207

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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 is 1 question to the Leader and a further 3 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 Snell

“With reference to the comments made in the local press by the interim Chief Executive, will Thurrock be 'doing its bit' and housing Syrian refugees?”

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

1. From Councillor Redsell to Councillor Potheary

“The majority of parking outside schools is done responsibly. Having had many yellow lines placed outside of schools, and parents still park(ing) illegally or irresponsibly in side roads and around the school. How do you envisage the pilot scheme allowing teachers to take on parking enforcement will tackle and solve the problem?”

2. From Councillor Redsell to Councillor Potheary

“The unlawful grazing of horses on council land including some children's play areas and also in many other parts of Thurrock. Can you inform the chamber what if any revenue this brings to Thurrock Council or if not, what action is taken to stop this?”

3. From Councillor Aker to Councillor Worrall

“Can the Cabinet Member for Housing tell me how many council houses were bought under 'right to buy' every year from 2010 to the current day?”

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Item 16 - Update on Motions agreed by the Council – 23 September 2015

Date	From	Motion	Status	Accountable Director
10/09/14	Cllr Tolson	Thurrock Council calls upon government to make the display of Food Hygiene Rating Scheme Certificates compulsory in England as it currently is in Wales.	Letter drafted and sent by Cllr Tolson to Jackie Doyle-Price MP and Stephen Metcalfe MP	Lucy Magill
10/09/14	Cllr Gerrish	That Thurrock Council pays tribute to Andy Smith and mourns his sad passing. We recognise and give thanks for the many years of hard work and commitment that he gave to the people of Thurrock. The Council asks that the Mayor holds a memorial service in Andy's memory.	Officers are currently exploring options for a memorial service to be held in memory of Councillor Smith.	David Bull
10/09/14	Cllr Kelly	We call on Thurrock Council to complete the verge hardening projects started in Little Thurrock Rectory, Stifford Clays and Aveley.	Works within the scope of the current pilot have been completed. The pilot is ongoing and the performance of the materials used will be monitored throughout the winter months. The geo-grid material used for the pilot costs £100 per square metre and the Council does not have money within the current year capital programme to extend the pilot. The Council is currently pursuing competitive grant funding for highways maintenance. The potential to finance a verge hardening programme will be reviewed once the outcome of Thurrock's funding bid is known. The bid for highway maintenance improvements was submitted before the DfT deadline of 9 February 2015. Unfortunately Thurrock was not one of the few successful authorities so funding was not awarded. We will continue with verge hardening on a prioritised location basis when we have sufficient funding.	David Bull

Item 16 - Update on Motions agreed by the Council – 23 September 2015

10/09/14	Cllr Gledhill	We call on government to make Councils, who are housing authorities, subject to the same sanctions as private landlord. This would require changing the law to allow Councils to be prosecuted easier where they fail to bring tenants homes up to an acceptable standard.	A letter has been sent to the Prime Minister to advise of the request made in the Motion and to seek a response to the issue raised. Any response received will be reported to a future meeting of the Council by way of this update report.	Barbara Brownlee
22/10/14	Cllr Halden	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.	<p>It was agreed at the meeting of Council on 22 October 2014 that an item on the Constitution Working Group be brought back to the next meeting of Council (28 January 2015) 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.</p> <p>The CWG was constituted at Council on 28/01/15 and a budget allocated to the group.</p> <p>The first meeting of the CWG took place on 2 March 2015 and work is currently underway on the Governance Review.</p>	Fiona Taylor
28/01/15	Cllr Pearce	Along with the residents of Aveley and Uplands this council welcomes the decision by the Secretary of State to reject plans for 500 houses on the former fireman's club site in Aveley on greenbelt land.	No update required.	David Bull
28/01/15	Cllr Aker	Thurrock Council calls on the Cabinet to reject fortnightly bin collections.	At its meeting on 11 February 2015 Cabinet considered the comments of the Cleaner, Greener, Safer Overview and Scrutiny Committee in respect of the proposal to move to alternate weekly collections for the residual and recycling waste streams. Following receipt of the committees comments Cabinet agreed to withdraw the proposal for alternate week collections of these two	Mike Heath

Item 16 - Update on Motions agreed by the Council – 23 September 2015

			waste streams within the current year's budget proposals and instructed officers to seek alternative savings from within the waste collection budget.	
25/03/15	Cllr Gledhill	We call on Thurrock Council to investigate taking similar action to Essex and Harlow Councils and apply for an injunction to help stop unauthorised traveller encampments in Thurrock.	The granting of an interim injunction in Harlow against unauthorised encampments and the future court hearing to establish whether a full injunction will eventually be granted is being closely followed to see if a similar measure would be an appropriate measure in Thurrock. This is being done both locally and through the Essex Countywide Traveller Unit, of which Thurrock is a member council. A further response will be submitted when the outcome of these court proceedings is known.	Gavin Dennett
25/03/15	Cllr Gledhill	This Council thanks all retiring elected members for their service to Thurrock.	No action required.	David Bull
22/07/15	Cllr Ojetola	Radicalisation of youths seems to be quite rampant, doing nothing is not an option as parents are losing their children to extremism. We call on Thurrock Council to create a member led committee to co-ordinate a multi-agency approach to tackle the threat of extremism and radicalisation in line with our Duty to Prevent.	A full briefing note on the background, current provision and options for greater Member involvement / panel was provided to Constitution Working Group Members in August 2015.	David Bull

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Motions Submitted to Council

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

Motion 1

Submitted by Councillor Halden

“Legal highs are quickly becoming a social disaster, from both the point of view of being harmful as substances, but also giving a very incorrect impression of the dangers of substance abuse, especially amongst younger people.

We instruct Council to expedite the process and public consultation for Public Space Protection Orders to be implemented on a Borough wide basis to tackle the issue of legal highs with the relevant O&S committee monitoring its effectiveness.

In addition we instruct the constitution working group to consider how to best exercise and delegate all of our streamlined public protection powers that come from the 2014 Crime and Disorder act to be accessible to all members.”

Monitoring Officer Comments:

Public Space Protection Orders (PSPOs) potentially provide a flexible and effective tool to tackle many forms of environmental nuisance. They were brought in by the Anti-Social Behaviour, Crime and Policing Act 2014 which replaced 19 existing powers dealing with anti-social behaviour with 6 broader powers, Injunctions, Civil Behaviour Order, Community Protection Notice, PSPO, Closure Powers, and Dispersal Powers.

In the case of the 2014 Act it is understood that local authorities will soon be consulted about clarifying that all of its functions should be specified in regulations as local choice functions.

Until the position is finally clarified in regulations the responsibility for each of the new powers will need to be determined by interpreting statute and the council's constitution.

Section 151 Officer Comments:

The introduction of PSPOs for this purpose would more than likely result in additional costs to the Council, especially considering the geographic wide spread nature of this motion. These are not known at this 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 2

Submitted by Councillor Worrall

“Thurrock Council are concerned over implications for tenants and housing stock of the Conservative government's Emergency Budget's housing measures:

- Housing Benefit withdrawn for 18–21 year olds;
- Housing Benefit/ Local Housing Allowance (LHA) frozen for five years;
- Tax Credits and Housing Benefit/LHA include only first two children in households born after April 2017;
- Market rents charged in social housing where incomes are £30,000, additional rent receipts go to Treasury not Housing Revenue Account or Council.

The impact will increase poverty, homelessness and numbers at risk of being homeless, amongst young and very low income families.

For individual tenants who have faced significant above inflation rent increases and falling incomes over the last few years, the Budget proposal to cut social sector rents by 1% for the next four years will be welcome.

That a 1% rent cut will mean loss of rental income to Housing Revenue Account of £18.75 million by 2019/2020, that loss will have significant consequences for Council's plans to build new homes, maintain and refurbish existing stock of homes.

The Council resolves to write to the two MPs for Thurrock to lay out concerns and to highlight the impact on Thurrock residents of these measures in Westminster.”

Monitoring Officer Comments:

This motion relates to a matter which affects the authority or the authority's area

Section 151 Officer Comments:

This motion has two parts financially.

The changes to Housing Benefits, Tax Credits, etc will impact on individuals and families and, as a result, could well increase demand on a wide range of services within the Council with related cost pressures.

The reduction to social sector rents has a direct impact on the Council to continue with its plans and timescales in transforming existing stock, building new homes and estate regeneration. The impact is still being modelled and options to re-phase expenditure being considered.

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

Yes

Motions Submitted to Council

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

Motion 3

Submitted by Councillor Ray

“This Council calls for those Councillors who passed away during their service as a member of Thurrock Council (since the turn of the new century) to be commemorated in the Council Chamber for their work and contributions to the community of Thurrock.”

Monitoring Officer Comments:

This Motion is within the remit of the of the Council to approve

Section 151 Officer Comments:

Any financial implication would be dependent on the nature of the commemoration but the cost is likely to be able to be met from existing budgets.

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 Redsell

“We call on Thurrock Council to take action with its partners to help prevent the use of motorbikes and similar vehicles on our green spaces.”

Monitoring Officer Comments:

This motion relates to a matter which affects the authority or the authority area and is within the remit of Full Council to approve

Section 151 Officer Comments:

There are no direct financial implications from this motion although any action going forward could result in one off or ongoing costs. These would have to be considered once specific actions were identified.

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 5

Submitted by Councillor Halden

“The current crisis with refugees has led to calls for national and local governments to act in support. The chamber agrees with this.

Thurrock resolves to play its part to aid refugees and will make this position known to the Home Office.

We instruct the council to be ready with clear plans for service support from housing, social care, to public protection.

While we welcome the notion of using international aid funding to help with costs, we of course understand local pressures we are already under and therefore council will make representations to the Home Secretary that support must be evenly sort across local authorities to avoid disproportionate costs being applied to the taxpayer”

Monitoring Officer Comments:

The motion relates to a matter which affects the authority or the authority's area and for which the authority has relevant functions

Section 151 Officer Comments:

The government has committed to providing funding to local authorities to meet the additional costs. At this stage, there are too many unknowns to know whether there will be any net additional cost to the Council.

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

Yes

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