

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

Cabinet

The meeting will be held at **7.00 pm** on **15 January 2020**

Committee Rooms 2 & 3, Civic Offices, New Road, Grays, Essex, RM17 6SL

Membership:

Councillors Robert Gledhill (Chair), Shane Hebb (Deputy Chair), Mark Coxshall, James Halden, Deborah Huelin, Barry Johnson, Susan Little, Ben Maney and Aaron Watkins

Agenda

Open to Public and Press

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To approve as a correct record the minutes of Cabinet held on 9 October 2019.	
3 Items of Urgent Business	
To receive additional items that the Chair 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	
5 Statements by the Leader	
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Queries regarding this Agenda or notification of apologies:

Please contact Lucy Tricker, Democratic Services Officer by sending an email to Direct.Democracy@thurrock.gov.uk

Agenda published on: **7 January 2020**

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DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

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

Helpful Reminders for Members

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

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

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



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

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

Disclosable Pecuniary Interests shall include your interests or those of:

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

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

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

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

Pecuniary

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

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

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

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

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

Non-pecuniary

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



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

Our Vision and Priorities for Thurrock

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

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

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

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

Minutes of the Meeting of the Cabinet held on 9 October 2019 at 7.00 pm

The deadline for call-ins is Monday 21 October 2019 at 5.00pm

Present: Councillors Robert Gledhill (Chair), Shane Hebb (Deputy Chair), Mark Coxshall, James Halden, Deborah Huelin, Barry Johnson, Susan Little, Ben Maney and Aaron Watkins

In attendance: Lyn Carpenter, Chief Executive
Sean Clark, Director of Finance, Governance and Property
Tim Hallam, Acting Head of Legal, Assistant Director Law and Governance and Monitoring Officer
Roger Harris, Corporate Director of Adults, Housing and Health/Interim Director of Children's Services
Lucy Tricker, Democratic Services Officer

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

37. Minutes

The minutes of the Cabinet meeting held on 11 September 2019 were approved as a correct record.

38. Items of Urgent Business

There were no items of urgent business.

39. Declaration of Interests

The Leader stated that he had a general declaration for all Cabinet Members as they had all received correspondence regarding the Billet Field Site for Item 11. He stated that the letter had been passed to the relevant officers, and all Cabinet Members would keep an open mind when making the decision. Councillor Hebb added that he had received additional correspondence and was the Ward Councillor for the affected ward. Councillor Watkins declared that he was a supporter of East Thurrock United Football Club, so therefore would not be voting and would be excluding himself from that item.

40. Statements by the Leader

The Leader began his statement by describing the recent successes that the Council and Essex Police had seen in tackling anti-social behaviour issues, and felt good results were being seen across the borough, which were having a good impact on people's lives. He elaborated that Essex Police had recently imprisoned the leader of the C17 gang for nineteen weeks for making a drill video, which would be made available to the public shortly, with an

explanation on drill videos and the videos meaning. He felt this was a good step as it helped to protect the borough's young people and would help to ensure they would not get involved in violence and drug dealing.

The Leader also mentioned the work the Environmental Enforcement Officers were doing in collaboration with Essex Police in regards to people discarding nitrous oxide canisters in car parks, and stated that 11 Fixed Penalty Notices had been issued for the offence, each receiving a £400 fine. He added that 10 Fixed Penalty Notices had been issued for littering, and 10 had been issued for public urination. He added that 30 community protection notices had also been issued, with 10 being for the possession of marijuana. The Leader elaborated that one arrest had also been made for operating a vehicle under the influence of drugs, and possession of cocaine and marijuana. He added that 4 community protection notices had been issued for disposing of nitrous oxide canisters in car parks, and 3 had been issued for parking HGVs on the Manorway.

The Leader stated that yesterday officers had joined Essex Police and the Environmental Agency at an illegal waste site in South Ockendon, where a criminal level of waste had been disposed over a long time period. He stated that the Council would not tolerate the illegal disposal of waste in the borough and would take action against the perpetrators. He added that Thurrock Council had pledged £1million for extra police officers in the borough, as well as the extra police officers promised from the Police, Fire and Crime Commissioner. He stated there were currently 3068 police officers in the borough, which would rise to 3218 by 2020. He added that central government had also promised an extra 20,000 police officers nationally, which would hopefully bring the total number of police officers to over 3,500. The Leader mentioned the new Town Centre Police Teams that had increased the number of police in town centres, such as Grays and Stanford-le-Hope and were making a difference. The Leader then announced that new Town Centre Police Teams would also be launched in Purfleet and Tilbury. He commented that the money left over from the £1million for extra police officers, would be used to help police with their special operations, such as Operation Raptor and Operation Caesar.

The Leader then discussed the three incidents that Essex Police had attended in South Ockendon over the weekend, and felt glad to see that they were using their additional stop and search powers under Section 60 of the Criminal Justice and Public Order Act 1994. He added that the Council made lots of resources available to the police and this would help keep communities safe.

The Leader finished with the Clean It, Cut It, Fill It update and stated that since April 2019 1084 potholes had been filled; 647 fly-tips had been cleared; 1299 tonnes of waste had been cleared; 187 Fixed Penalty Notices for fly-tipping had been issued; and 54 people had been prosecuted for failing to pay fines.

41. Briefings on Policy, Budget and Other Issues

Councillor Halden stated that he had a briefing in policy relating to special educational needs provision across the borough, as officers had received a letter from OFSTED in response to concerns raised earlier this year. He began by stating that the Special Educational Needs (SEN) Service had seen some concerns in 2017 due to inappropriate use of the Pupil Referral Unit (PRU). He stated that since those concerns had been raised the Council had followed a policy of inclusion and had closed all primary PRUs and reduced the number of secondary PRUs. He felt that it was good to see inclusion in schools and with the Council's support, all PRUs had received a 'good' OFSTED rating. He added that the Council had set up an Improvement Board to monitor SEN and PRU progress and ran regular engagement events with schools to discuss issues. Councillor Halden added that the capacity of the SEN team had increased to provide additional support. He stated that an OFSTED letter received earlier this year had outlined these concerns, and officers had worked on a formal reply, which outlined the Council's plans for improvement. Councillor Halden stated that this morning OFSTED had replied and found the plans fit for purpose. He felt that although the plan tackled short-term issues, the Council were also working on a longer-term vision for SEN, and were therefore working on 'a year of inclusion' to begin in 2020. He stated that the aim of this project would be to reduce the time taken for Education, Health and Social Care Plans to be drawn up, and introduce a framework in which partners such as health, education and the Council could work together and make the best use of resources.

42. Petitions submitted by Members of the Public

No members of the public had submitted petitions.

43. Questions from Non-Executive Members

The Leader advised that one question had been received from Councillor Piccolo regarding Item 11: Billet Field Site, Stanford-le-Hope, and this would be discussed during that item.

44. Matters Referred to the Cabinet for Consideration by an Overview and Scrutiny Committee

No matters had been referred to the Cabinet for consideration by an overview and scrutiny committee.

45. Education Support Strategy

Councillor Halden introduced the report and stated that this Education Support Strategy updated the current 2015-2020 version, and had been formulated in consultation with the Schools Forum over the past six months. He added that 85% of Thurrock schools were currently rated 'good' or 'outstanding' and this included the two special needs schools, and all phases

of education. He added that over the past nine years there had been many changes to the schools system, with the majority of schools moving away from the maintained school system, and becoming academies. He also stated that the Council had ensured the Dedicated Schools Grant was no longer indebted, and had balanced the budget, which helped to tackle issues in schools. Councillor Halden elaborated on the six strategic priorities outlined in the report and described how three were education related; two were health related; and one was employment based. He felt this was good as many factors influenced a child's education. He added that one of the main goals in the new Education Support Strategy was to reduce the attainment gap, and the Council were going to measure this using the Deprivation Index, which very few Councils had done.

Councillor Halden also felt that it was good to see increased Multi Academy Trust (MAT) capacity as this provided good economies of scale and could renew partnership arrangements. He commented that the Council were currently investing £1million into health and wellbeing in schools, and £500,000 into tackling overuse of pharmaceutical treatments for children, as well as introducing the 2020 Year of Inclusion and working on the weaknesses within SEN provision. He felt that although academies were independent of the Council, joint partnership arrangements between schools, the Council and the CCG could only be a good thing. Councillor Halden mentioned that there had been a 34% increase in special needs plans over the past year, and many of these children were now supported in mainstream education. He also felt that many young people were taking advantage of opportunities available, and discussed his visit to Grangewaters which received referrals from the NEET Service, Youth Offending Service and the Drug and Alcohol Service and offered skills training such first aid courses. He felt that Thurrock Council were now running a 0-25 model, rather than an 11-16 model which had been endorsed by the schools forum and had received no objections from the overview and scrutiny committee.

The Leader felt it was good to see Councillors going out and experiencing services, rather than simply reading reports on the issue, and added it could be interesting to use money earmarked for anti-social behaviour for facilities such as Grangewaters, which benefitted disadvantaged young people.

RESOLVED: That Cabinet:

1. Approved the Education Support Strategy

Reason for decision: as outlined in the report
This decision is subject to call-in

46. Billet Field Site, Stanford-le-Hope

Councillor Watkins left at 19.21

Before the item began, the Leader invited Councillor Piccolo to read his

question as follows: can you explain why there has been such a change in opinion, over the sale of the Billet Field site, by the current administration, about the sale proposed by the last administration. Councillor Coxshall replied that there were three overarching reasons why, the first being the 3R's policy that had been adopted by the Council in 2016. He elaborated that the 3R's were release, retain and reuse and all assets had been analysed under this policy. He stated that the Billet Field Site had been earmarked as retain in 2017, although the Council would continue to analyse. He stated that the second reason was the Local Plan which had been moving forward since 2014, and ensured that all assets helped to deliver the bigger strategy of 'work, rest and play'. He stated that the third reason was the undervaluation of the asset. Councillor Piccolo was then invited to ask a supplementary question as follows: can you confirm the land had been designated green belt and is therefore protected under this status. Councillor Coxshall agreed that the land was designated green belt, and a green belt review had been taken place in 2019. He stated that the new Local Plan would help to protect green belt, but would also help to deliver the Council's strategy of 'play' so residents could participate in sports. Councillor Coxshall mentioned that the Football Association had reviewed Thurrock and found the borough was under the suitable number of football pitches, so the Council wanted to increase participation in sport, and would be looked at through the Local Plan.

Councillor Piccolo thanked Councillor Coxshall for his response, and the Leader invited Councillor Coxshall to present the report. Councillor Coxshall introduced the report and stated that the proposed decision was to decline the request for the disposal of the Billet Field Site. He described how a lot of time had passed since 2014 when the process had started, and since then two stages of the Local Plan had occurred, during which it had been decided that the borough needed more homes and more participatory sport under the 'work, rest, play' strategy. He outlined the 3R's strategy and informed Members that the Council did not want to sell assets that may be needed in the future, and Billet Field had been identified for retention. He added that the Football Association had found there to be a lack of football pitches within the borough. Councillor Coxshall described how the site had been undervalued in 2014, but the Council now wanted value for money. He summarised and stated that the Council wanted to work with East Thurrock United Football Club to find a new home if they needed one, and did not want to see the club fail.

Councillor Hebb stated that even though he was Ward Councillor he was open-minded and had considered both the pros and cons of disposal of the site. He felt that the report should be looked at from the Council's perspective, as a property owner and as a fan of East Thurrock United Football Club. He felt that the applicant had put forward well-considered plans to create a good space, which managed traffic and was of high quality. He added that he also wanted to see security for East Thurrock United Football Club, and felt they would be a good neighbour. He added that the space was used by the community and should be kept open to protect the borough's green belt. He stated that as a property owner, the Council wanted to make sure they received value for money. He summarised and felt that there was still lots of

work to do regarding the site, and many questions still to be answered, but felt it was premature to dispose of the site now.

Councillor Coxshall added that the Local Plan still needed to evolve, so East Thurrock United Football Club could still deliver plans in the future, but in the five years since the original proposal, Thurrock Council had further analysed all assets. He felt that as the Local Plan was currently being designed, it would be inappropriate to lose land at this time, and the Council had to consider the whole picture as a landowner. The Leader added that the Local Plan did not just include houses, but all assets including open space and football pitches. He felt that added value was not just about money, but included value for the community and Local Authority, and how the space could improve resident's lives. He also clarified that Cabinet had received correspondence regarding a planning application for the Crooked Billet pub, but this was not a part of the Billet Field site. He also clarified that all statistics in the reports were correct that day. The Leader also highlighted point 2.3 of the report to Members, which stated that the previous Cabinet in 2014 had only agreed to disposal of the land if planning consent had been given, but plans were not currently at that stage. He summarised and stated that the submissions received in April 2019 were high-quality and felt there may be conversation in the future regarding disposal of the site. He added that the Council wanted to see East Thurrock United Football Club remain successful and would help them to look at other sites across the borough if they so wished.

It was highlighted that Councillor Watkins would not be taking part in the vote due to his declaration of interest.

RESOLVED: That Cabinet:

1. Considered the contents of the report and agreed that the request to progress with the disposal of Billet Field be declined at this time.

Reason for decision: as outlined in the report
This decision is subject to call-in

Councillor Watkins returned at 19.39

47. Integrated Community Equipment Service

Councillor Little introduced the report and stated that the Integrated Community Equipment Service provided Thurrock residents with daily living support, such as hoists, slings and special kettles, so they could remain independent in their own homes. She commented that the service supported Thurrock Council's 'strength-based approach', which helped residents work on their strengths rather than weaknesses, and remain independent for longer. She described how Essex Cares Ltd delivered the service with the current contract running until 2020, and felt it was good to see analysis of the contract and negotiations starting early. She stated that the annual cost of the

contract was £578,412, and this had delivered 6545 items to 1719 residents across the borough in the financial year 2018. She mentioned that as the contract was due for renewal, officers had considered other options such as bringing the service in-house, but felt that all other options would increase the cost of the service, and the current contract provided good economies of scale. She summarised and stated that if recommendations were agreed, negotiations would continue and officers could try to find additional savings.

RESOLVED: That Cabinet:

1. Agreed that Thurrock Council enter into a Section 101 and Section 75 agreement with the Commissioning Partnership to procure an Integrated Community Equipment contract.

2. Agreed to delegate the award of the contract to the Corporate Director of Adults, Housing and Health/Interim Director of Children's Services, in consultation with the relevant Portfolio Holder.

Reason for decision: as outlined in the report
This decision is subject to call-in

48. Re-Procurement of the Corporate Cleaning Contract

Councillor Gledhill introduced the report on behalf of Councillor Coxshall and stated that lots of work had gone into this report, as the current window-cleaning contract had been terminated. He felt this was an important service as the first thing visitors to the Council building would see were the windows, and they would not expect to see an untidy and unclean vista. Councillor Little added that the company who had received the window-cleaning contract had been given multiple opportunities to improve, but had been unable to do so. She agreed with the Leader that this was an important service as shoddy Council buildings were unacceptable. She added that as the window-cleaning company had had their contract terminated, this would serve as a warning to other contractors that their work must be of a high standard. Councillor Huelin added that as the window-cleaning contract was paid for using taxpayer's money then the Council had to provide due diligence and get value for money for the contract.

RESOLVED: That Cabinet:

1. Agreed the proposed process for re-procurement of the Corporate Cleaning Contract for a period of up to five year (three years plus two further one year periods subject to performance and funding)

2. Approved delegation to award the Director of Finance, Governance and Property, in consultation with the Portfolio Holder

Reason for decision: as outlined in the report
This decision is subject to call-in

The meeting finished at 7.48 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**

15 January 2020		ITEM: 10
Cabinet		
Lower Thames Crossing Task Force Update		
Wards and communities affected: All	Key Decision: Key	
Report of: Councillor Gerard Rice, Chair of the LTC Task Force		
Accountable Assistant Director: Anna Eastgate, Assistant Director - Lower Thames Crossing and Transport Infrastructure Projects		
Accountable Director: Andy Millard, Director of Place		
This report is Public		

Executive Summary

In line with the Terms of Reference, the LTC Task Force is required to report to Cabinet on its work.

- 1. Recommendation(s)**
 - 1.1 That Cabinet notes the work of the Lower Thames Crossing Task Force.**
- 2. Introduction and Background**
 - 2.1 The Lower Thames Crossing Task Force has met on a monthly basis since September 2017. Cabinet received a previous update on 10 July 2019.
 - 2.2 The Council remains opposed in principle to any new crossing in Thurrock and the task force has consistently sought to hold Highways England to account. The long-held concern regarding obtaining responses and key information continues to hamper the Council's ability to properly assess and scrutinise the scheme.
 - 2.3 Highways England has conducted statutory consultation on the scheme which ended on 20 December 2018. Details of the Task Force's discussions following the consultation to date are detailed below.
- 3. Task Force Meetings**
 - 3.1 All Task Force meetings are audio recorded and available on the Thurrock Council website.
 - 3.2 Full minutes of the meetings are also available on the website. Below is a summary of the discussions at each meeting:

July

- 3.3 Highways England presented on the progress to date of the work related to the Health Impact Assessment. Quarterly meetings have been taking place between officers and LTC and the meetings are chaired by an independent academic from Leeds University.
- 3.4 The Chair ran through the Priorities list where questions of clarification were asked and addressed.

August

- 3.5 The August meeting of the Task Force was cancelled due to lack of business.

September

- 3.6 The Council's health team provided some further feedback and a note in relation to the ongoing health impact assessment work.
- 3.7 The Chair ran through the priorities list where questions of clarification were asked and addressed.

October

- 3.8 Officers presented a report on the high level assessment work that had been undertaken to date in relation to the traffic modelling. The Council is awaiting the updated traffic model from Highways England in order to undertake further analysis.
- 3.9 Officers indicated that discussions had taken place with the Planning Inspectorate in relation to concerns about the level of engagement and information sharing. A recommendation from the Planning Inspectorate was to agree a memorandum of understanding with HE in relation to ways of working. That was tabled at the meeting and the agreement of the Task Force obtained as an agreed approach to share with Highways England. Some photographs of the A14 River Great Ouse viaduct were shared with the Task Force. The viaduct at Tilbury is likely to be of a similar scale and size and therefore it was shared to enable the Task Force members to gain an appreciation of what a viaduct in that location could look like.
- 3.10 The Chair ran through the Priorities list where questions of clarification were asked and addressed.

November

- 3.11 The November meeting of the Task Force was cancelled.

December

- 3.12 Highways England were invited to the meeting to present a report on opportunities and restrictions on the provision of cut and cover across the route

through the Borough.

- 3.13 The Chair ran through the priorities list which had been reviewed by officers since the previous meeting.

4. Reasons for Recommendation

- 4.1 In line with the terms of reference the LTC Task Force will update Cabinet.

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

- 5.1 Lower Thames Crossing Task Force

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

- 6.1 None

7. Implications

7.1 Financial

Implications verified by: **Rosie Hurst**
Interim Senior Management Accountant

There are no specific financial implications arising from the report and the work is funded from within existing budgets.

7.2 Legal

Implications verified by: **Courage Emovon**
AG Strategic Lead / Deputy Head of Legal Services and Deputy Monitoring Officer

This is an update report from the Lower Thames Crossing Task Force and there is no direct legal implications arising from this report.

7.3 Diversity and Equality

Implications verified by: **Rebecca Lee**
Team Manager – Community Development and Equalities

There are no diversity implications arising from this report.

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

None

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

- None

9. Appendices to the report

- None

Report Author:

Anna Eastgate

Assistant Director – Lower Thames Crossing and Transport Infrastructure Projects
Place

15 January 2020		ITEM: 11
Cabinet		
Quarter 2 Financial Report		
Wards and communities affected: All	Key Decision: Key	
Report of: Councillor Shane Hebb, Deputy Leader and Cabinet Member for Finance		
Accountable Assistant Director: Jonathan Wilson, AD Finance, Corporate Finance		
Accountable Director: Sean Clark, Director of Finance, Governance and Property		
This report is public		

Executive Summary

This report presents the forecast outturn position for revenue and capital budgets, sets out the updated treasury management position and presents the updated Medium Term Financial Strategy.

Revenue Position – 2019/20 Quarter 2

Current projections indicate a number of General Fund service pressures. The position includes transformation investment in children’s social care, funding to meet a significant increased demand for homelessness services and an expected delay to the achievement of a specific investment income target whilst alternative ideas are considered for the Belmont Road site. Officers continue to take action to deliver services within the agreed budget.

The Dedicated Schools Grant (DSG) is forecasting pressures within the High Needs Block but steps are being taken to review the position within the DSG with the service and the Schools Forum in order to address these pressures. The HRA is forecasting a breakeven position.

Medium Term Financial Strategy – Update 2019/20 Quarter 2

The report sets out the updated Medium Term Financial Strategy which reflects expected inflation costs, changes in service demand, savings targets and proposed changes to the Council’s funding. This will form the basis of the budget to be considered by Corporate Overview and Scrutiny Committee.

Treasury Management – 2019/20 Quarter 2

In accordance with the Revised CIPFA Prudential Code, this report:

- (a) details the borrowing and investment activity as at 30 September 2019; and
- (b) details the forecast treasury outturn position for 2019/20.

The report also confirms that the council is within the prudential indicators as agreed by Council in February 2019 and continues to contribute, through both reduced costs and increased income, towards the council's objective of financial sustainability.

Capital Position – 2019/20 Quarter 2

The General Fund capital programme is projected to have available resources of £4.964m as at 31 March 2020 with this funding carried forward to 2019/20 to fund schemes currently in progress. In addition, there is a further £66.734m in the approved programme that is under development and/or dependent on third party actions. The projected capital charge to revenue in 2019/20 is £7.7m which is in line with budget.

The Housing Revenue Account capital programme is also projected to come in within budget.

1. Recommendations:

- 1.1 That Cabinet note the revenue forecast outturn position for 2019/20 and that further mitigation is required to outturn within the agreed budget envelope;**
- 1.2 That Cabinet note the proposed updates to the Medium Term Financial Strategy;**
- 1.3 That Cabinet notes the updated Medium Term Financial Strategy forms the basis of the 2020/21 Budget and ask Corporate Overview and Scrutiny Committee to comment and make recommendations back to Cabinet in February ahead of Full Council;**
- 1.4 Following Cabinet's decision in December 2018 to allocate funding for additional police officers that the Director of Environment and Highways, in consultation with the Corporate Director of Finance, Governance and Property and the Leader, be authorised to enter into a 4 year contract (with the right to renew for another 4 years);**
- 1.5 Note the results of Treasury Management activities undertaken in the first half of 2019/20; and**
- 1.6 That Cabinet note the capital forecast outturn position and the overall position on the approved programme.**

Revenue Position

2 Introduction and Background

- 2.1 In February 2019 Council agreed the 2019/20 budget in line with the balanced MTFs. The Authority continues to pursue an investment approach and to further identify efficiencies across all service areas through the strategic boards. The budget includes savings of £0.900m identified as part of the Council Spending Review and a further £0.500m for workforce efficiencies.
- 2.2 The report sets out the latest forecast position for 2019/20 across the main revenue accounts – the General Fund, Housing Revenue Account, Dedicated Schools Grant and Public Health grant.
- 2.3 The summary forecast position for the General Fund is set out below:

Summary position

Directorate	Revised Budget	Forecast Outturn (Q2)	Variance to Budget
	£'000	£'000	£'000
Adults, Housing and Health	38,361	38,950	589
Children's Services	36,622	37,594	972
Commercial Services	757	757	0
Corporate Costs	2,755	2,755	0
Environment and Highways	28,273	28,273	0
Finance, Governance & Property	16,352	16,687	335
Housing General Fund	1,014	1,344	330
Place	4,789	4,789	0
Strategy, Communications & Customer Services	2,788	2,788	0
HR, OD and Transformation	4,769	4,769	0
Unallocated	5,803	2,290	(3,513)
Service Total	142,283	140,896	(1,287)
Central Financing	(117,491)	(117,491)	0
Treasury	(24,792)	(23,505)	1,287
Total	0	0	0

3 General Fund

Adult Social Care - £0.589m overspend

- 3.1 Adults Social Care operates within a demand led environment subject to financial risks arising from exposure to low volume high cost placements. These are predominately related to people with complex learning disabilities

and/or mental health conditions where the availability of suitable placements is limited and can be very costly. The position reported reflects the anticipated financial position at year-end as the financial risk has crystallised in relation to specific cases. This relates to a combination of one specific new complex case and a small number of additional cost care packages within learning disability and complex care placements put in place since quarter 1. These have created a pressure of £0.471m.

- 3.2 The fragility of Domiciliary Care remains a concern despite receiving some additional funding through the Improved Better Care Fund. Although improving, there remains instability within the market with providers experiencing ongoing issues with recruitment and retention of staff. This is a situation which is being demonstrated nationally and it is recognised that the way in which homecare is delivered as a service needs to be transformed. Thurrock are trialling Wellbeing Teams in an attempt to redesign homecare and deliver sustainability on a longer term basis.
- 3.3 Through effective management of the waiting lists the Council currently has one of the best delayed discharge from hospital performances in the region. This also helps prevent care needs for individuals from deteriorating and enables people to live in their own homes. However reductions in the waiting list for the number of people currently requiring domiciliary care packages has added cost pressures in the first half of the year totalling £0.118m. A review of the waiting list arrangements continues at an operational level.
- 3.4 Providers within the Residential Care Home sector have identified concerns with the fees received for placements made under Thurrock Council contract rates. One care home has closed recently as the size of the home made it financially unviable. A wider piece of work is underway to review the uplifts that have been awarded and if they are sufficient. The Local Authority has a responsibility to support stability within the marketplace.
- 3.5 Income generated from client contributions towards care packages can fluctuate due to the ongoing financial assessments and reviews carried out by the team to determine eligibility and ability to contribute. There has been a reduction in the number of clients fully funding their own care needs.
- 3.6 The funding requirements for the forthcoming years have been identified and the ability to raise the adult social care precept is essential for the service to continue to meet both the current demands and future demographic pressures.

Children's Services - £0.972m overspend

- 3.7 The service has committed investment of £0.600m to further enable that firstly case load ratios are appropriate and secondly the service has the capacity to deliver transformation initiatives to meet the requirements of Ofsted, and build further on the successes of 2019. For context, a 'Good' rating indicates the service is fit for purpose and delivering positive outcomes for residents. Furthermore the Cabinet are committed to constantly checking and adjusting

investment into the service, to ensure that the service's new ambitions of achieving "Excellent" rating in future Ofsted assessments are achieved with unpinning financial sustainability.

- 3.8 The number of young people being accommodated under Section 20 of the Children's Act 1989 (where a child has come into care on a 'voluntary' basis and not as part of a court order) have been an historical pressure on the budget. Early intervention approaches delivered by the newly established Edge of Care Team should prevent children coming into care and support delivery of the financial position in the service in future years.
- 3.9 Support for Looked after Children and young people subject to Child Protection plans remains a risk due to the demand led nature and high potential costs for individualised support packages. Although numbers of looked after children are being managed to a more stable level, the costs remain high and there is a pressure across placements of £0.150m, fostering and unaccompanied asylum seekers. Placement budgets continue to be closely monitored with particular scrutiny of high cost placements made with external agencies.
- 3.10 Spend on adoption and special guardianship orders are also subject to detailed monitoring and regular payment reviews carried out to ensure financial pressures experienced in previous years are not repeated. The change in contract arrangements for the Adoption service will be monitored as part of the Service Review process to assess its viability on a long-term basis and budgetary impact.
- 3.11 The ongoing service review of children's social care and transport has identified options for improved service delivery with payback on investment over a 4 year period. Service improvements can be demonstrated linked to the investment made. There remains a pressure in schools transport of £0.222m as a result of continued increases to the number of pupils with Education, Health and Care plans.

Environment & Highways – projected breakeven

- 3.12 The directorate deliver a number of high profile services which are considered priorities for both Members and residents. The need to ensure the borough is well maintained is vital in helping to build pride in Thurrock's existing communities and in attracting new persons and businesses to the area. The service continues to experience financial risks related to seasonal weather fluctuations and behavioural-related environmental offences (and in particular resources required to address fly-tipping issues).
- 3.13 Waste disposal continues to be a financial risk for the Directorate due to the variable element contained within the contract. Cost per tonne to dispose of the borough's waste potentially fluctuates quarterly and has previously adversely affected the budget and this will be closely monitored.

- 3.14 The Directorate's reliance on agency staff to ensure consistent service delivery will again cause a budgetary impact but the ongoing work supported by HR to recruit an adequate number of Thurrock Council persons to positions will help mitigate impacts. The difficulty in securing agency HGV drivers to cover annual leave over the summer period is a trend seen nationally.
- 3.15 The severity of the winter will potentially impact the budget if there is an increased need for additional road gritting services across the borough in the last quarter of the year. The purchase of a weather station based in Thurrock aims to make the planning for gritting support more accurate.

Place – projected breakeven

- 3.16 Following a restructure within the Place directorate the Corporate Landlord and Assets functions have transferred to Finance, Governance & Property directorate.
- 3.17 There remain financial risks to the achievement of external income but it is the intention to manage the remaining budget pressures within the overall allocated resources and deliver a balanced position for year-end.

Finance, Governance & Property– £0.335 overspend

- 3.18 Following the restructure of the Place Directorate the quarter 2 forecast figure for Finance, Governance & Property now reflect the pressures being experienced within the Corporate Landlord and Assets functions.
- 3.19 The Corporate Landlord team have carried out condition surveys on the Authority's assets and a schedule of urgent repairs are required to the corporate property portfolio to ensure continued compliance with Health & Safety legislation. The planned programme will be targeted at risk areas to reduce the wider impact on the budgetary position but the current projected pressure is £0.335m.

HROD – projected breakeven

- 3.20 The Directorate is currently forecasting to come within the budgeted expenditure proposed.

Strategy, Communications & Customer Services – projected breakeven

- 3.21 The Directorate continues to manage the budgeted resources to provide the core services while also increasing data analysis support to Children's Services to enable Ofsted reporting requirements to be met.

Commercial Services – projected breakeven

- 3.22 The Directorate is forecasting to come within budget following a restructure of their staffing establishment and a review of funding arrangements.

Corporate Costs – projected breakeven

- 3.23 This budget covers a number of corporate expenditure items including housing benefit subsidy, council tax and business rate precepts, the annual contribution to the Essex Pension Fund to meet the current actuarial deficit and the allocation for the Minimum Revenue Provision. The budget is projected to meet budget at the end of quarter 2.

Housing General Fund – £0.330m overspend

- 3.24 There have been a number of developments in case law and legislation regarding the provision of Temporary Accommodation since the homelessness prevention strategy was last published, most notably the enactment of the Homelessness Reduction Act 2017. The primary function of the Act places greater emphasis on the prevention of homelessness, and has significantly adjusted the criteria of those approaching the Council who are eligible for assistance.
- 3.25 The Council's Housing Solutions service continue to receive increasing numbers of households presenting as homeless or at risk of homelessness. This is set out in the table below.

	2017/18	2018/19	2019/20 (projected)
Number of Households presenting to Council:	1,395	1,605	1,900

- 3.26 In addition the number of households housed in temporary accommodation has increased by 40% over the last 12 months. This has resulted in unprecedented pressure on the service in 2019/20, which is reflected in the service pressure, and actions are being taken to deliver a more financially sustainable solution.
- 3.27 In order to meet the increased demand the service have introduced a revised staffing structure. The service continue to consider alternative accommodation solutions to try limit the use of bed and breakfast facilities to both improve the quality of accommodation and reduce the cost.

Treasury & Financing – £1.287 overspend

- 3.28 The planned external investment targets included in the Medium Term Financial Strategy will be achieved in the current financial year. However the projected income from Thurrock Regeneration Ltd will need to be reprofiled into a future period following the pause to the Belmont Road project whilst further analysis is completed on whether other local infrastructure can support the development project in a different way before the project commences.

External Income

- 3.29 Commercial Board set a target for external income generation to the general fund of £14.0m in 2019/20. This is through a combination of fees and charges and traded services and detailed schedules have been submitted to earlier Cabinet meetings.
- 3.30 At the end of Quarter 2 the full year forecast for external income is an over recovery of £0.022m for fees and charges and £0.442m below target for traded services -this is a notably improved position of £0.249m from quarter one, following a review of the recovery plans between officers and the relevant Cabinet Members
- 3.31 The breakdown for external income monitored through Commercial Board is set out below:

Fees & Charges			
Directorate	Commercial Board Target	Month 6 forecast	Variance to target
	£000	£000	£000
Adults, Housing and Health	(369)	(296)	73
Children's Services	(1,088)	(1,029)	59
Corporate Strategy & Communications	(270)	(244)	27
Environment and Highways	(2,647)	(2,567)	80
Finance, Governance and Property	(234)	(173)	61
Housing General Fund	(415)	(550)	(135)
Place	(2,707)	(2,893)	(186)
Total	(7,729)	(7,751)	(22)

Traded Income			
Directorate	Commercial Board Target	Month 6 forecast	Variance to target
	£000	£000	£000
Children's Services	(3,811)	(4,088)	(277)
Corporate Strategy & Communications	(225)	(157)	68
Environment and Highways	(580)	(605)	(25)
Finance, Governance and Property	(1,286)	(742)	544
Housing General Fund	0	(10)	(10)
HR, OD and Transformation	(338)	(195)	142
Place	(34)	(35)	(1)
Total	(6,274)	(5,832)	442

- 3.32 Children's Services are projecting to recover more income for their catering service than originally planned. The corresponding costs to this have been reflected in the earlier directorate outturn position and consequently this does not cause a budget pressure or surplus.
- 3.33 Finance, Governance and Property have forecast pressures within their traded services; this predominately relates to a number of schools converting to academies and a revision to the Corporate Fraud teams expected income following a re-profiling of out-of-borough work assignments
- 3.34 HR, OD & Transformation are also under-recovering their income target with regards to traded services with schools. Commercial services have recruited a Business Development Officer dedicated to school activity with the intention to review all current arrangements and to assist in the implementation of recovery plans where possible.
- 3.35 All the above pressures have been reflected in the overall budgetary position and will be closely monitored by Corporate Finance, Cabinet Members, and the individual service areas.

4 Housing Revenue Account – breakeven projected

- 4.1 There are currently pressures identified within the directorate to the value of £0.165m which the service will mitigate to deliver a breakeven position.
- 4.2 Additional electrical testing works are required as part of essential health and safety maintenance in-year and this will result in expenditure above the allocated budget. These are due to an ageing housing stock and the need to undertake responsive repairs outside of the planned programme.
- 4.3 The introduction of Universal Credit has led to a small statistical increase in rent arrears. Measures are in place to mitigate the impact of this and approval has been sought from Digital Board to allow the implementation of a new software system. The cost of this will be contained within the HRA and a review of the bad debt provision will be carried out as a separate exercise. This is not currently shown as a pressure in the financial forecast as further analysis is being undertaken to quantify the full impact.
- 4.4 The financial pressures identified below will be managed overall within the existing budgets.

Service	Revised Budget	Month 6 Forecast	Variance to Budget
	£000	£000	£000
Development	178	228	50
Financing and Recharges	23,681	23,681	0
Rent and Income	(48,359)	(48,446)	(87)
Repairs and Maintenance	12,201	12,611	410
Supervision and Management	12,299	12,091	(208)
Grand Total	0	165	165

5 Dedicated Schools Grant (DSG) - £0.750m overspend

- 5.1 Thurrock continues to see a rise in the number of children and young people with Special Education Needs and Disabilities (SEND) and Education, Health & Care Plans (EHCP's). Additional provision is required to support these young people in an educational setting and this is funded through the High Needs Block (HNB) of the DSG.
- 5.2 This area remains a pressure for a significant number of Local Authorities due to a combination of factors, these include; population growth, advances in medicine (which means children born prematurely or with disabilities survive and live longer than before with more complex needs), increased diagnosis of some conditions (e.g. autism) and increased parental expectations about the support their child should receive. Current projections indicate pressures of £0.750m, this is an increase of £0.465m from that previously reported.
- 5.3 The table below reflects the updated 2019/20 DSG allocation:

2019/20	Funding Settlement	Academy Recoupment	DSG	Forecast Outturn	Variance
	£000	£000	£000	£000	£000
Schools	118,839	(108,169)	10,670	10,244	(426)
Central Services	2,073	0	2,073	2,045	(28)
High Needs	23,848	(5,226)	18,622	19,817	1,195
Early Years	12,332	0	12,332	12,166	(167)
	157,092	(113,395)	43,697	44,272	574
Early Years Surplus to be Carried Forward					167
Revised Outturn position					741

- 5.4 The DSG reserve has a carried forward deficit of £2.657m into 2019/20. The approved movement from the Schools Block to the High Needs Block of £1.248m will reduce the balance to £1.409m in 2019/20. However, the projected deficit is likely to realise an accumulated deficit of £2.150m as at 31 March 2020.
- 5.5 Information gathered by the Local Government Association found that 97% of Local Authorities expect there to be HNB deficit. The detailed 2020/21 DSG guidance and funding announcements have recently been released by ESFA. This information will need to be considered alongside the projected carried forward deficit, to consider options moving forward.

6 Public Health Grant – breakeven projected

- 6.1 The Public Health Grant was subject to a further reduction in 2019/20 and this equated to £0.292m. Over the last three years this grant has been reduced by £0.869m, as local authorities continue to embed services transitioned from other agencies into local government. The allocation for 2019/20 is £10.7m and this has been fully allocated.
- 6.2 The team have are managing staffing cost pressures within the in-year grant allocation but note there may be an impact on the level of public health initiatives elsewhere within their service.

Medium Term Financial Strategy Update

7. Background

- 7.1. As part of the Council's statutory objectives, the attached Medium Term Financial Strategy (MTFS) sets out the draft financial position for the next 5 years.
- 7.2. The previous published MTFS was presented to Cabinet in February 2019, and this updated version incorporates the projected financial position for 2019/20 as well as additional information and projections. The full version is included at Appendix 3 and a summary of the changes is included in the table below.
- 7.3. The MTFS continues to remain in surplus over the next 3 years. This is again through supporting the financial position through the investment strategy, service review, and sustained lower rates of borrowing.
- 7.4. Essential operational, economic and demographic pressures have been addressed as part of the revised strategy to ensure that the fundamental resources required to deliver core and statutory services have been included. The allocation of the 2019/20 surplus requires confirmation and consideration of proposals by both members and officers is required, along with engagement with the inform Council Spending Review group. Addressing some of these identified pressures will support a more robust budget setting process going forwards.

8. Key information

- 8.1. There are eight key headings within the MTFS which capture the elements required for the formulation of an accurate and sustainable budget. These are:
 1. Local Funding (council tax and business rates);
 2. Government resources (Non-service specific central government grants);
 3. Inflation and other increases (pay and contract inflation);
 4. Pressures in the 2018/19 which will continue into subsequent financial years;
 5. Treasury investments and borrowing;
 6. Demographic and Economic pressures;
 7. Service design principals and savings agreed by strategic boards; and
 8. Carry forward position from previous years.

These items have been considered and the updated position is shown in the table below:

Draft Budget and Future Forecasts

Narrative	2020/21			2021/22			2022/23			2023/24			2024/25		
	Feb-19	Jan-20	Change	Feb-19	Jan-20	Change	Feb-19	Jan-20	Change	Feb-19	Jan-20	Change	Feb-19	Jan-20	Change
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Net (Additional) Reduction in resources	(1,790)	(6,283)	(4,493)	(1,668)	(1,789)	(121)	(2,114)	(2,336)	(222)	(1,927)	(2,604)	(677)	(2,054)	(2,918)	(864)
Inflation and other increases	2,958	3,702	744	3,081	3,472	391	3,210	3,615	405	3,345	3,765	420	3,487	3,862	375
Treasury and Capital Financing	(2,178)	(2,178)	0	(336)	(336)	(0)	(1,224)	(1,224)	0	365	365	0	0	0	0
Allocation of Social Care Funding	0	4,042	4,042	0	0	0	0	0	0	0	0	0	0	0	0
Corporate Growth	2,200	3,346	1,146	2,200	2,315	115	2,200	2,313	113	2,200	2,314	114	3,500	2,314	(1,186)
Services Design Principals and Strategic Boards	(900)	(900)	0	(1,000)	(1,000)	0	(1,000)	(1,000)	0	0	0	0	0	0	0
Position before carry forward	290	1,729	1,439	2,277	2,662	385	1,072	1,368	296	3,983	3,840	(143)	4,933	3,258	(1,675)
C/f Position	(5,803)	(5,803)	(0)	(5,513)	(4,074)	1,439	(3,236)	(1,412)	1,824	(2,164)	(45)	2,119	0	0	0
Working Total	(5,513)	(4,074)	1,439	(3,236)	(1,412)	1,824	(2,164)	(45)	2,120	1,819	3,795	1,976	4,933	3,258	(1,675)

9. Key Assumptions

The key assumptions included in the formulation of the revised MTFS are set out below. These assumptions will underpin the revised 2020/21 budget subject to further consideration by members.

9.1. Local Funding

The MTFS has been compiled based on a 1.49% increase in general Council Tax in 2020/21 supplemented by a 2% Adult Social Care precept specifically to address social care pressures. This generates income of £3.107m and, more importantly, increases the overall Council Tax base as local authorities move towards 100% of locally raised funding. The additional Council tax funding will be allocated to social care, environmental pressures and public protection in the borough.

Beyond 2020/21, the assumption is that there will be a 1.99% increase in line with current government direction.

Members should also note that government will assume increases in line with their expectation when carrying out the Comprehensive Spending Review in 2020 that will set local authority funding for an expected further period of four years.

9.2. Central Government funding

The funding set out for 2020/21 is based on the indicative financial settlement. As a result there may be subsequent amendments to RSG and other central government grants.

9.3. Inflation and other increases

There are two significant changes from the previously published MTFS. They are:

- The proposed inflation factors have increased for 2020/21 based on anticipated salary increases.
- Additional demographic pressures specifically in housing general fund

9.4. Treasury Management

The projected position remains unchanged compared to the MTFS published in February 2018.

9.5. Demographic and Economic pressures

This item is to ensure that growth is built into the budget to address inevitable pressures that will arise during the financial year. This includes items identified from the 2018/19 budget monitoring report to Cabinet and include pressures relating to:

- Housing General Fund and specifically homelessness
- Social Care – there continue to be pressures arising in both Adults and Children’s social care
- Investment income – following issues associated with the Belmont Rd project the proposed income from Thurrock Regeneration Ltd has been shown as an additional pressure.

9.6. **Service Design Principals and Strategic Boards**

The Council has a number of boards in place to review opportunities to review and improve the efficiency of services. The allocated target for 2020/21 is £0.9m and this is part of the budgeted position for 2020/21.

9.7. **Carry forward position**

The carry forward for 2019/20 of £5.803m is as reported in the February 2019 MTFS. The projected carry forwards for the 2 subsequent years are £4.385m and £1.723m respectively.

The allocation of the carry forwards remains to be finalised for the period. However confirmation of the funding agreed in December 2018 for additional Police Officers is formally recommended and totals a further £0.670m in 2019/20.

Treasury Management – 2019/20 Quarter 2 Update

This section is prepared in accordance with the requirements of the CIPFA Prudential Code and presents details of treasury management activity for the 6 months to 30 September 2019.

10. Introduction and Background

10.1. Borrowing

The Council's borrowing position as at 30 September 2019 is summarised in the table below:-

Source of Loan	£m
Long Term Market Loans	30.0
Long Term Market Loans re Investments	55.0
Long Term PWLB	160.9
Temporary Market Loans Re Investments	793.8
Other Temporary Market Loans	224.8
Total Debt	1,264.5
Total Investments	(961.2)
Total Net Indebtedness	303.3

- 10.2. The net indebtedness (borrowing less investments) of the council is £303.3m, made up of £160.9m of PWLB long term debt relating to the HRA and £142.4m of long and short term debt relating to historic capital funding.
- 10.3. The Council continues to fund the £84.0m ex-PWLB debt on a temporary basis. Interest rates have been maintained at 0.75% in the last year and forecasts predict that the rate will remain at this level for the time being. There is still a wide variance in which direction interest rates will go, mainly due to possible concerns surrounding Brexit. However, officers have been prudent in interest rate projections assuming 0.25% rises every six months starting in September 2020 up to a level of 3% in future years.
- 10.4. This forecast would suggest that further interest savings should still be accrued for future years compared with the costs of borrowing longer term debt. However predictions for the bank base rate are open to change depending on government responses to market events and developments and continue to be closely monitored by officers with appropriate action taken as necessary. The bank base rate, whilst indicating a direction of travel, does not directly impact on the council's borrowing that is largely through other public sector bodies.
- 10.5. The council's PWLB debt portfolio currently consists solely of loans taken out with regards to the HRA settlement undertaken on 28 March 2012 and are now eligible for rescheduling. The loans were borrowed at one-off preferential rates made available specifically for the settlement at an average of 3.49% over 47.5 years. However, the PWLB increased the margin on their borrowing rates by 1% in September 2019 that has now widened the gap in the premature redemption rates even further than before meaning that any rescheduling would now be even more unaffordable than previously.
- 10.6. Officers repeatedly assess the council's LOBO loans for any early repayment opportunities but the premia involved of approximately £29m and the high

refinancing costs again make it unfavourable to currently undertake any rescheduling. Officers will continue to monitor the council's debt portfolio for any rescheduling opportunities.

- 10.7. The council has also borrowed funds to facilitate the building works carried out by Thurrock Regeneration Ltd at the St Chads site in Tilbury. Officers are continuing to investigate opportunities to raise long term funds to finance these works but, as short term rates are currently low and predicted to remain there for the foreseeable future, the council will continue to borrow on a short term basis until such time as the long term funds become attractive in comparison. All interest costs are met by Thurrock Regeneration Ltd with the council benefiting from an interest rate premium.

Investments

- 10.8. The corresponding figures for investments are set out in the table below:-

Source of Investment	Balance at 30/9/18 £m
Overnight Cash Investments	18.4
Short Term Cash Investments (2 to 365 days)	94.0
Repayable Capital Investments	722.3
Repayable Non Capital Investments	22.5
Fund Manager Investments- Repayable on demand	104.0
Total Investments	961.2

- 10.9. A significant proportion of the internally managed investments are held for very short time periods in order to meet day to day cash requirements.
- 10.10. The Council has increased its previously reported investments in the CCLA Property Fund by £28m and, also expanded its investments in the renewable energy sector whilst working with providers for both longer term relationships and to bring additional benefits to the Borough.
- 10.11. Target income for 2019/20 has been achieved with any investments going through appropriate due diligence by relevant industry experts.
- 10.12. Internally held balances currently stand at £112.4m with a view to falling to around £10m-£20m at the financial year-end. These investments are mainly held with Banks and Building Societies on a fixed term basis ranging from overnight to 3 months in duration.
- 10.13. All investments made have been with organisations included on the "List of Acceptable Counterparties and Credit Limits" within the 2019/20 Annual

Treasury Management Strategy and the total sums invested with individual institutions have been contained within the limits specified therein.

CAPITAL MONITORING – 2019/20 Quarter 2

11. Introduction and Background

- 11.1. This report provides an update to Cabinet on the financial position of the capital programme and highlights significant variances. It is the first monitoring report for 2019/20 and is based on expenditure to the end of month 6 (the period 1 April 2019 to 30 September 2019) and projected expenditure for the remainder of the year.
- 11.2. Capital schemes and resources are identified in two specific categories:
- Mainstream schemes – capital expenditure funded through prudential (unsupported) borrowing, from capital receipts, from the capital contribution from revenue budget or from earmarked capital reserves; and
 - Specific schemes – capital expenditure funded through external funding sources, for example, government grants and Section 106 monies which are ring fenced for specific projects.

12. General Fund Schemes

- 12.1. The current position for General Fund schemes for 2019/20 is summarised below:

Table 1: Capital Programme – Projected Outturn as at Month 6

	Latest Agreed Budget	Projected Outturn to 31/03/2020	Variance against budget
	£'000's	£'000's	£'000's
Expenditure:			
Children's Service ¹	18,694	15,644	(3,050)
Adult, Housing & Health	5,217	5,217	0
Environment and Highways	16,627	16,627	0
Place	57,498	55,584	(1,914)
Finance and IT	6,397	6,397	0
HR, OD & Transformation	11,924	11,924	0
Customer Services	336	336	0
Commercial Services	24	24	0
Total Expenditure	116,717	111,753	(4,964)
Resources:			
Prudential Borrowing	(52,543)	(52,313)	230
Capital Receipts	(147)	(147)	0
Reserves	(917)	(917)	150
Government Grants	(20,481)	(17,714)	2,767
Other Grants	(35,738)	(35,488)	250
Developers Contributions (S106)	(6,891)	(5,174)	1,717
Total Resources	(116,717)	(111,753)	4,964
Forecast Overspend in Resources	0	0	0

12.2. Table 1 illustrates a projected outturn at the end of the financial year of £111.753m, which is £4.964m less than the latest agreed budget for the year. This forecast variance is further analysed in Table 2 below.

Table 2: – Analysis of forecast variance

	Re-profiling of expenditure at Month 6	Capital schemes requiring additional funding	Completed Projects	Forecast variance against budget at Month 6
	£'000	£'000	£'000	£'000
Expenditure:				
Children's Service	(3,050)	0	0	(3,050)
Adult, Housing & Health	0	0	0	0
Environment & Highways	0	0	0	0
Place	(1,914)	0	0	(1,914)

¹ The schools capital budget is designed around academic years and officers are confident that this will be defrayed in full within the current academic year

	Re-profiling of expenditure at Month 6	Capital schemes requiring additional funding	Completed Projects	Forecast variance against budget at Month 6
Finance and IT	0	0	0	0
HR, OD & Transformation	0	0	0	0
Customer Services	0	0	0	0
Commercial Services	0	0	0	0
Total	(4,964)	(0)	(0)	(4,964)

- 12.3. Table 2 shows that the forecast underspend is principally due to slippage/budget re-profiling on current schemes (£4.964m). Consequently the funding remains allocated to specific current schemes.
- 12.4. A list of schemes where the variance is greater than £0.25m is shown in Appendix 2.
- 12.5. The full capital programme at month 6 by directorate and service is included at Appendix 3. This also includes the projected spend in 2020/21 and 2021/22.
- 12.6. A number of capital schemes are expected to complete construction in future years with expenditure totalling £66.734m. Budgets for these schemes have been profiled accordingly. The largest of the schemes relates to the A13 widening project with expected future years spend of £33m subject to the completion of a full audit to confirm final costs and timescales. Other schemes include:
- Stanford le Hope interchange – subject to an ongoing reappraisal of delivery options, the scheme is expected to progress in 2020.
 - Grays Underpass – the scheme is currently in the design phase with construction to follow in future years
 - Improvements to Linford Civic Amenity Site – the scheme is projected to complete in 2020/21.
- 12.7. In addition, the following schemes and allocations have Council approval but are dependent on scheme development and/or third parties:

Table 3: Capital Programme – Schemes under development

	Projected Scheme Budget
	£'000's
Purfleet Regeneration	12,300
School Improvements	12,299
Grays South Development	5,700
21 st Century Care Home	8,395
A13 East Facing Slip Road at Lakeside	50,000
Total Schemes under development	88,694
Resources:	
Prudential Borrowing	(35,747)
Government and Other Grants	(52,947)
Total Resources	(88,694)
Forecast Overspend in Resources	0

13. Housing Revenue Account Schemes

- 13.1. The current position for Housing Revenue Account schemes for 2019/20 is summarised in Table 4.

Table 4: HRA Capital Programme – Projected Outturn

	Latest Agreed Budget	Projected Outturn to 31/03/2020
	£'000's	£'000's
Expenditure:		
Transforming Homes	17,687	17,138
Housing Development	14,042	14,364
Total Expenditure	31,729	31,502
Resources:		
Prudential Borrowing	(10,249)	(9,700)
Capital Receipts	(9,295)	(9,295)
Reserves	(1,545)	(1,867)
Government & Other Grants	0	0
Major Repairs Reserve	(10,640)	(10,640)
Total Resources	(31,729)	(31,502)
Forecast Overspend in Resources	0	0

- 13.2. The budget for Transforming Homes in 2019/20 is £14.042m, with forecast spend of £14.364m. Spend as at 30 September 2019 was £5.365m. The additional expenditure (£0.322m) will be met from within the existing HRA resources available.
- 13.3. The revised budgets for 2019/20 for HRA New Build Schemes are set out below. The current forecast is £17.138m against a budget of £17.687m. These projects will utilise receipts held under Right to Buy sharing agreement between the Council and the MHCLG.

Table 5: HRA New Build Schemes

	Revised Budget	Spend YTD	Forecast	Variance from Revised Budget	
	£000	£000	£000	£000	%
Calcutta Rd	1,797	37	1,797	(0)	(0%)
Claudian Way	6,140	1,578	5,847	(293)	(5%)
Tops Club	9,750	3,376	9,494	(256)	(3%)
Total	17,687	4,991	17,138	(549)	(3%)

14. Reasons for Recommendation

- 14.1. The council has a statutory requirement to set a balanced budget annually. This report sets out the budget pressures in 2019/20 along with actions to mitigate these pressures and deliver a breakeven position.
- 14.2. There is a legal requirement for a Treasury Management Mid-Year Report to be submitted to Cabinet. This report has been written in line with best practice.
- 14.3. The recommendations are to ensure that Cabinet and Members are aware of the current status of the Capital Programme.
- 14.4. The report shows that a budget surplus is projected and allows the Cabinet to allocate the 2019/20 budget surplus to new and enhanced services for the borough.

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

- 15.1. This report is based on consultation with the services, Directors' Board and portfolio holders, and others, where direction is given to do so
- 15.2. The council's seeks appropriate credit and accounting advice with long term investment due diligence provided by industry experts.
- 15.3. The school capital programme and other identified works have been subject to extensive consultation with key stakeholders. The principle has been agreed with schools and the detailed build content is being agreed with the relevant schools. Consultation will continue with each school and key stakeholders as each scheme and works develop within the programme.

15.4. The principle has been agreed with schools and any detailed build content will be agreed with the relevant schools. Consultation will continue with each school and key stakeholder, as each scheme and schedule of works evolves within the programme.

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

16.1. The council's obligation to ensure that it adjusts to a reduction of the Revenue Support Grant (RSG) as part of the national objective to reduce the national deficit, has led to service reform, which has always aimed – and largely avoided – adverse impacts of the services the council provide. The potential impact on the council's ability to safeguard children and adults will be kept carefully under review and mitigating actions taken where required. The council continues to provide a high number of non-statutory services.

16.2. The council has developed a balanced MTF5 over three years that enables a more strategic view of the longer term funding requirements of the council to be taken. This view is vital in an area with projections for significant increases in the population over the next 20 years with associated demand for homes, schools, healthcare and council services.

16.3. The budget provides the finance to support capital projects that meet the corporate priorities. Any changes to the budgets may impact, positively or negatively, on the delivery of these priorities and the Council's performance, with a corresponding impact on the community.

16.4. The improvement in the educational facilities in Thurrock schools is part of the council's delivery of its Education Capital Strategy and supports the council's prioritisation of educational standards and pupil progress by helping to create great places for learning in the borough.

17. Implications

17.1. Financial

Implications verified by: **Jonathan Wilson**
Assistant Director - Finance

The financial implications are set out in the body of this report.

Council officers have a legal responsibility to ensure that the Council can contain spend within its available resources. Regular budget monitoring reports continue to come to Cabinet and be considered by the Directors Board and management teams in order to maintain effective controls on expenditure during this period of enhanced risk. Measures in place are continually reinforced across the Council in order to reduce ancillary spend and to ensure that everyone is aware of the importance and value of every pound of the taxpayers money that is spent by the Council.

Investments have been undertaken within the financial year, in line with agreed targets and the strategy, which support a forecast surplus budget position. This has allowed the Council to finance some in year budget pressures that would otherwise have been financed from service reductions or reserves.

The forecast level of overall net income is dependent on the prevailing rate of borrowing remaining in line with the current projections. These remain subject to change depending on external economic factors. An element of contingency is built into the forecast to account for this and should additional income arise then this will form part of any surplus carry forward into reserves and available for future years.

The General Fund Capital Programme is projected to have available resources of £4.964m at the end of the current financial year and these will be carried forward to fund schemes either in development or currently in progress. In addition, the programme also includes £66.734m for schemes that are dependent on scheme development and/or third parties. Through the active management of the programme the Council continues to maximise the resources at its disposal.

17.2. Legal

Implications verified by: Tim Hallam

**Acting Assistant Director Legal, Head of Law
& Governance, and Monitoring Officer**

There are statutory requirements of the Council's Section 151 Officer in relation to setting a balanced budget. The Local Government Finance Act 1988 (Section 114) prescribes that the responsible financial officer "must make a report if he considers that a decision has been made or is about to be made involving expenditure which is unlawful or which, if pursued to its conclusion, would be unlawful and likely to cause a loss or deficiency to the authority". This includes an unbalanced budget.

This report provides an update and allows Members to review the adequacy of existing budgets.

In determining its affordable borrowing limits under section 3 of the Local Government Act 2003, the Council must have regard to the "Prudential Code for Capital Finance in Local Authorities" (revised Edition 2007) published by CIPFA. In carrying out its functions under Chapter 1, Part 1 of the Local Government Act 2003, the Council must have regard to the code of practice contained in the document "Treasury Management in the Public Sector : Code

of Practice and Cross-Sectoral Guidance Notes” (Revised Edition 2009) published by CIPFA.

The Council has a duty under the Education Act 2006 to ensure the provision of “sufficient schools” for the provision of primary and secondary education in their area.

17.3. Diversity and Equality

Implications verified by: **Rebecca Lee**
Community Development Team Manager

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

17.4. Other implications

(Where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder, and Impact on Looked After Children)

The Council has developed a balanced MTFs over four years that enables a more strategic view of the longer term funding requirements of the council to be taken. This view is vital in an area with projections for significant increases in the population over the next 20 years with associated demand for homes, schools, healthcare and council services.

The delivery of council priorities has also been enabled by the approach and examples to date include:

- Significant improvement in the cleanliness and appearance of the borough;
- Improved quality of local highways;
- Actions taken to tackle specific Anti-Social Behaviour issues;
- Funding to challenge Highways England on the Lower Thames Crossing;
- Allocated funding for additional Police resource in the borough; and
- Local funding allocated to supporting residents with mental health and debt problems.

18. 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):

There are various working papers retained within the finance and service sections.

19. Appendices to the report

- Appendix 1 – Summary of General Fund Capital Programme

- Appendix 2 – Re-profiling of General Fund Schemes
- Appendix 3 – Medium Term Financial Strategy

Report Author:

Jonathan Wilson

Assistant Director - Finance

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Table 5 – Summary of the 2019/20 General Fund Capital Programme	Approved Budget			Projected Outturn			CY Spend (Sep-19)	% Spend against CY Forecast
	2019/20	2020/21	2021/22	2019/20	2020/21	2021/22		
Childrens Service	£'000 18,694	£'000 606	£'000 0	£'000 15,644	£'000 3,656	£'000 0	£'000 5,239	33.49
Adults; Housing and Health								
Provider Services	43	0	0	43	0	0	14	32.56
Better Care	1,500	0	0	1,500	0	0	190	13.00
Community Development	3,254	280	280	3,254	280	280	373	11.00
Housing General Fund	420	100	35	420	100	35	-2	0.00
	5,217	380	315	5,217	380	315	575	11.02
Environment and Highways								
Highways Infrastructure	693	631	0	693	631	0	11	1.59
Highways Maintenance	6,440	1,288	258	6,440	1,288	258	1,720	27.00
Resident Services	1,502	746	0	1,502	746	0	7	0.00
Environment	7,992	200	200	7,992	200	200	657	8.00
	16,627	2,865	458	16,627	2,865	458	2,395	14.40
Place								
Place Delivery - Highways Major Projects	35,646	20,339	8,140	35,616	36,402	8,057	16,995	47.72
Place Delivery - Regeneration	16,270	6,779	762	16,039	7,010	762	3,778	23.56
Planning and Transportation	5,582	190	0	3,929	1,652	190	1,381	35.15
	57,498	27,308	8,902	55,584	45,064	9,009	22,154	39.86
Finance and I.T.								
Information Technology	1,770	0	0	1,770	0	0	6	0.34
Corporate Assets	4,627	3,486	1,500	4,627	3,486	1,500	405	8.75
	6,397	3,486	1,500	6,397	3,486	1,500	411	6.42
HR, OD and Transformation	11,924	0	0	11,924	0	0	1,060	8.89
Customer Services	336	0	0	336	0	0	0	0.00
Commercial Services	24	0	0	24	0	0	0	0.00
Total Expenditure - General	116,717	34,645	11,175	111,753	55,451	11,282	31,834	28.49

Table 6 – Summary of the 2019/20 General Fund Capital Programme, by scheme status	Project Status	Approved Budget			Projected Outturn			CY Spend (Sep-19)	% Spend against CY Forecast
		2019/20	2020/21	2021/22	2019/20	2020/21	2021/22		
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	
	<i>Not yet started</i>	3,018	0	0	1,518	1,500	0	176	
	<i>Out to tender</i>	2,200	0	0	1,000	1,200	0	33	
	<i>Work commenced</i>	11,988	606	0	11,638	956	0	4,482	
	<i>Scheme completed</i>	54	0	0	54	0	0	48	
	<i>Completed retention o/s</i>	485	0	0	485	0	0	367	
	<i>Demand led</i>	949	0	0	949	0	0	134	
Total: Childrens Service		18,694	606	0	15,644	3,656	0	5,240	33.50
	<i>Not yet started</i>	340	0	0	340	0	0	0	
	<i>Scheme completed</i>	182	0	0	182	0	0	178	
	<i>On hold</i>	20	0	0	20	0	0	0	
	<i>Demand led</i>	3,207	380	315	3,207	380	315	149	
	<i>Feasability Stage</i>	748	0	0	748	0	0	131	
Total: Adults; Housing and Health		5,217	380	315	5,217	380	315	575	11.02
	<i>Not yet started</i>	241	0	0	241	0	0	0	
	<i>Planning decision</i>	3,155	0	0	3,155	0	0	2	
	<i>Work commenced</i>	9,381	1,288	258	9,381	1,288	258	1,767	
	<i>On hold</i>	322	746	0	322	746	0	0	
	<i>Demand led</i>	3,528	831	200	3,528	831	200	627	
Total: Environment and Highways		16,627	2,865	458	16,627	2,865	458	2,396	14.41
	<i>Not applicable</i>	0	0	0	0	0	0	0	
	<i>Not yet started</i>	63	190	0	63	0	190	0	
	<i>Design stage</i>	7,601	1,050	0	6,020	2,631	0	1,798	
	<i>Contract formation</i>	144	0	0	144	0	0	13	
	<i>Work commenced</i>	39,054	24,624	8,902	39,023	40,686	8,819	18,309	
	<i>Scheme completed</i>	1,591	0	0	1,532	0	0	896	
	<i>On hold</i>	472	1,444	0	170	1,747	0	79	
	<i>Demand led</i>	4,931	0	0	4,990	0	0	898	
	<i>Feasability Stage</i>	3,642	0	0	3,642	0	0	162	
Total: Place		57,498	27,308	8,902	55,584	45,064	9,009	22,155	39.86

Table 6 – Summary of the 2019/20 General Fund Capital Programme, by scheme status	Project Status	Approved Budget			Projected Outturn			CY Spend (Sep-19)	% Spend against CY Forecast
		2019/20	2020/21	2021/22	2019/20	2020/21	2021/22		
	<i>Not yet started</i>	311	0	0	311	0	0	0	
	<i>Design stage</i>	135	0	0	135	0	0	0	
	<i>Work commenced</i>	3,250	3,040	1,500	3,250	3,040	1,500	354	
	<i>Scheme completed</i>	1,388	0	0	1,388	0	0	10	
	<i>On hold</i>	1,079	446	0	1,079	446	0	-3	
	<i>Demand led</i>	234	0	0	234	0	0	51	
Total: Finance and I.T.		6,397	3,486	1,500	6,397	3,486	1,500	412	6.44
	<i>Not yet started</i>	100	0	0	100	0	0	0	
	<i>Design stage</i>	7,597	0	0	7,597	0	0	263	
	<i>Work commenced</i>	4,074	0	0	4,074	0	0	797	
	<i>On hold</i>	120	0	0	120	0	0	0	
	<i>Demand led</i>	33	0	0	33	0	0	0	
Total: HR, OD and Transformation		11,924	0	0	11,924	0	0	1,060	8.89
	<i>Work commenced</i>	308	0	0	308	0	0	0	
	<i>Scheme completed</i>	28	0	0	28	0	0	0	
Total: Customer Services		336	0	0	336	0	0	0	0.00
	<i>Work commenced</i>	24	0	0	24	0	0	0	
Total: Commercial Services		24	0	0	24	0	0	0	0.00
Total Expenditure - General Fund		116,717	34,645	11,175	111,753	55,451	11,282	31,838	28.49

Table 7 – Summary of the 2019/20 Housing Revenue Account Capital Programme	Approved Budget			Projected Outturn			CY Spend (Sep-19)	% Spend against CY Forecast
	2019/20	2020/21	2021/22	2019/20	2020/21	2021/22		
Adults, Health and Housing	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
Provider Services	17,687	6,268	1,092	17,138	6,268	491	4,992	
Better Care	14,042	0	0	14,364	-	0	5,365	
Total Expenditure - HRA	31,729	6,268	1,092	31,502	6,268	491	10,357	32.88

Table 8 – Summary of the 2019/20 Housing Revenue Account Capital Programme, by scheme status	Project Status	Approved Budget			Projected Outturn			CY Spend (Sep-19)	% Spend against CY Forecast
		2019/20	2020/21	2021/22	2019/20	2020/21	2021/22		
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	
	<i>Contract formation</i>	1,797	6,268	1,092	1,797	6,268	491	37	
	<i>Work commenced</i>	29,932	0	0	29,705	0	0	10,320	
Total Adults, Health and Housing - HRA		31,729	6,268	1,092	31,502	6,268	491	10,357	32.88

Table 9 - Scheme Reprofiting	Reprofiting £000's	Reason
Orsett Heath Free School	(1,500)	Re-profiting of budget to match expected spend.
Beynon Primary - Expansion (B0750)	(1,200)	Re-profiting of budget to match expected spend.
B186 West Thurrock Way - Road Capacity and Efficiency Improvement Project (E0915)	(1,129)	Re-profiting of scheme budget to match expected spend. Project to be implement in 2020/21
Corringham Primary School - Nursery Provision (B0748)	(350)	Re-profiting of budget to match expected spend.
RSF - Node 4 - North Stifford Int (E1830-T3031)	(302)	Re-profiting of budget to align with expected spend. Awaiting Highways England to undertake there part of the works, works scheduled for 2020/21.

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MEDIUM TERM FINANCIAL STRATEGY

Narrative	2020/21	2021/22	2022/23	2023/24	2024/25
	£000	£000	£000	£000	£000
75% BRR					
1. Local Funding					
Council Tax Base / Charge 1.5%	(1,770)	(2,099)	(2,162)	(2,228)	(2,253)
Council Tax Social Care Precept 2%	(1,337)	0	0	0	
	(3,107)	(2,099)	(2,162)	(2,228)	(2,253)
Business Rates Precept	(728)	(500)	(665)	(665)	(665)
	(728)	(500)	(665)	(665)	(665)
2. Total Government Resources					
Revenue Support Grant	(109)	6,831	0	0	0
Transfer to funding formula under 75% retention	0	(6,831)	0	0	0
Additional Social Care Grant	(2,705)	0	0	0	0
New Homes Bonus	114	527	491	289	0
Other Grants	252	283	0	0	0
	(2,449)	810	491	289	0
Net (Additional) Reduction in resources	(6,283)	(1,789)	(2,337)	(2,605)	(2,918)
3. Inflation and other increases					
Pay award at 2.8%, Increments and legislative changes	2,913	2,624	2,703	2,785	2,869
Contractual and Non Contractual Inflation	789	848	912	980	993
	3,702	3,472	3,615	3,765	3,862
4. Treasury					
Investment income	(3,818)	(3,214)	(3,756)	(1,700)	
Interest Costs	538	2,570	2,500	2,065	
MRP	1,102	308	32	0	
Treasury and Capital Financing	(2,178)	(336)	(1,224)	365	0
5. Allocation of Social Care Funding					
Adults Social Care - Precept	1,336				
Adults Social Care - Social Care Grant	738				
Children Social Care - Social Care Grant	1,968				
	4,042	0	0	0	0
6. Corporate & Demographic Growth	3,346	2,314	2,314	2,314	2,314
7. Services Design Principals and Strategic Boards	(900)	(1,000)	(1,000)	0	0
Position before carry forward	1,730	2,662	1,368	3,839	3,258
C/f Position	(5,803)	(4,074)	(1,412)	(45)	
Working Total	(4,074)	(1,412)	(45)	3,795	3,258

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15 January 2020	ITEM: 12 Decision: 110521
Cabinet	
Housing Development Process	
Wards and communities affected: All	Key Decision: Key
Report of: Councillor Barry Johnson, Portfolio Holder for Housing	
Accountable Assistant Director: David Moore, Interim Assistant Director of Place Delivery	
Accountable Director: Andy Millard, Director of Place	
This report is Public	

Executive Summary

On 18 June 2019, Housing Overview and Scrutiny Committee endorsed the delivery of a New Homes Delivery Programme. This report to Cabinet now sets out the criteria and process by which prospective sites in Council ownership will be identified for residential development by the Council itself (through the Housing Revenue Account (HRA)) or for development by the Council's wholly owned company, Thurrock Regeneration Limited (TRL). This report is not concerned with any site disposals or development, merely about agreeing the process and criteria for such decision-making.

1. Recommendation(s)

1.1 Cabinet approve the proposed process and criteria by which Council owned sites are selected for redevelopment for residential purposes.

2. Introduction and Background

2.1 The Council has agreed ambitious targets for house building both within the HRA and by TRL which are to build:

- up to 500 affordable HRA homes between 2019 to 2029
- 1000 homes for sale and rent by TRL by 2023

2.2 This follows the publication of the South Essex Strategic Housing Market Assessment (May 2017) which objectively assessed the need for housing in Thurrock between 2014 and 2037 as being between 1,074-1,381 new

dwellings per annum, within which the affordable housing element is estimated at 472 dwellings per annum.

- 2.3 Accordingly, the emerging Local Plan acknowledges the need for up to 32,000 new homes in Thurrock during the next Local Plan period to 2038. The new homes developed by the Council and TRL will contribute to this total.
- 2.4 On 18 June 2019, Housing Overview and Scrutiny Committee endorsed the delivery of a New Homes Delivery Programme through the Housing Revenue Account for the next 5 to 10 years and resolved to receive regular updates to assist in its successful delivery.
- 2.5 This report now sets out the robust criteria and transparent process by which prospective sites in Council ownership are identified for residential development by the Council itself for Housing Revenue Account (HRA) stock or for development by the Council's wholly owned company Thurrock Regeneration Limited (TRL). The process is geared to enable the sites to be delivered efficiently and at pace. Sites to be developed by TRL will also have to go to TRL's Board for approval once the site is seen as viable and has received a resolution to grant planning permission.
- 2.6 It should be noted that the sites will in effect be a "long list" of sites to be considered for development. Their inclusion on the list does not constitute any form of planning endorsement. Moreover, before any sites are progressed for redevelopment, there will be a clear need for early and meaningful engagement with communities and elected ward members.

3. Issues, Options and Analysis of Options

Proposed Process

- 3.1 The identification and filtering of potential development sites is a sensitive process that requires the careful consideration of a wide range of factors. By agreeing a range of criteria, this filtering process will be transparent and will also ensure that unsuitable sites, based on the agreed criteria, are not brought forward, thereby maximising the use of time and resource. Once the criteria and sites are agreed, then consideration can be focused on resident engagement regarding the sites, with an increased focus on pace and effectiveness of delivery supported by the views of the local community.
- 3.2 The following are proposed to be key criteria for sites deemed potentially suitable for development. Sites will often fall within more than one criterion. These criteria will be:
 - Sites will have been initially identified as suitable for development through the corporate asset review, known as the 3R's (Retain, Release, Reuse)
 - Sites can also be identified as surplus to requirements by the Council's multi-disciplinary Property Board

- If the site includes Open Space, it will only be brought forward for development if the open space is considered to be of poor quality and no longer required for that purpose (as defined in the 2016 Open Space Assessment or other similar reports)
 - Council owned car parks could also be brought forward if a Council review has concluded that the car park is no longer required for its original or other strategic car parking purpose
 - Sites that are HRA property can also be brought forward if the property is identified as being no longer required or fit for purpose – for example redundant garage sites identified through the HRA garage sites review - or where a more effective use of the asset has been identified and agreed
 - Sites can also be brought forward if there is clear evidence that their development will contribute to the wider regeneration of an area.
- 3.3 Subject to a site falling within one or more of these criteria, each site will then be subjected to a rigorous analysis of available background information about the sites, followed in due course by appropriate on-site assessments once the list of potential sites has been agreed. Examples of the analysis work undertaken would typically include:
- Land ownership and legal constraints reports
 - Flood and air quality assessments
 - Utilities (gas, water, electric, cable) surveys
 - Topographical and geotechnical studies to understand the layout and ground makeup
 - Ecological and arboricultural surveys.
- 3.4 Each site will then have an architecturally-led study to explore the type and quantity of housing that could be developed on the site, ensuring that the study meet the Council's high quality standards for housing. Various options are then assessed, together with their respective cost plans. The expected costs and receipts are then put into a financial viability analysis model to inform decisions as to whether a site is suitable and financially viable to develop. The study is an exercise to determine how many houses could go onto a site and the study is not expected to be the final design that will be submitted for planning approval.
- 3.5 If the site appears suitable and financially viable to develop, then it will be included on the "Long List" of potential sites for development.
- 3.6 It is important to stress that the inclusion of a site on the "Long List" does not constitute any planning endorsement.
- 3.7 The "Long List" of potential sites for Development will have input from Housing Overview and Scrutiny Committee and then go for approval to Cabinet, with appropriate amendments.
- 3.8 The sites will then go forward for detailed consultation with local communities, in a process that will be supported by the Council's internal Community

Development and Equalities Team, with input from other agencies as required. This is to ensure that consultation processes meet the Council's standards and that Members and residents are fully engaged in the process. The views of the community and stakeholders will be reviewed to determine any amendments required and how the scheme should be taken forward.

- 3.9 Any significant changes to the sites on the agreed list (such as changes to the "redline" boundary if neighbouring sites are identified) would be made in consultation with the Portfolio Holder, with significant changes being reported back to Housing Overview and Scrutiny Committee.
- 3.10 The process of identifying and agreeing the "Long List" of sites for development is intended to be an annual process, with a list of new sites being reviewed each year by Housing Overview and Scrutiny Committee and approved by Cabinet. Local Ward Councillors will also be contacted about sites on the 'Long List' of identified site that are within their ward boundary. This annual review process should ensure that new sites are brought forward regularly, thereby sustaining an annual pipeline of new sites to ensure the Council's agreed Housing Delivery targets are achieved

4. Reasons for Recommendation

- 4.1 To ensure that the Council can achieve its Housing Delivery targets in an open and transparent manner and in close liaison with local communities.

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

- 5.1 Housing Overview and Scrutiny considered this report on 29 October 2019 and supported the approach set out. It has also previously considered the New Homes Delivery Programme on 18 June 2019 and it will also consider the 'Long List' of sites at a future date.

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

- 6.1 The proposed process closely aligns with the Council's Vision and Priorities adopted in 2018. In particular it resonates with the "Place" theme which focuses on houses, places and environments that residents can take pride in.

7. Implications

7.1 Financial

Implications verified by: **Jonathan Wilson**
Assistant Director, Finance

Approval of the process will enable the Council and TRL to move forward with delivering a house programme which will contribute to the wider objectives of

the Council and support the Council's MTFS (where schemes are developed through TRL).

Costs associated with the initial feasibility assessment of schemes will need to be considered depending on the nature of the scheme and whether it is subsequently developed by the HRA or TRL.

The proposal is also likely to reduce the level of capital receipts available to the Council to fund other priorities.

7.2 Legal

Implications verified by: **Courage Emovon**
AG Strategic Lead / Deputy Head of Legal and Deputy Monitoring Officer

This report sets out the process and criteria by which Council owned sites are identified and selected for residential development via the Housing Revenue Account or for development by Thurrock Regeneration Limited (a Council wholly owned company). Legal Services will provide all legal advice (if any) arising from this report, as and when required by the Council.

7.3 Diversity and Equality

Implications verified by: **Rebecca Lee**
Team Manager – Community Development and Equalities

The service has completed a Community Equality Impact Assessment (CEIA) in line with Equality Act 2010 requirements and to gather an understanding of the impact on protected groups through the implementation of the process set out in this report. The findings from the CEIA established that the implications for each protected group is currently considered neutral. Individual CEIAs will sit alongside development proposals with information gathered in consultation with communities determining potential impacts and mitigation where identified for individuals or groups with protected characteristics. This will ensure more detailed consideration of the impacts of particular developments than is possible within the scope of the overarching CEIA and process set out in this report.

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

None

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

- None

9. Appendices to the report

- None

Report Author:

Keith Andrews
Housing Development Manager
Place Delivery

15 January 2020	ITEM: 13
Cabinet	
Homelessness Prevention and Rough Sleeping Strategy 2020-2025	
Wards and communities affected: All	Key Decision: Yes
Report of: Councillor Barry Johnson, Portfolio Holder for Housing	
Accountable Assistant Director: Carol Hinvest – Assistant Director of Housing	
Accountable Director: Roger Harris – Corporate Director, Adults, Housing and Health/Interim Director Children’s Services	
This report is Public	

Executive Summary

There is a statutory duty on every Local Authority to have a Homelessness Prevention and Rough Sleeping Strategy which sets out the local authority’s plans for the prevention of homelessness and for securing that sufficient accommodation and support are, or will be, available for people who become homeless or who are at risk of becoming so.

The local authority must ensure that all organisations whose work can help to prevent homelessness and/or meet the needs of homeless people are involved in the strategy.

The current homelessness strategy was adopted in Thurrock in 2015.

A new Homelessness Prevention and Rough Sleeping Strategy has been developed which takes into account current homelessness in the borough, the introduction of the Homelessness Reduction Act 2017, the impact of recent welfare reforms, and new opportunities for preventing homelessness.

The purpose of this paper is to present the final draft of the Homelessness Reduction and Rough Sleeping Strategy 2020-2025 to Cabinet for approval.

- 1. Recommendation(s)**
 - 1.1 Cabinet are asked to approve the implementation of the draft Homelessness Prevention and Rough Sleeping Strategy 2020-25.**
- 2. Introduction and Background**

- 2.1. The Homelessness Act 2002 placed a duty on every local authority to carry out a review of homelessness within their area. Following this review, local authorities were required to formulate and publish a Homelessness Strategy based on its findings.
- 2.2. Each Homelessness Strategy must set out plans for the prevention of homelessness, including securing that sufficient accommodation and support are, or will be, available for people who become homeless or who are at risk of becoming so.
- 2.3. The 2002 Act also includes requirements for local authorities to publish refreshed Homelessness Strategies, based on the result of further analysis, within five years of the publication of their last document. Local authorities are able to undertake such reviews and publish refreshed strategies more frequently if circumstances change.
- 2.4. Thurrock Council last refreshed its Homelessness Strategy in November 2015. Since this time, there have been a number of developments in case law and legislation, most notably relating to the enactment of the Homelessness Reduction Act 2017 which significantly reformed England's homelessness legislation and was widely welcomed by homelessness charities and support organisations.
- 2.5. In August 2018 the Ministry of Housing, Communities and Local Government (MHCLG) published its Rough Sleeping Strategy where the government stated a commitment to halve rough sleeping by 2022 and end it by 2027. Within this document it was also outlined that local authorities would be required to update their existing homelessness strategies.
- 2.6. Work to refresh Thurrock Council's Homelessness Prevention and Rough Sleeping Strategy began in Winter 2018 and has encompassed a number of key stages, including evidence and data gathering, peer reviews from leading sector experts, engagement with key partners and stakeholders.
- 2.7. An initial paper was presented at Housing Overview and Scrutiny Committee in February 2019 which outlined the plans for the development of a refreshed document. A further update was provided to Housing Overview and Scrutiny Committee in October 2019 which shared the emerging key themes as well as the details of consultation activity which had been undertaken.
- 2.8. The Council's Homelessness Prevention and Rough Sleeping Strategy represents an ambitious approach rooted by the fundamental principle that homelessness is not simply a housing issue, but is instead a complex social challenge requiring true collaboration to tackle effectively.

3. Homelessness Reduction and Rough Sleeping Strategy

- 3.1. The strategy presents comprehensive details of the local and national issues which affect homelessness in Thurrock, as well as an overview of the

legislation which outline the duties which the Council has to those in need of assistance.

- 3.2. The document also provides an overview of areas of significant action which has been undertaken by the Council since the implementation of the Homelessness Reduction Act, before detailing the main themes of the strategy which had been identified through stakeholder engagement.
- 3.3. The strategic themes which have been presented in the strategy are:
 - Partnership and Collaboration
 - Health and Wellbeing
 - Provision and Accessibility
 - Customer Excellence
- 3.4. Within each theme section, a number of broad key actions have been presented, including the establishment of a Homelessness Partnership Board for Thurrock. It has been a shared aspiration that the action plan will be a document which is jointly owned by partners, ensuring that the best outcomes can be achieved by using the skills, knowledge and expertise of each organisation.
- 3.5. The Homelessness Partnership Board will therefore be responsible for further development of the action plan for the strategy and for regularly monitoring and updating the document, so that progress is made and that key actions are delivered within defined timeframes.
- 3.6. To ensure that there is appropriate oversight of the action plan, an annual update will be provided to Housing Overview on Scrutiny Committee.

4. Reasons for Recommendation

- 4.1. As outlined, the Council has a statutory duty to ensure that it carries out regular analysis of homelessness in the borough and publishes a refreshed homelessness strategy at least every five years. The current strategy therefore requires a published refresh by November 2020.
- 4.2. Due to the significant changes since 2015 in welfare reform, homelessness legislation and housing provision in the borough, it is recommended that Housing Overview and Scrutiny Committee review this draft Homelessness Prevention and Rough Sleeping Strategy and provide feedback so that the document can be presented to Cabinet and published ahead of the statutory deadline.

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

- 5.1. As set out in the Homelessness Code of Guidance published by MHCLG, the Council must consult public or local authorities, voluntary organisations

and other people considered appropriate before adopting or modifying a homelessness strategy.

5.2 Consultation activity that has taken place so far includes face-to-face sessions with Council staff, with individuals which have used the Council's homelessness services, and with partner agencies. Statistical analysis has also been carried out, and presentations to other key Council services, committees and boards have been made to share findings and gather feedback. The Housing Overview and Scrutiny Committee has had an opportunity to provide feedback in both the development phase and on the draft strategy document itself.

5.3 Close work has and will continue to take place with a range of partners and service providers, such as the membership of the Council's Homelessness and Mental Health Forum, including NELFT, St Mungo's, Open Door, SERRIC, Mind, and Changing Pathways, and newer organisations such as the Friends of Essex and London Homeless.

6 **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):

Homelessness Code of Guidance for Local Authorities, MHCLG

7 **Implications**

7.1 **Financial**

Implications verified by: **Mike Jones**
Strategic Lead, Corporate Finance

By analysing homelessness in the borough and developing a new strategy in line with the preventative aims of the Homelessness Reduction Act 2017, it is hoped that the costs associated with the provision of services can be contained within the budget allocation. Additional funding to meet the current budget pressures within Homelessness have been identified in the Council's Medium Term Financial Strategy.

7.2 **Legal**

Implications verified by: **Tim Hallam**
Acting Head of Law, Assistant Director of Law and Governance and Monitoring Officer

Section 1(1) of the Homelessness Act 2002, requires a Local Authority to review homelessness in its area and to produce a strategy under s1(3). Section 1(4) requires that the strategy is reviewed and updated every 5

years, although Local Authorities may do this earlier/more frequently than that. The Homelessness Reduction Act 2017 changes should be reflected in such a strategy. Thurrock Council must comply with the legal requirement of having an updated strategy within five years of publication of its last strategy.

7.3 **Diversity and Equality**

Implications verified by: **Natalie Smith**
Strategic Lead, Community Development and Equalities

As outlined within this report and set out in the Homelessness Code of Guidance, consultation activity must take place with other public bodies, voluntary organisations, service users and other identified stakeholders before a new strategy can be implemented. By undertaking a homelessness review, a broad range of stakeholders throughout the community have been identified and involved in the activity to develop a holistic strategy. The consultation results will help to inform a Community Equality Impact Assessment prior to implementation of the strategy to identify and address any issues affecting those within the protected characteristics.

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

Not applicable

8 **Appendices to the report**

Appendix 1: DRAFT - Homelessness Prevention and Rough Sleeping Strategy 2020-2025

Report Author:

Ryan Farmer

Housing Strategy & Quality Manager

Business Improvement - Housing

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Homelessness Prevention and Rough Sleeping Strategy

2020-2025

Thurrock Council

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Foreword

The Homelessness Prevention and Rough Sleeping Strategy 2020-25 demonstrates Thurrock Council's response to date to key changes to homelessness legislation, such as the introduction of the Homelessness Reduction Act 2017, and sets out the strategic direction and key priorities for the next five years.

Whilst homelessness can be defined as the lack of a safe, secure and suitable home, we recognise that it is not a challenge which will, or even should, be addressed in Thurrock solely by the Housing service of the Council. Homelessness must be ended, but this goal cannot be achieved by one team in isolation.

The approach for the development of this strategy has seen the Housing service engage with other teams across the Council, with individuals, agencies and organisations from other sectors who support homeless households, and with those who have lived experience of homelessness themselves. Through this activity, we have been able to better understand what the main concerns, issues and barriers are which those who are homeless or at risk of homelessness face daily.

The insight and expertise provided through this engagement was invaluable, and has led to the



identification of following four key strategic priorities:

The strong message from the engagement activity was that collaboration, partnership and communication are all central to ensuring that high quality and timely support is provided to those who are homeless or at risk of homelessness.

This strategy recognises the importance of partnership and collaboration as a main principle, and as a priority the Council will drive forward to create a Homelessness Partnership Board which will be central to the ongoing monitoring of this strategy and the ownership of its action plan.

I look forward to work continuing between the teams within the Council, with partners across the public, private and third sectors, and with those approaching our teams for assistance, to achieve the shared goal of preventing and tackling homelessness in Thurrock together.

SIGNATURE?

Cllr Barry Johnson
Portfolio Holder for Housing

Introduction

The Homelessness Act 2002 placed a duty on every local authority to carry out a review of homelessness within their area. Following this review, local authorities were required to formulate and publish a Homelessness Strategy based on its findings.

Each Homelessness Strategy must set out plans for the prevention of homelessness, including securing that sufficient accommodation and support are, or will be, available for people who become homeless or who are at risk of becoming so.

The 2002 Act also includes requirements for local authorities to publish refreshed Homelessness Strategies, based on the result of further analysis, within five years of the publication of their last document. Local authorities are able to undertake such reviews and publish refreshed strategies more frequently if circumstances change.

Thurrock Council last refreshed its Homelessness Strategy in November 2015. Since this time, there have been a number of developments in case law and legislation, most notably relating to the enactment of the Homelessness Reduction Act 2017 which significantly reformed England's homelessness legislation and was widely welcomed by homelessness charities and support organisations.

In August 2018 the Ministry of Housing, Communities and Local Government (MHCLG) published its Rough Sleeping Strategy where the government stated a commitment to halve rough sleeping by 2022 and end it by 2027. Within this document it was also outlined that local authorities would be required to update their existing homelessness strategies by Winter 2019.

Work to refresh Thurrock Council's Homelessness Prevention and Rough Sleeping Strategy began in Winter 2018 and has encompassed a number of key stages, including evidence and data gathering, peer reviews from leading sector experts, engagement with key partners and stakeholders, and the development of an action plan to ensure progress towards addressing the key priorities outlined in this document throughout the life of this strategy.

The Council's Homelessness Prevention and Rough Sleeping Strategy represents an ambitious approach rooted by the fundamental principle that homelessness is not simply a housing issue, but is instead a complex social challenge requiring true collaboration to tackle effectively.

Corporate Context

The Homelessness Prevention and Rough Sleeping Strategy is underpinned by Thurrock Council's vision and corporate priorities which were adopted in January 2018. The Council's vision is for Thurrock to be **an ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future.**

Sitting alongside the vision are the three corporate priorities of People, Place and Prosperity.

People – a borough where people of all ages are proud to work and play, live and stay.

This means:

- high quality, consistent and accessible public services which are right first time
- build on our partnerships with statutory, community, voluntary and faith groups to work together to improve health and wellbeing
- communities are empowered to make choices and be safer and stronger together

There are key links to this priority, particularly with regards to the effective use of partnerships to not only improve health and wellbeing of homeless people but to improve services and outcomes for all households. Those who approach the Council for assistance with homelessness should receive a service from supportive and knowledgeable officers and partners which encourage and empower people to make their own choices to best meet their needs.

Place – a heritage-rich borough which is ambitious for its future.

This means:

- roads, houses and public spaces that connect people and places
- clean environments that everyone has reason to take pride in
- fewer public buildings with better services

The physical environment plays an important part in the lives of those who are homeless or at risk of homelessness. Safe, suitable and secure accommodation, or the lack of it, has a substantial impact on physical health, mental health and general wellbeing. This strategy aims to tackle the challenges surrounding the physical environment, through the provision of new accommodation and work with partners to ensure that existing accommodation is of good quality.

Prosperity – a borough which enables everyone to achieve their aspirations.

This means:

- attractive opportunities for businesses and investors to enhance the local economy
- vocational and academic education, skills and job opportunities for all
- commercial, entrepreneurial and connected public services

In the years since the Welfare Reform and Work Act 2016 there has been an upward trend in the number of households referred to Financial Inclusion Officers and foodbanks, particularly those who are homeless, at risk of homelessness and affected by in-work poverty. Through this strategy and the partnerships which will be developed, households will have greater access to employment and educational opportunities to enable and empower people to achieve their aspirations.

Legislative Framework

This section provides a summary of the key legislative elements which define the powers, duties and obligations of local authorities and other public authorities towards those who are homeless or are threatened with homelessness.

Housing Act 1996 Part 7

The main legislative provisions surrounding homelessness are contained in Part 7 of the Housing Act 1996. This Act provides the basis for action to prevent homelessness and provide assistance to those who are homeless or threatened with homelessness. The Housing Act 1996 includes:

- principal criteria which guides and defines the duties which a local authority will owe to a homeless applicant
- the requirement for a local authority to make inquiries to see if any duty is owed to an applicant that the authority has reason to believe may be homeless or threatened with homelessness
- when and how an applicant should be notified of any decision
- main accommodation duties and how they can be discharged
- how a decision can be challenged.

Whilst this the Housing Act 1996 is the primary piece of legislation, since its implementation it has been amended on a number of occasions, most notably due to the Homelessness Act 2002, the Localism Act 2011, and most recently the Homelessness Reduction Act 2017.

Homelessness Act 2002

The Homelessness Act 2002 introduced the requirement for local authorities to adopt more strategic approaches to tackling homelessness. The Act included obligations for local authorities to undertake regular reviews of current and future forecasted levels of homelessness within the local authority area, and outlined the requirement for the cyclical development and refresh process of homelessness strategies.

Homelessness (Priority Need for Accommodation) (England) Order 2002

Section 189 within Part 7 of the Housing Act 1996 outlines a number of examples of applicants which would have a priority need for accommodation, such as pregnant women, a person with dependent children, or a person who is vulnerable due to old age, physical disability or mental illness. This Order added further examples of applicants which would have a priority need for accommodation, such as homeless 16 and 17 year olds, care leavers under the age of 21, and people who are vulnerable as a result of time spent in care, the armed forces, prison or custody, and those who are vulnerable due to fleeing domestic violence.

Homelessness (Suitability of Accommodation) (England) Order 2003

Under this Order it is outlined that bed and breakfast accommodation, defined as accommodation which is not self-contained or requires the sharing of certain amenities with another household, is not to be regarded as suitable for families with children or containing a pregnant woman. If bed and breakfast accommodation is the only accommodation which is available then exceptions can be made, however any such placement must not exceed a maximum length of 6 weeks.

Localism Act 2011

The Localism Act 2011 amended Part 7 of the Housing Act 1996 by providing local authorities the power to end a main housing duty by arranging an offer of suitable accommodation in the private rental sector. This was introduced as a way of reducing the time that households spent in temporary accommodation as local authorities would have access to a greater range of housing options for applicants, both inside and outside of the local authority area.

Homelessness Reduction Act 2017

The Homelessness Reduction Act 2017 introduced a number of reforms to homelessness legislation in England. Through this Act, greater duties were placed on local authorities to intervene at far earlier stages to better prevent homelessness within their area.

Further to this, the Act requires local authorities to provide advice and assistance to all households which are homeless or at risk of homelessness, rather than just those households or applicants with an identified priority need for accommodation.

The Homelessness Reduction Act introduced:

- the requirement to provide enhanced advice and information about homelessness and the prevention of homelessness
- new duties to prevent and relieve homelessness for all those who are eligible for assistance, regardless of intentionality or priority need
- an extension of the period of time where households are considered to be 'threatened with homelessness' by local authorities from 28 to 56 days, allowing the local authority to work with households much earlier to prevent homelessness
- new personalised housing plans and assessments which outline the actions and reasonable steps which both the applicant and the local authority will take to prevent or relieve homelessness
- a new 'duty to refer' for specified public authorities, such as prisons and hospitals, to refer service users (with their consent) who they believe to be homeless or at risk of homelessness to local authority homelessness services.

National Context

Homelessness

Research by Crisis suggests that local authorities across the country have seen a 42% rise in homeless households since the low point in 2009.

Across England in 2018-19, 286,000 households approached local authorities and were assessed in order to establish if a prevention or relief duty was owed. Of these households, it was confirmed that 263,000 were owed a duty for assistance.

At the end of March 2019, the most common reasons for the loss of accommodation as reported in MHCLG statistics were:

- family or friends no longer willing or able to accommodate (24.6%)
- the end of an assured shorthold tenancy (21.8%), of which
 - 48% were evicted as the landlord wished to sell or re-let the property
 - 26% were evicted due to rent arrears
- violent breakdown of relationship with partner (8.6%)
- non-violent breakdown of relationship with partner (7.9%)

Other reasons for loss of accommodation includes, but is not limited to, the loss of social rented tenancies, eviction from supported housing, the loss of accommodation due to fire, flood and emergency, mortgage repossession, property disrepair and the loss of accommodation due to leaving HM forces.

The use of temporary accommodation across England has increased over the past eight years. At the end of 2010-11 there were 48,240 households living in temporary accommodation. By the end of 2018-19 the number of households living in temporary accommodation had increased by 75.6% to 84,740.

The factors contributing to homelessness nationally includes:

- diminishing financial support for private renters on low incomes – research by Crisis and the Chartered Institute of Housing has shown that underinvestment in local housing allowance rates means that 92% of areas in Great Britain and 97% of areas in England were deemed to be unaffordable for single people, couples or small families in 2018/19. Local housing allowance rates control the maximum level of Housing Benefit or the housing element of Universal Credit which can be claimed
- high demand for housing and limited supply leading to increases in both purchase prices and rental costs, leading to greater shortfalls between local housing allowances and private sector rents
- high demand for social and affordable housing, with extremely limited supply and relatively low levels of new development
- increased financial and budgeting pressures as a result of welfare reforms, such as the introduction of Universal Credit and benefit caps
- the reduction of funding of statutory and voluntary services which support the most vulnerable residents.

Rough Sleeping

In its Rough Sleeping Strategy, the government has committed to halving rough sleeping by 2022 and end it by 2027. In order to achieve these aims, it expects central and local government to work in partnership with businesses, communities, faith and voluntary groups and the general public to work together in new ways, tackling the issues of homelessness and rough sleeping directly.

Local authorities are required to undertake an annual exercise which provides a snapshot of people sleeping rough within their administrative boundaries on a single night and can be carried out as a physical count or an evidence-based estimate. There are challenges associated with accurately reporting the number of people who have experienced rough sleeping, and the number of people identified as sleeping rough on any given night can be affected by the weather, the availability of alternatives to rough sleeping such as night shelters, the size of the local authority area and the time of year.

Official statistics published by MHCLG indicate that in 2018 the number of individuals estimated to have been sleeping rough in England on a single night was 4,677. Whilst this represents a slight decrease of 2% when compared to the previous year (4,751), it is a marked increase of 167% against the number of individuals estimated to have been sleeping rough on a single night in England in 2010 (1,768).

The number of individuals experiencing rough sleeping is not distributed evenly across the country, with London accounting for 27% of the overall number of people sleeping rough in England (1,283). Although the number of people sleeping rough across the country as a whole reduced by 2% compared to 2017 with 40% of local authorities reporting a reduction in rough sleepers within their administrative boundaries, London as a whole experienced an increase in people rough sleeping by 13% in the same period.

84% of those experiencing rough sleeping are men, and 14% were women, however a trend has been identified which indicates that the number of women sleeping rough is increasing. It is difficult to gather detailed information about women who are sleeping rough and their support needs as evidence indicates that they are more likely to move at night, make themselves less visible or actively conceal their gender in order to ensure personal safety, as women who experience rough sleeping also experience increased vulnerability compared to men.

In terms of other demographic indicators of those who experience rough sleeping, 80% of people sleeping rough were over the age of 25, with 6% between the ages of 18 and 25. 64% of rough sleepers were UK nationals, with EU nationals from outside the UK and non-EU nationals accounting for 22% and 3% of the total respectively. In London, the number of non-UK EU nationals sleeping rough increased by 87%, whereas the number of UK nationals non-EU nationals both reduced.

Those who experience rough sleeping are likely to require support regarding drug misuse, alcohol misuse or mental health needs. 2018-19 CHAIN data from London indicated that 50% of those seen rough sleeping required mental health support, 42% required support for alcohol misuse and 41% required support for drug misuse. Only 1 in 5 of people seen sleeping rough did not require support as previously outlined.

People sleeping rough also face significant challenges with access to primary care for their physical health, which is negatively affected due to poor living conditions, poor diet, difficulties with maintaining personal hygiene, exposure to sustained high levels of stress and the misuse of drugs and alcohol. The Office of National Statistics (ONS) indicates that April and December are the months with the highest number of estimated deaths of homeless people, which suggests that

weather may also have an impact upon physical health, however the ONS has identified that further analysis would be required before establishing causation rather than simply correlation.

As outlined, the impacts of rough sleeping on the health of an individual is serious, and those who experience multiple or extended periods of sleeping rough are more likely to die younger compared to the general population, and are more likely to die as a result suicide, injury or drug/alcohol poisoning.

The average life expectancy of those who experience rough sleeping is markedly lower than the general population. For men, the average age of death for someone experiencing rough sleeping was 44, and for women was 41. In the general population, the average age of death for men was 76, and for women was 81.

Statistics published by the ONS estimate that 726 people died in 2018 across England and Wales whilst sleeping rough or using emergency accommodation, representing an estimated increase in deaths of 51% since 2013 and an increase of 21% compared to 2017.

52% of those who die whilst sleeping rough die due to alcohol or drugs, compared to 2% in the general population - deaths due to drug-related poisoning have been estimated to have increased by 55% from 190 deaths in 2017 to 294 deaths in 2018. A number of deaths due to other health conditions may have been preventable with access to care which was both timely and effective.

Changes in Legislation and Policy

There have been a number of notable events and developments since Thurrock Council last refreshed its Homelessness Strategy in 2015 which have affected the housing landscape. Some changes have led to new opportunities for local authorities to better meet the needs of their residents, whereas others have negatively impacted upon residents and have, in part, contributed to the increase in households approaching the Council for assistance. These include:

- the implementation of the Welfare Reform and Work Act 2016 and the roll-out of Universal Credit for new claimants
- the freeze of local housing allowance (LHA) rates running from April 2016 to March 2020
- the introduction of the Housing and Planning Act 2016
- the government's housing white paper, "Fixing our broken housing market", published in February 2017
- the introduction of the Homelessness Reduction Act 2017 in April 2018
- the removal of the Housing Revenue Account borrowing cap in October 2018, lifting restrictions placed on local authority borrowing for building, refurbishing and regenerating properties

There is also potential for further changes in the near future in housing policy and legislation, following the government's response to a number of consultations including:

- "A new deal for social housing" – the government's social housing green paper published in August 2018
- a review of the rules which govern the ways that that Local Authorities are able to use the money raised through Right to Buy sales, published in August 2018
- "A new deal for renting" – proposals to remove Section 21 'no-fault' private sector evictions and strengthen the Section 8 eviction process, published in July 2019

Local Context

Since the introduction of the Homelessness Reduction Act in April 2018 Thurrock Council has experienced an increase in the number of households which are homeless or at risk of homelessness that have approaching the Housing Solutions service for assistance.

	2017-18	2018-19	2019-20
April to October	822	888	1254
April to March	1395	1605	2150 (forecast)

In 2018-19, the first year of the Homelessness Reduction Act, the number of households approaching the service increased by 15% compared to the year before. In the months between April and October 2019, the service has seen a 41% increase in approaches compared to the same period in 2018-19, and a 53% increase in approaches compared to April to November 2017.

As reported in data published by MHCLG, approximately 23% of households that approached the Council in 2018-19 that were owed the prevention or relief duty were homeless or at risk of homelessness as a result of the termination, or risk of termination, of a tenancy in the private rental sector. Exclusion by family and friends accounts for the reason for homelessness cited by around 35% of households.

The Homelessness Reduction Act places greater emphasis on the Council assisting homeless applicants to prevent or relieve their homelessness. In some instances this is not possible, however the Council may still have a duty to secure accommodation if the applicant is eligible for assistance, is homeless or at risk of homelessness, has a priority need and is not intentionally homeless. In 2018/19, 58% of households owed this duty were comprised of a lone female parent with a dependent child or children, 15% were couples with a dependent child or children, and 3% were a lone male parent with a dependent child or children.

78% of applicants owed the rehousing duty had an identified priority need as a result of dependent children or pregnancy within the household. 7.6% of households had an identified priority due to physical disability, and finally mental health illnesses accounted for 6.6% of the households.

There have been significant changes in the housing market in Thurrock during the lifetime of the current Homelessness Strategy. These have led to increased challenges surrounding affordability in the borough for both residents attempting to find secure accommodation and for the Council to fulfil its rehousing duty.

Firstly, between February 2014 and February 2019 the average house price increased by 50%, from £199,666 to £298,694. Whilst the average house price in Thurrock remains lower than in the neighbouring South Essex boroughs of Basildon, Castle Point, Rochford and Southend, the percentage increase experienced in Thurrock between 2014 and 2019 is greater.

There have been increases in property purchase prices across all sizes and types in the above period, as illustrated in the below table.

Property Type	Feb 2014 Value	Feb 2019 Value	% increase	£ increase
1 bed flat	£97,725	£149,643	53.1%	£51,918
2 bed flat	£129,129	£197,865	53.2%	£68,736
2 bed house	£178,653	£279,051	56.2%	£100,398
3 bed house	£205,486	£316,043	53.8%	£110,557
4 bed house	£291,783	£438,840	50.4%	£147,057

Analysis of household income data indicates that 59.8% of Thurrock households have a gross income of £40,000 or less. Further analysis of property purchase affordability indicates that a household income of £35,000-£40,000 is required for a first time buyer to purchase a flat or maisonette in Thurrock.

This means that approximately 52.9% of Thurrock households would not meet the affordability requirements to purchase the smallest types of property available on the housing market. For terraced houses, semi-detached houses and detached houses, the percentage of first time buyers in Thurrock that would not be able to afford to purchase these types of properties are 76.6%, 84.2% and 92.4% respectively.

The average weekly cost to rent in Thurrock has also increased over the past five years. The table below illustrates both the lower quartile (LQ) and average weekly costs of renting by property size in both 2014 and 2019.

Property Type	2014		2019		Increase %		Increase £	
	LQ	Average	LQ	Average	LQ	Average	LQ	Average
1 bed	£129	£139	£166	£172	29%	24%	£37	£33
2 bed	£162	£174	£207	£219	28%	26%	£45	£45
3 bed	£196	£218	£265	£276	35%	27%	£69	£58
4 bed	£277	£296	£336	£357	21%	21%	£59	£61

This data indicates that to rent an average one bed property for 52 weeks in 2019, a household would be paying £8,944, compared to £7,228 for 52 weeks in 2014. This represents an increase in housing costs of £1,716. The annual increase to rent a two, three or four bedroom property for 52 weeks between 2014 and 2019 is £2,340, £3,016 or £3,172 respectively.

The most recent earnings by place of residence dataset published by the Office for National Statistics gives the below mean gross salary for Thurrock. A calculator has been used to show the net income based on deductions for income tax and national insurance for the 2019-2020 financial year.

	Gross	Net (2019/20)
Thurrock Mean Salary	£28257	£22751

According to the Joseph Rowntree Foundation, the maximum Housing Cost to Income Ratio (HCIR) in order for accommodation to be considered to be affordable would be 1:3. This means that if a household is spending more than a third of its net income on accommodation costs, that accommodation would not be deemed to be affordable.

The below table illustrates the average housing cost affordability for households with one or two full-time earners in comparison with lower quartile and average rents.

	Average weekly affordability (1x FT salary)	Average weekly affordability (2x FT salary)	1 bed	2 bed	3 bed	4 bed
Lower Quartile	£146	£292	£166	£207	£265	£336
Average Rent			£172	£219	£276	£357

This table indicates that for a household with a single full-time average income, weekly rents in the private sector are not affordable across all property sizes. A household with two full-time average incomes may find the private rental sector more affordable for properties with one or two bedrooms, however would experience less affordability with three or four bedroom properties.

There are also noticeable shortfalls between the maximum Local Housing Allowance (LHA) rate and weekly rents in the private sector. The table below displays the current weekly LHA rates for one, two, three and four bedroom properties as well as the weekly shortfalls between the LHA rates and average rental costs.

	1 bed	2 bed	3 bed	4 bed
LHA Rate	£136	£171.08	£199.80	£266.65
Lower Quartile Shortfall	£30	£35.92	£65.20	£69.35
Average Rent Shortfall	£36	£47.92	£76.20	£90.35

As demonstrated in the above table, the current LHA rates are not sufficient for average rental values in Thurrock. A claimant in an average one bedroom private rental property would have an annual shortfall of £1,872 between the cost of renting and the amount of Housing Benefit or Universal Credit housing element.

Action to Date

In response to the legislative changes introduced through the Homelessness Reduction Act 2017 and the challenge to end rough sleeping as set out in the government's Rough Sleeping Strategy, Thurrock Council has already started to take action by making changes and improvements to the way that services are delivered. These changes include:

- **Rough Sleeper Initiative**
 - Thurrock Council has been successful in securing funding through the government's Rough Sleeper Initiative Fund, and using this to recruit both a Rough Sleeper Coordinator and a Rough Sleeper Outreach Worker.

These new roles will enable greater engagement with individuals who are sleeping rough, allowing for detailed work to take place to recognise and best support the needs of rough sleepers in the borough.

- **Rapid Rehousing Pathway and Private Rented Sector Access**
 - Thurrock Council has also been successful in securing funding through the Rapid Rehousing Pathway and Private Rented Sector Access funds. Two new roles have been created and these officers work to assist and help find accommodation for single people with no priority need.

Working alongside single non-priority applicants, these officers are able to identify previous or existing challenges which applicants may have with securing and sustaining accommodation, including identifying the risk of rough sleeping.

When working to secure accommodation, these officers have access to funding to offer as rent deposits or to bridge the shortfall between local housing allowance rates and private rental sector costs – both of which can be substantial barriers to individuals aiming to rent in the private sector in Thurrock.

- **Peer Reviews**
 - The homelessness service commissioned the National Practitioner Support Service (NPSS) and Shelter to conduct reviews of the service focusing on key areas which impact upon the customer experience. The main aim of these reviews was to seek an external view on how Thurrock is performing against the new legislative functions introduced by Homelessness Reduction Act 2017 and how well the service is working with residents and partners in making the correct decisions and providing the right advice in line with the law on homelessness.

Shelter undertook a file review in March 2019, and 'mystery shopping' exercise in June-July 2019. The NPSS review was carried out in July 2019.

The reviews by both organisations identified areas of good performance and have demonstrated that the service is performing at a reasonable level, whilst also recommending areas where service delivery can continue to be improved in order to better assist those approaching the Council's homelessness service, ensuring that positive outcomes can be achieved.

A detailed set of these recommendations have been produced which has been used to set the foundation of a Customer Excellence Programme for the homelessness service.

- Customer Excellence Programme
 - The Customer Excellence Programme began following the NPSS and Shelter peer reviews in 2019. A detailed project plan has been established and addresses themes such as strategic priorities, investment, corporate commitment, joint working, corporate facilities, customer experience (including assessments, ongoing support, temporary accommodation and customer feedback), staff development and operational delivery. The project is due for review and evaluation in March 2020.
- Brook House Hostel
 - The Council is working to increase the amount of Council-owned temporary accommodation located in the borough, and has taken significant steps to date which includes the purchase of Brook House which is now operating as a ten-unit temporary accommodation hostel.

Feedback to date from households currently placed in Brook House has been positive with regards to the support and advice from officers and the quality of accommodation.
- Housing First Programme
 - Thurrock Council has been operating a Housing First programme for a number of years. This programme provides intensive support to people who are long term or recurrently homeless and have high ongoing support needs.

The project has so far successfully supported 7 individuals who were homeless or threatened with homelessness. They had faced persistent barriers to accessing housing, some of which were caused by a variety of health conditions and addictions resulting in complex needs.
- Severe Weather Emergency Protocol Review
 - A review of the Severe Weather Emergency Protocol has recently been undertaken to ensure that vulnerable people are protected during the winter when weather threatens their safety, health and wellbeing
- Review of Case Management System
 - The case management system used to record homelessness as well as the letters generated by the system have been reviewed and refined. Through this process, the usage of the system has been improved and enhanced to ensure that officers are recording information as accurately as possible, leading to the best outcomes for customers.
- Staff Training Programme
 - An ongoing training programme has been developed for officers in the homelessness service and covers areas including:
 - Homelessness Reduction Act, including personalised housing plans
 - partnership working
 - welfare and benefits knowledge
 - tenancy and tenure training
 - legislation and case law reviews
 - systems training
 - customer care and experience training.

Strategic Priorities

As set out in the Homelessness Code of Guidance published by MHCLG, the Council must consult public or local authorities, voluntary organisations and other people considered appropriate before adopting or modifying a homelessness strategy.

Engagement activity undertaken throughout the development phase of the delivery of the Homelessness Prevention and Rough Sleeping Strategy included face-to-face sessions with Council staff, partner agencies and individuals currently using the Council's homelessness services, statistical analysis, and presentations to other key Council services, committees and boards.

Close work has and will continue to take place with a range of partners and service providers, such as the membership of the Council's Homelessness and Mental Health Forum, NELFT, St Mungo's, Open Door, SERICC, Mind, and Changing Pathways, and newer organisations such as the Friends of Essex and London Homeless.

A number of key themes emerged through the engagement period, and these key themes serve as a thread through each individual action in the strategy's action plan.



Strategic Priorities

Partnership and Collaboration

The first theme that has been identified focuses on true partnership and collaboration, not only between Council services but also with public bodies such as NHS Trusts, Police and neighbouring local authorities, as well as homelessness charities, registered providers and other organisations that support those who are homeless, or at risk of homelessness.

This approach is necessary, as homelessness can be both a cause and result of factors beyond the boundaries and knowledge of the Housing service. There are examples of local authorities establishing homelessness partnership boards that bring experience and expertise together to address these key issues and make a joint commitment to tackling all forms of homelessness, including rough sleeping.

A major factor currently experienced in Thurrock is the number of households being placed in the borough by other local authorities, either within temporary accommodation or as a final placement. This impacts upon the availability of accommodation for the Council to secure as accommodation for its own residents, but also has an impact on the resources of the partners listed above.

These partners may also be aware of households or individuals who are homeless or at risk of homelessness, but have not approached the Housing Solutions team for assistance. There may be a range of reasons for this, however increased relationships between organisations may help to encourage those who are often most vulnerable to seek assistance with the right support.

Lastly, new community groups, voluntary organisations and charities are set up which work with those who are homeless or at risk of homelessness, however the Council's homelessness service may not always be made aware. By establishing a cross-sector network, it will ensure that all partners can be kept informed of new developments across organisational boundaries.

TOGETHER WE WILL...

Establish a Homelessness Partnership Board for Thurrock, bringing together partners from the public, private and community, voluntary and faith sectors as well as those with lived experience to tackle homeless in the borough

Commit to work closely with London authorities to reduce the impact of out-of-borough placements of homeless households in Thurrock

Work with stakeholders and the community, voluntary and faith sector to address the support, education, training and employment needs of vulnerable people

Share knowledge between partners to improve the identification of individuals experiencing rough sleeping in Thurrock in order to provide appropriate and timely support

Strategic Priorities

Health and Wellbeing

The second theme focuses on the health and wellbeing of those who approach the Council's homelessness service for assistance. The uncertainty that loss of secure accommodation brings and its effect on daily life has a substantial impact on general wellbeing, however there are often a number of other physical or mental health needs for which an applicant may require support.

The impact of sexual and domestic abuse on individuals and their families is profound, significantly affecting both physical and emotional health and wellbeing. Those affected will often be deprived of safe, secure and suitable accommodation and will require highly specialised support as a result of the abuse which has been experienced.

The existing joint protocol for survivors of sexual and domestic violence has set a strong foundation by ensuring that partners commit to following good practice in order to provide support in a consistent, safe and effective way. Further work can be undertaken to review the joint protocol to reflect the current practice, including identifying and engaging with other agencies and organisations which work with those affected by sexual and domestic abuse. This activity will also take into consideration any applicable recommendations made in the Council's 2019 Sexual Violence and Abuse joint strategic needs assessment (JSNA).

There is growing understanding of mental ill-health relating to its role as both a contributory factor to, and a consequence of, homelessness. Closer liaison with partners will be established, in particular with those offering support for mental health and wellbeing, so that defined referral pathways between can be developed, redesigned or republished, helping households to access timely and suitable support. Recommendations made in the Council's 2018 Mental Health JSNA will also be explored, as will opportunities to allow improved access to all health services, especially for those who are rough sleeping or have no fixed address.

The Council's Veteran's Charter recognises that those who have served in the armed forces in particular may experience issues which impact upon their health and wellbeing. As previously outlined, housing is also a well-established determinant of health, so through proactive identification of veterans which approach the Council's homelessness service, specialised advice and information can be provided to best support former members of the armed forces to secure safe and suitable accommodation.

TOGETHER WE WILL...

Redefine and simplify pathways for vulnerable households to access health and wellbeing services across the borough, especially in relation to mental health

Increase awareness of the physical impact of homelessness and work with partners to improve access to primary care services for those experiencing rough sleeping

Explore opportunities to deliver improved services to armed forces veterans who are homeless or at risk of homelessness

Review and revise the existing joint protocol for supporting those at risk of homelessness as a result of fleeing domestic and sexual abuse

Strategic Priorities

Provision and Accessibility

The third theme explores the provision and accessibility of accommodation for those who approach the Council for assistance. There are great pressures on finding and securing affordable accommodation in Thurrock, not only in the private rental sector but within social housing as well. Demand far outstrips supply for the Council's own stock, although there are a number of ongoing new build schemes, and there is a disproportionately small amount of housing association properties within the borough as an alternative.

Affordability is a key factor in securing accommodation. Through the development of a partnership approach, it may be possible to improve financial inclusion or increase access to employment opportunities, thereby increasing the number of affordable options available to applicants.

Additional challenges in this area include competition to secure stock within Thurrock with other local authorities with greater financial resources. Work is ongoing to develop a local offer to engage with local landlords and reputable lettings agents in order to build positive and beneficial relationships for the supply of properties.

It may also be possible to explore new options for emergency, temporary and permanent accommodation. Thurrock has experienced recent success in increasing provision of accommodation in the borough - the Brooke House hostel was brought into use as more in-borough temporary accommodation in October 2019 and options have been explored with a number of partners in the voluntary, community and faith sector which has led to a winter night shelter provision being established in the borough.

Further engagement with stakeholders and other partners, such as housing associations, is also due to take place, with the aspiration that a range of housing options, including more affordable housing, will become available for households in Thurrock.

TOGETHER WE WILL...

Explore options to increase Council-owned temporary accommodation available within the borough

Review the Winter Night Shelter to assess its impact in order to guide future provision

Develop new social housing in the borough to be let at levels within Local Housing Allowance rates

Engage with landlords in the private rented sector to secure safe, suitable and affordable accommodation for homeless households

Strategic Priorities

Customer Excellence

Finally, an important factor in the delivery of the Homelessness Prevention and Rough Sleeping strategy, as well as the day-to-day service provision, are the homelessness teams themselves. Officers serve as a vital link between partners, other professionals, housing providers and the households approaching the Council for assistance.

It is recognised that intense levels of support are required for some applicants, including rough sleepers, and a detailed understanding of complex legislation and guidance is required in order to make correct decisions within defined timeframes.

A key part of the Customer Excellence Programme, and therefore the Homelessness Prevention and Rough Sleeping Strategy, is ensuring that staff receive ongoing training and development which enables the best outcomes to be achieved.

Officers will need to build new connections as well as reinforce existing relationships between the service and its partners in order to make best use of the knowledge and expertise available. Further areas for development are outlined in the Housing Solutions Customer Excellence Programme report

TOGETHER WE WILL...

Ensure that training regarding homelessness legislation and best practice is available for Council staff and partners involved in supporting homeless households in Thurrock

Consider ways in which the Council could develop support and accommodation options for people with complex needs

Engage with those with lived experience of homelessness to support future service and policy development and design

Build a directory of specialist knowledge and skills, embedding officers these skills directly into the homelessness service where possible, to provide timely and appropriate support to homeless households in need

Monitoring and Review

Alongside the Homelessness Prevention and Rough Sleeping Strategy sits an action plan. Throughout all elements of partner engagement and consultation, it has been a shared aspiration that the action plan is a document which is owned jointly by partners to ensure that the best outcomes for those who are homeless or at risk of homelessness are achieved by using the skills, knowledge and expertise of each organisation.

The action plan will be regularly monitored and updated to make sure that progress is made and that key actions are delivered within defined timeframes. A group will be responsible for this activity, formed as part of a new Homelessness Partnership Board which will be established during the lifetime of this strategy.

Between the publication of this strategy and 2025 it is anticipated that a number of new actions will be added to the action plan as a reaction to changes in external factors (such as legislation) or proactively if an opportunity to do so arises. These additions will be managed appropriately and will ensure that the key themes continue to be reflected throughout the action plan.

To ensure that there is appropriate oversight of the action plan, an annual update will be provided to Housing Overview and Scrutiny Committee.

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15 January 2020	ITEM: 14
Cabinet	
School Protocol to Reduce Serious Youth Violence	
Wards and communities affected: All	Key Decision: Key
Report of: Councillor James Halden Portfolio Holder for Education and Health	
Accountable Assistant Director: Michele Lucas, Assistant Director, Education and Skills	
Accountable Director: Roger Harris, Corporate Director, Adults, Housing and Health / Interim Director of Children's Service	
This report is: Public	

Executive Summary

We believe that protecting children and young people is a core principle of our work. The recent publication of our Education Support Strategy has set out how we are working in partnership to support children and young people access educational provisions that offers a well-rounded and balanced curriculum.

We recognise that some of our children and young people need additional support and our new protocol to reduce vulnerability factors to safeguard children and young people from serious youth violence is one way in which we are supporting this aim. Thurrock's continued commitment to cross directorate working has enabled us to develop this work in partnership with a range of colleagues both internal and external of the council.

1. Recommendation(s)

- 1.1 Cabinet to approve the Schools Protocol to reduce vulnerability factors and safeguard children and young people from serious youth violence.**
- 1.2 Cabinet continue to invest and identify positive activity programmes to provide alternative pathways for vulnerable children and young people.**
- 1.3 Cabinet continue to endorse the cross directorate working that is in place to support our wider community safety ambitions for children and young people.**

2. Introduction and Background

- 2.1 Much of the nation has seen an increase in the number of knife crime incidences and other serious youth violence offences, due to the changing nature of crime. The joint work between Schools, Police, Community Safety Partnership, Public Health and the Youth Offending Service is looking to address this on a system wide approach.
- 2.2 The development of the protocol is the combined work of all the agencies coming together to offer a holistic approach on how to tackle serious youth violence. We recognise that early intervention is a key strand to our work and the Local Authority have invested in more youth related activities and programmes developed in partnership with the Police and Youth Offending Service to address issues at an earlier stage.
- 2.3 Raising awareness of what to look for has been a key strand of our communication to schools and other youth and community groups. We continue to ensure that we work in partnership with schools and other agencies to safeguard children and young people.
- 2.4 This year's annual public health report from our Director of Public Health will focus on this subject. This report will be presented in the spring with the aim of providing a clear evidence base around some of the interventions and what impact they have had as what else we can introduce to support children and young people. We recognise that this is a multi-layered issue and we can only address this by looking at the route, cause and designing and co-producing services for young people with young people.
- 2.5 The Youth Cabinet are actively involved in this work and are looking at ways in which young people can be supported. They provide the challenge around how we ensure children and young people have a voice in the designing of services.

3. Issues, Options and Analysis of Options

- 3.1 The Local Authority in partnership with schools, police, public health, YOS and the community safety partnership have developed the schools protocol to reduce vulnerability factors and safeguard children and young people from serious youth violence. The protocol recognises the joint responsibilities across the key agencies and looks at how we can further develop our holistic approach to support vulnerable children and young people.

4. Reasons for Recommendation

Cabinet have a clear and accountable governance responsibility around how we support and work with schools to provide clear leadership in relation to working with vulnerable children and young people.

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

5.2 Local Educational Providers, Public Health, YOS, Community Safety Partnership, Police.

6. Impact on Corporate Policies, Priorities, Performance and Community Impact

6.1 This report contributes to the following corporate priorities:
- create a great place for learning and opportunity

7. Implications

7.1 Financial

Implications verified by: **David May**
Strategic Lead Finance

The role of the LA is to offer leadership and support around some of the areas of identified vulnerability for our children and young people. The Community Safety Partnership and the Council's ongoing support for this has provided some additional resources to tackle some of the issues that schools and local communities are facing. However this is short term funding and we need to consider how we can imbed this work around vulnerable children and young people into core budgets going forward.

7.2 Legal

Implications verified by: **Lindsey Marks**
Deputy Head of Legal

Cabinet is asked to note the report content under the remit of Cabinet's terms of reference and powers.

7.3 Diversity and Equality

Implications verified by: **Rebecca Lee**
Community Development Team Manager

Supporting our vulnerable children and young people to enjoy school and not become involved in risky behaviours is a key strategic priority. Community engagement is a key to the success of the programmes that we are introducing. The Protocol is one of a number of tools we are introducing to support vulnerable children and young people. Our vision remains offering a

safe vibrant community and recognises the importance of children and young people and how we further develop and work in partnership across all our community partners.

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

None

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

None

9. **Appendices**

Appendix 1 - Schools Protocol to Reduce Vulnerability Factors and Safeguard Children and Young People from Serious Youth Violence

Report Author

Michele Lucas

Assistant Director, Education and Skills

Schools Protocol to reduce vulnerability factors and safeguard Children and Young People from serious youth violence

Version 2	Draft	30/7/19	
	Draft		DB
Version 2.1	Consultation	25/9/19	Head teachers briefing
Version 3	Sign off	26/9/19	Community Safety Partnership Board
Version 4	Sign off	28/10/19	Youth Crime Governance Board
	Information	26/11/19	Governors' conference
	Information		Safeguarding Leads
	Information		LSCP
			H & WB Board
	Information	Feb 20	Cleaner Greener Overview and Scrutiny

Foreword

We are ambitious when it comes to working with our schools and health service to ensure the system is holistic and efficient enough to tackle youth offending, the causes, and aftermath.

It is right we call youth offending out as criminality, which is harmful to society, but the causes, such as poor mental and emotional health, are just as damaging. With our brilliant Youth Offending Service working hard to prevent reoffending, and our Inspire Youth Offer providing a range of positive activities, we can achieve remarkable things. We can work with the police to punish those who prey on the vulnerable, and we can work to eliminate those vulnerability factors.

Knife crime offences accounted for 14% of all offences committed by children from Thurrock in 2017-18. This provides clear evidence that we need to have fewer separate services across education and health, and follow a united approach where inclusion is the byword in everything we do.

We have invested in expanding our YOS and Mental Health Services since 2016. We are fortunate that our youth reoffending rate is 29% (10% lower than the national average) and our NEET rate is 1.5% (almost half the national average). There is so much to build on here, which is why we will be opening a new co-located YOS and Skills base in Tilbury as a resource for the whole borough.

Our five strategic priorities, we ask the Schools and Colleges, Council's Scrutiny, and the Health and Wellbeing Board to hold us to account over are;

- 1) Bringing together our Skills Offer, Mental and Emotional Health Services, and the Drug and Alcohol Services, in one co-ordinated vulnerability group to reduce silo working and make sure we see the "whole young person" and take them from earlier intervention to positive life outcomes.
- 2) Ensuring all schools have embedded and robust awareness across their whole structure of risks and associated "stop and search" policies.
- 3) Where offences are committed, ensuring schools have clear pathways of support, initially with the Youth Offending Service where specialist support is required, followed by additional pastoral support from Mental and Emotional Health Services, and the Drug and Alcohol Services.
- 4) Growing our resource bases so our Vulnerability Services are accessible for all schools, in and out of term time.
- 5) Ensuring we have clear governance arrangements via our Community Safety Partnership.

Together, we will build a borough that is safer, and a safer borough is pro-active and inclusive borough.

By Cllr James Halden, Portfolio Holder for Education and Health

1. Introduction

This protocol aims to provide a reference document for education establishments in Thurrock; this includes Primary, Secondary, our Pupil Referral Unit and Colleges. This is in response to the Lessons from London and recommendations made by OFSTED following a research project on knife crime in education. The full report can be found at <https://www.gov.uk/government/publications/knife-crime-safeguarding-children-and-young-people-in-education>

The aim of producing this document and sharing with schools and colleges is to:

- Improve partnership working and strategic planning in Thurrock to support children and young people)
- To safeguard children and young people across Thurrock
- Share and promote good practice in relation to exclusions and managed moves across Thurrock
- Identify a range of preventive work (positive activities to support children and young people across Thurrock)
- To co-ordinate early help and prevention
- Improve information sharing and intelligence led response
- Reduce the need for permanent exclusions
- Enable our children and young people to achieve

This protocol supports two aims of Thurrock Health and Wellbeing strategy 2016/2021:

1. **A1. All children in Thurrock making good educational progress**
2. **C2. Improve children's emotional health and wellbeing**

As well as Priority 2 of the Community Safety Partnerships, plan for 2019/20:

1. **Tackling Violence and Vulnerability.**
- 2 **Prevention – Positive Activities.**

2.1 Relationships and Sex Education (RSE) and Health Education:

Statutory guidance for governing bodies, proprietors, head teachers, principals, senior leadership teams, teachers

To embrace the challenges of creating a happy and successful adult life, pupils need knowledge that will enable them to make informed decisions about their wellbeing, health and relationships and to build their self-efficacy. Pupils can also put this knowledge into practice as they develop the capacity to make sound decisions when facing risks, challenges and complex contexts. Everyone faces difficult situations in their lives. These subjects can support young people to develop resilience, to know how and when to ask for help, and to know where to access support.

The Relationships Education, Relationships and Sex Education and Health Education (England) Regulations 2019, made under sections 34 and 35 of the

Children and Social Work Act 2017, make Relationships Education compulsory for all pupils receiving primary education and Relationships and Sex Education (RSE) compulsory for all pupils receiving secondary education². They also make Health Education compulsory in all schools except independent schools. Personal, Social, Health and Economic Education (PSHE) continues to be compulsory in independent schools.

This guidance also sets out both the rights of parents and carers³ to withdraw pupils from sex education (but not Relationships or Health Education) and the process that head teachers should follow in considering a request from a parent. Parents have the right to request that their child be withdrawn from some or all of sex education delivered as part of statutory RSE.

Many schools are choosing to deliver relationships or sex education as part of a timetabled PSHE Program, with good outcomes. Where that provision meets the requirements of this high-level framework of core content they are free to continue with this model. Other schools may choose different curricular models for delivery.

2.2 Inspire Youth

The Inspire youth offer provides a range of services, which support young people who may need more targeted support. These services will be expanded via a co-located YOS and Skills Offer in modern facilities in Tilbury, for the whole borough. At present, we are operating a referral system into Inspire where young people can be referred to the following:

Holiday Activity Programs – Diversionary activities across all areas including creative arts, outdoor education, sports, leisure and fitness. The programs are designed to support those with an identified need including (but not exclusive to) health, wellbeing, school absence and offending, offering an opportunity to engage in a positive environment with a professional team of people. Young people have the opportunity to experience a different atmosphere whilst learning and exploring activities that they may not have done previously. Some activities are able to provide a qualification, which supports young people's learning, and work based skills.

Term time provision - Working in the four areas with the highest levels of Anti-Social Behavior the Youth Work team work in partnership within the local communities to provide a range of services to young people. This includes the traditional youth work setting, local street football sessions, detached youth work, and music sessions at one of our music studios.

The Youth Cabinet works across all communities. Youth workers are able to build positive relationships with young people supporting them to explore how they see the world and why they make the choices that they do. Building positive role models and offering young people the opportunity to have their voices heard, is fundamental to the work within the team.

Mentoring Service – A referral based service for young people with a low-level need of intervention, this could be offending, school attendance, substance misuse, health & wellbeing, risk of CSE, risk of gang related issues etc. Fully trained mentors who are experience in working with adolescent behaviors will operate the service.

A range of additional support opportunities are available to schools these are outlined below:-

Community Policing Team knife crime talks for years 6-8.

Essex County Fire and Rescue Service gang workshops delivered to schools

Delivering Fearless workshops in school as part of PSHE.

<https://www.fearless.org/en/professionals/resources>

YOS workshops - Professional awareness – delivered by practitioners within YOS for Teaching and support staff.

Professional awareness: know the signs – posters to be displayed clearly in staff areas and shared with parents.

Thurrock's Youth Offending Service

The core principal of Thurrock's Youth Offending service is to: ***“continue to reduce youth offending, protect the public and improve the safety and well-being of young people by working together with our partners”*** and has set a priority in relation to: **Gangs, Knives and Child Criminal Exploitation.**

At the Thurrock Youth Conference, December 2018, young people ranked 'Put an end to knife crime' as their top priority.

Knife crime and serious youth violence is having a huge impact on our local communities and is a societal problem which cannot be tackled without agencies and schools and colleges working together. We recognise that serious youth violence does not always related to gang and knife crime.

We outline below the Home Office definitions relating to serious youth violence:-

Definition of gang related violence

The Home Office define a gang as being:

A relatively durable, predominantly street-based group of young people who

- *see themselves (and are seen by others) as a discernible group*
- *engage in criminal activity and violence and may also*
- *lay claim over territory (not necessarily geographical, but can include an illegal economy territory);*
- *have some form of identifying structural feature; and/or*
- *Be in conflict with other, similar groups.*

Definition of knife crime

There is no Home Office definition of 'knife crime'. The phrase was adopted by the media and is now popularly used to refer primarily to stabbings but also to the illegal carrying of knives by young people in a public place or on school premises. However, 'knife-enabled crime' includes a variety of other offences involving a bladed weapon, for example it is an offence to cause or threaten harm with a knife and if used in a robbery or assault, it aggravates the offence. It is also illegal to look after, hide or transport a dangerous weapon on behalf of someone else, market a knife in a way, which is likely to encourage violent behaviour, and sell a knife to a person under 18.

One of the areas of concern that has been identified by our youth offending service is the increase in knife crime involving young people; clearly, this can potentially link with both gang affiliation and serious youth violence. The figure for 17-18 shows an increase above the national figure. This is in contrast to the figure recorded by Essex Police who measure this data in a different way (Essex Police measure offences committed in Thurrock as opposed to offences committed by young people resident in Thurrock). This type of offence accounted for 14% of all offences committed by children from Thurrock in 2017-18, a decrease has been seen in 18/19 reflecting the effort that has been put in to reversing this trend.

Offences (Ofsted)

Senior leaders and school staff must understand the law on knife carrying and knife offences generally so that there is a common approach to responding to such incidents.

These approaches will need to be flexible so that decision-makers can consider all the information. However, the underlying principles cannot rely too heavily on individual leaders, teachers or police officers making decisions about how deserving or undeserving of prosecution children are based on their vulnerabilities, as opposed to the risk they present.

Children's commissioner information

Being part of a friendship group is a normal part of growing up and it can be common for groups of children and young people to gather in public places to socialise. Belonging to such a group can form a positive and normal part of young people's growth and development. These groups should be distinguished from 'street gangs' for whom crime and violence are a core part of their identity, Although some group gatherings can lead to increased antisocial behaviour and youth offending, these activities should not be confused with the serious violence of gangs

3. Searches: Policy and Practice

3.1 Thurrock Council Education Department are requesting that all schools adopt a form of wording as outlined below within their policies concerning searching children and young people:

Why Schools should have a Search Policy?

Health and safety legislation requires a school to be managed in a way, which does not expose pupils or staff to risks to their health, and safety and this would include making reasonable rules as a condition of admittance. This policy supports safeguarding in education.

What the law allows:

- Schools can require pupils to undergo screening, even if they do not suspect them of having a weapon and without the consent of the pupils.
- Schools' statutory power to make rules on pupil behaviour and their duty as an employer to manage the safety of staff, pupils and visitors enables them to impose a requirement that pupils undergo screening.
- Any member of school staff can screen pupils.

Searching

- Head teachers, and staff authorised by them, have a statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have a prohibited item.

Prohibited items are:

Unlawful:

- knives or weapons
- illegal drugs
- stolen items
- fireworks
- Materials linked to radicalisation under the prevent agenda
- Any article that the member of staff reasonably suspects has been, or is likely to be, used:
 - To commit an offence, or
 - To cause personal injury to, or damage to the property of, any person (including the pupil).

Should be referred to the youth justice team or police for guidance.

May identify a concern for welfare:

- Youth produced sexual imagery or "sexting".
- Alcohol.
- Tobacco and cigarette papers

Head teachers and authorised staff can also search for any item banned by the school rules, which has been identified in the rules as an item, which may be searched for.

Confiscation

- School staff can seize any prohibited item found as a result of a search. They can also seize any item, they consider harmful or detrimental to school discipline.

Reporting

In the event of any unlawful prohibited item, being found Essex Police and Thurrock Council must be informed.

For full advice refer to:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/674416/Searching_screening_and_confiscation.pdf

3.2 Should schools feel that there is a requirement to raise awareness amongst their facilities and grounds teams in relation to the location and methods of concealing weapons/drugs then contact with the local community policing team can provide further information. The local community policing team may be able to provide advice to assist in this area upon agreement between parties. All requests will be assessed based on the level of risk/concern at the time of contact and also the availability of police resources.

3.3 Schools should have a search policy linked within the safeguarding policy and dependant on availability of police resources the Community Policing Team will be able to provide advice based on level of risk/concern

3.4 That schools give some consideration to the purchase of a wand clearly this would need to have the appropriate policy support around how to use the equipment and be agreed with the governing bodies of the school.

3.5 Reporting of finding a weapon: if any of the prohibited items are found anywhere on site Police should be immediately informed through 101. Thurrock Council Inclusion Team should also be made aware.

4. Prohibited items in School: Policy and Response

4.1 Police and the inclusion team will be contacted if school has a suspicion of Prohibited items being brought into school

4.2 The following action must be taken by school if a child is found to be in possession of Prohibited items in school

Police will be informed

- They will follow national and local procedures in relation to knife crime.
- The school or college will operate within its own policies and procedures and may consider a fixed term exclusion.
- The Youth offending Service (YOS) to be notified and will complete an intervention as part of a statutory outcome e.g. Youth Conditional Caution (YCC) / Charge. If the police makes the decision not to refer to YOS for a decision, YOS will be unable to offer an intervention for a pupil.
- If the pupil does not engage with the programmes available, the school will operate within its own policies and procedures and may consider a permanent exclusion which would require governor approval.

4.3 For pupils aged under 16:

- Police will follow national and local guidance and police procedures.
- A PACE compliant interview must be held with the young person and their parent / carer. This should be away from the school premises.
- Where there is sufficient evidence and full admissions have been made, the case will be referred to the local out of court multi-agency disposal panel for an appropriate outcome to be determined e.g. Youth Conditional Caution
- Schools will work with the Council's Inclusion Team to identify any potential alternative pathways that could be provided to support the child/young person.
- Pupil may receive a knife prevention order as part of the caution and if so YOS will deliver knife prevention intervention programme to the young person over a period of 6 weeks, which will not exceed 20 weeks from the date of the incident.
- Where there is a statutory outcome YOS will complete a risk assessment as part of the initial Asset+ assessment, this also applies to a safety and wellbeing assessment. This is a joint education-YOS risk management template. The risk to school and pupil will be reassessed on successful completion of intervention.
- If the Council Inclusion Team and the schools deem a risk is no longer posed the pupil will be reinstated if exclusion has taken place.
- Non-compliance could result in a permanent exclusion.
- Via the schools YOS contact and where an offence has been committed the issue should be reviewed to identify wrap around support that could be offered from the Youth Offending Service, Mental and emotional health service, Inspire Skills Service, and the Drug and Alcohol Service.

4.4 For pupils aged over 16:

- Police will follow national and local guidance and police procedures
- Plan between police and school lead needs to be agreed on whether pupil will be collected by parent or detained by police.

- A PACE compliant interview must be conducted with the child. This should be away from the school and could be at home or in a police station.
- Following completion of a police investigation and where there is sufficient evidence to achieve a successful prosecution, a decision will be made on whether to charge the young person or refer to the local out of court multi-agency panel (national guidance recommends starting point of charge for young people who are 16 or over).
- Following any formal outcome decision, risk assessment and knife crime intervention will form part of the intervention.
- Schools will work with the Inclusion Team in regards to possible Alternative or Supportive Provision.
- Depending on the outcome (Court Order or out of court disposal), YOS will deliver a knife prevention intervention programme to the young person over a period of 6 weeks
- Risk to school and the Council's Inclusion Team and the school on successful completion of the intervention programmes will reassess pupil.
- If risk is no longer posed pupil will be reinstated
- Non-compliance to the Order could result in a permanent exclusion
- Via the schools YOS contact (if known to them or meet the criteria), the issue should be reviewed to identify wrap around support that could be offered from the Youth Offending Service, Emotional Well Being and Mental health Service, Inspire Skills Service, and the Drug and Alcohol Service.

4.5 In exceptional circumstances when Pupils are permanently excluded

- Permanent exclusion should be considered very carefully by schools – evidence around the impact of permanent exclusion clearly identifies a range of associated vulnerabilities. Excluded pupils will be offered a place at the Olive Academy (PRU) where they will be provided with a range of support
- Risk to school and pupil will be reassessed on successful completion of the programme
- If risk is no longer posed pupil will be offered reintegration into an alternative mainstream school. – Via the Fair Access Panel.

4.6 NPCC guidance on youths and knife crime

It has been agreed between NPCC and the CPS that a more serious response is required for youths aged 16 and 17. The starting point is for the police to charge youths aged 16 and 17 unless there are exceptional circumstances. Diversion in accordance with sections 66ZA and 66ZB of the Crime and Disorder Act 1998, the [Ministry of Justice/Youth Justice Board Guidance on Youth Cautions \(April 2013\)](#), the [Ministry of Justice/YJB Youth Out-of-Court-Disposal Guide for Police and Youth Offending Services \(April 2013\)](#) and

ACPO Youth Offender Case Disposal Gravity Factor System (March 2013)

may be appropriate in some cases.

However, it is recommended that police and prosecutors apply the following approach when dealing with knife crime offences allegedly committed by youths:

- The first arrest of a youth of any age for possession of an offensive weapon or sharply pointed blade, with aggravating factors, (circumstances of possession, fear caused, degree of danger) will result in a charge.
- **The first arrest of a youth aged 16 years or over, for simple possession of an offensive weapon or sharply pointed blade, with no aggravating factors will normally result in a charge.**
- The first arrest of a youth aged under 16 years for simple possession of an offensive weapon or sharply pointed blade, with no aggravating factors, will result, in a Youth Caution or a Youth Conditional Caution. This must be supported by an appropriate YOT intervention, preferably with elements focused on anti-knife crime education. For a youth under 16 years, an out of court disposal, which is not a youth caution or a youth conditional caution, should not be used.
- The second arrest of a youth under 16 for simple possession of an offensive weapon or sharply pointed blade will result in a charge (unless, in exceptional circumstances, two years have passed and it is considered appropriate to give another Youth Conditional Caution), whether or not there are aggravating features.
- The offence of threatening a person in public or on school premises will result in a youth aged 16 or over going straight to charge, as this offence carries a minimum sentence of a four month Detention and Training Order and therefore should not be dealt with using an out of court disposal.
- Section 28 of and Schedule 5 to the Criminal Justice and Courts Act 2015 create a minimum custodial sentence for those aged 16 and over convicted of a second or subsequent offence of possession of a knife or offensive weapon, contrary to section 1 of the Prevention of Crime Act 1953 or sections 139 and 139A of the Criminal Justice Act 1988. The minimum custodial sentence for 16 and 17 year olds is at least a four-month detention and training orders.

5. Improving information sharing and Contextual Safeguarding response

- Young people known to YOS, if there are risks identified YOS will share these with the schools.
- Transition risks shared by transferring school – in particular as young people move to college
- MASH remains the first referral point for any safeguarding issues – if NFA, MASH to submit intelligence to community policing team.
- Schools encouraged to map Intel provided by pupils– and ensure that this reported to the police regularly to ascertain any patterns emerging in local communities.
- All schools have a named Community Policing Officer. (NB plan is by Feb 2020 each school will have a named Children & Young Person's Officer)
- Pupil voice – conduct surveys to identify pupils concerns and this will then inform preventative activities.
- Via the schools YOS contact and where an offence has been committed, any issues that are identified will be raised with the gang related violence group to ensure that wrap around support can be offered from the Youth Offending Service, Emotional Well Being and Mental Health Service , Inspire Skills Service, and the Drug and Alcohol Service.

7. Appendices and Links:

- 7.1 www.thurrock.gov.uk/gangs-and-gang-crime/gangs-in-thurrock
- 7.2D for E guidance on searching screening and confiscation
<https://www.gov.uk/government/publications/searching-screening-and-confiscation>
- 7.3 OFSTED Report on young people and knife crime in education
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/785055/Knife_crime_safeguarding_children_and_young_people_110319.pdf
- 7.4 Children's commissioners report:
<https://www.childrenscommissioner.gov.uk/publication/keeping-kids-safe/>
- 7.5 Keeping children safe in education; statutory guidance for schools and colleges
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/811513/DRAFT_Keeping_children_safe_in_education_2019.pdf
- 7.6 Advice for parents: <https://www.nspcc.org.uk/preventing-abuse/keeping-children-safe/staying-safe-away-from-home/gangs-young-people/>
- 7.7 Menu interventions offer – traded services for schools
- 7.8 Intel report – Appendix 1
- 7.9 Flow Chart for Bladed Items Referral Pathway – Appendix 2
- 7.10 Flow Chart Prohibited Items taken into School – Appendix 3
- 7.11 Know the Signs – Appendix 4

8. Contacts

YOS: Jason Read – Youth Offending Team Manager

CPT: Paul Ballard & local CPT Young people officers and CPT teams for each school

Education: Andrea Winstone – Strategic Lead School Effectiveness & SEND

Malcolm W Taylor – Strategic Lead Inclusion / Principal Educational Psychologist

Community Safety Partnership Michelle Cunningham – CSP Manager

Appendix 1 – Intel Report

INTELLIGENCE SUBMISSION FORM

Please send completed forms to:
IntelligenceAIUinbox@essex.pnn.police.uk

If you need assistance with the completion of this form, please contact Essex Police Intelligence unit on 101 extension 489255.

1 - YOUR DETAILS	
Name	
Address	
Agency	
Telephone	

2 – SOURCE DETAILS	
<p>Please provide details of who told you the information (if you are giving information about something you have personally seen, then you are the source). If you don't have full details, please provide whatever you have. Don't show the source as 'anonymous' if you know something about them (even if it's just a first name/ phone number etc). Please be assured that source details will be protected when the report is input on our systems.</p>	
Name	
DOB	
Address	
Phone number	
Other Details	

3 – SOURCE EVALUATION	
<p>Please select the most appropriate box below, using the explanations as a guide.</p>	
<p><input type="checkbox"/> A – Always Reliable This is usually used for information received from technical products such as DNA, fingerprints, etc. Human sources are not considered 'always reliable' due to the potential for 'human error'.</p>	
<p><input type="checkbox"/> B – Mostly Reliable This should be used when your source has provided reliable information in the past, or is someone from a law enforcement or other prosecuting/ partner agency.</p>	
<p><input type="checkbox"/> C – Sometimes Reliable</p>	

This should be used when your source has previously provided information that has sometimes, but not always, been accurate.

D – Unreliable

This should *only* be used if your source has told you incorrect information previously.

E - Untested

This applies to any source who has not previously given you information, and therefore you cannot know whether their information is likely to be reliable or not. This also applies to unknown/ anonymous sources.

4 – INTELLIGENCE/ INFORMATION

Free text – please provide as much detail about the person/ event as possible. Remember to include dates, times and locations if applicable/ known.

5 – INTELLIGENCE EVALUATION

Please select the box which best described the information you have provided. If unknown, please select 4 – Cannot be Judged.

1 – Known to be true without reservation

2 – Known personally to source, but not to you

3 – Not known personally to source, but corroborated

4 – Cannot be judged (if your source is unknown/ anonymous, you must select this box)

5 – Suspected to be false/ malicious

6 - PROVENANCE

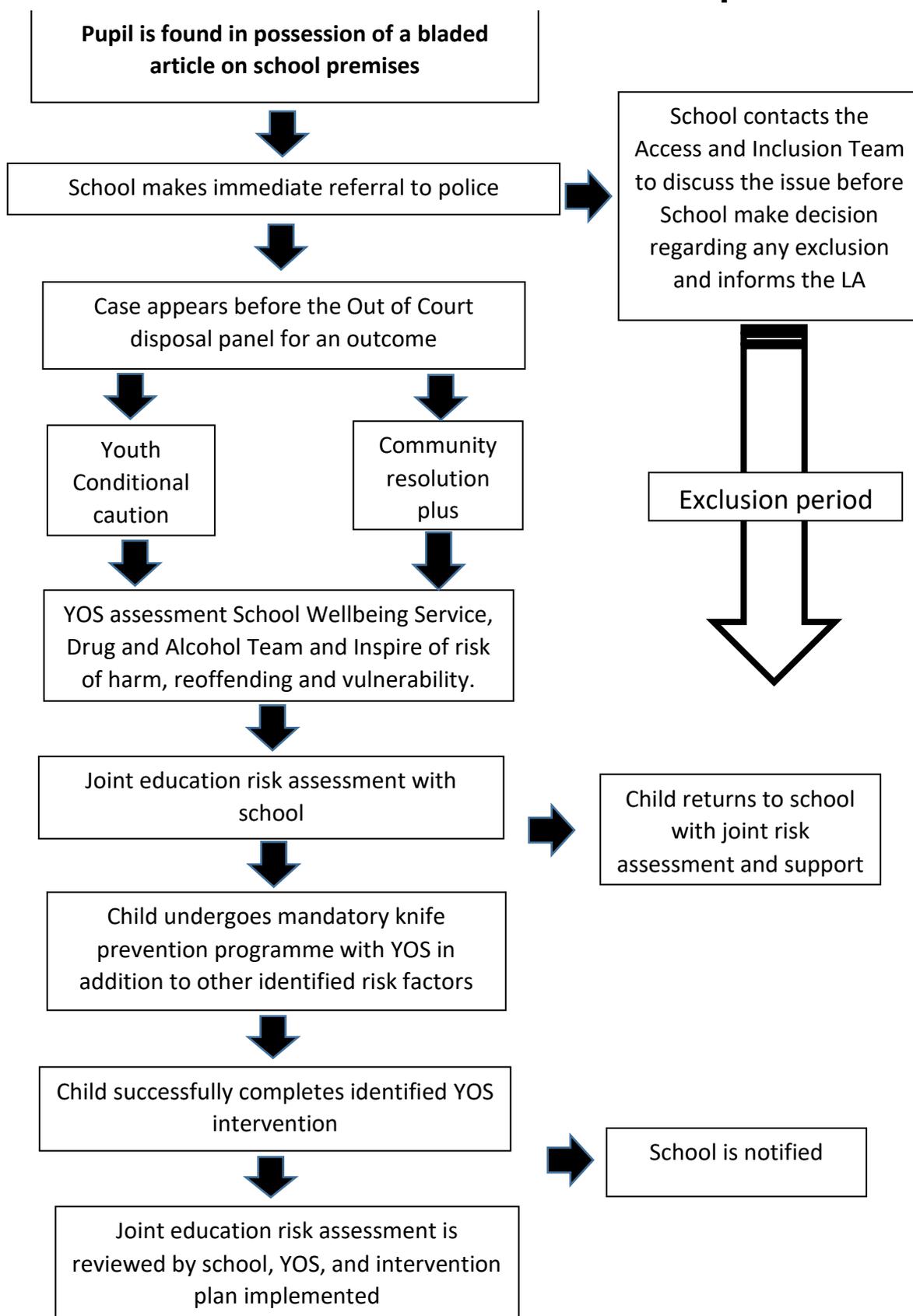
This helps us to understand how sensitive the information is and any impact it may have on the source. It allows us to make an informed decision as to how we handle the information and who it can/ cannot be shared with.

It is also useful for us to know if you have already taken some action regarding the information provided (e.g. have you already reported it to Police Control room/ prison/ social care etc?). This avoids duplication.

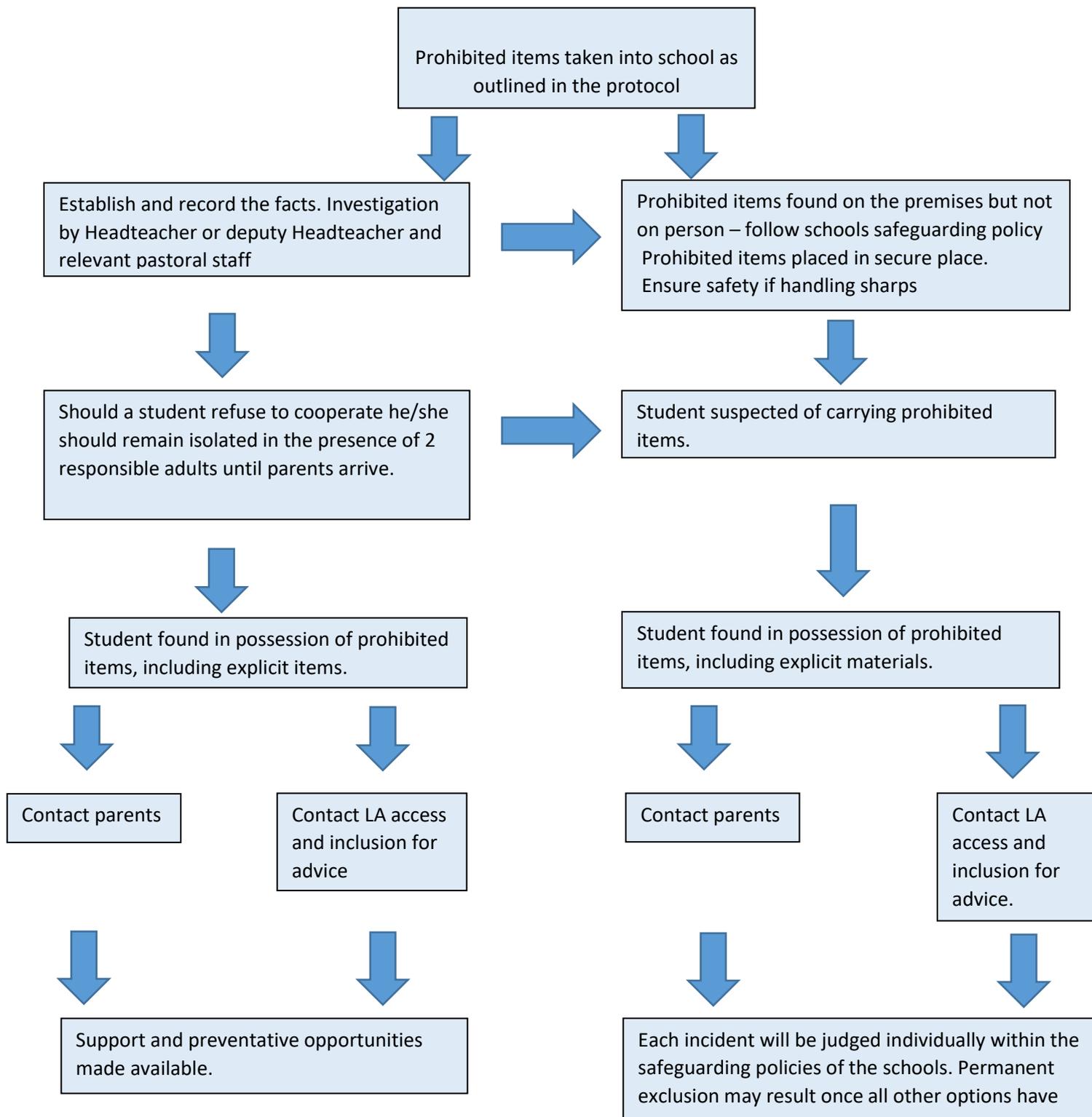
- How does the Source know?
- Who else knows?

- When did the source first know this to be the case?
- When did the source last know this to be the case?
- Will the source be able to provide more information regarding this subject in the future?
- Have you taken any action regarding this information?

Possession of bladed articles on school premises



Appendix 3 – Prohibited Items Taken into School



Know the signs



Persistently going missing from school or home or being found out of area



Unexplained acquisition of money, clothes or mobile phones



Excessive receipt of texts or phone calls



Relationships with controlling, older individuals or gang association



Leaving home or care without explanation



Suspicion of self harm, physical assaults or unexplained injuries



Significant changes in emotional well-being



Significant decline in school performance

Child Criminal Exploitation

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15 January 2020	ITEM: 15
Cabinet	
CCTV Public Identification Policy	
Wards and communities affected: All	Key Decision: Key
Report of: Councillor Barry Johnson, Portfolio Holder Housing	
Accountable Assistant Director: Carol Hinvest, Assistant Director of Housing	
Accountable Director: Roger Harris, Corporate Director of Adults, Housing and Health/ Interim Director Children's Services	
This report is Public	

Executive Summary

CCTV is a powerful tool fighting against crime. The borough wide service makes a positive contribution towards the Council fulfilling its community safety obligation under the Crime and Disorder Act 1988, Section 17.

The Council can publish images to prevent and detect crime in line with legislative requirements.

This report sets out the benefits of implementing a CCTV Public Identification Policy and the approval steps necessary to tackle resident priorities such as anti-social behavior [ASB], fly tipping, criminal damage and public nuisance.

Having a Public Identification Policy will improve the Council's investigative response to serious crimes and encourage resident participation to help identify offenders of ASB and Environmental crime who are not known or could not be identified by any other means. Due process eliminates the release of images of vulnerable persons known to the Police, Adult and Children social care teams to safeguard their health and wellbeing.

The Community Safety Partnership that deals with crime and disorder in Thurrock will oversee the implementation and monitoring of this policy.

1. Recommendation(s):

- 1.1 That Cabinet approve the implementation of a Public Identification CCTV policy for enforcement purposes.

1.2 That Cabinet approve the use of images in local publications and on the internet including the council's website

1.3 That Cabinet approve the Community Safety Partnership monitor the implementation of this policy

2. Introduction and Background

2.1 The Cleaner Greener and Safer Overview and Scrutiny Committee, 11 May 2017 recommended the use of media outlets to tackle environmental crime of those committing offences where identities are unknown.

2.2 The process to design a policy and business workflow to streamline this procedure has been completed during this period of time and on 3 October 2019, the Cleaner Greener and Safer Overview and Scrutiny Committee supported the implementation of the CCTV Public Identification Policy.

2.3 Legislation provides the Council with the powers to take formal action under its Enforcement Policy and publish images to prevent, detect crime, apprehend and prosecute offenders.

2.4 Thurrock's Closed Circuit Television [CCTV] network is used for promoting community safety and reducing the fear of crime. The network has 600 fully live cameras borough wide in 2019, consisting of fixed and mobile cameras.

2.5 The CCTV service includes monitoring and escalation of incidents to Essex Police who have access to the council's system and the Environmental Protection, Waste, Anti-Social Behaviour and Tenancy Management Teams for enforcement action.

2.6 A Public Identification policy will make it more effective and reliable process to help identify offenders who are not known or could not be identified by any other means.

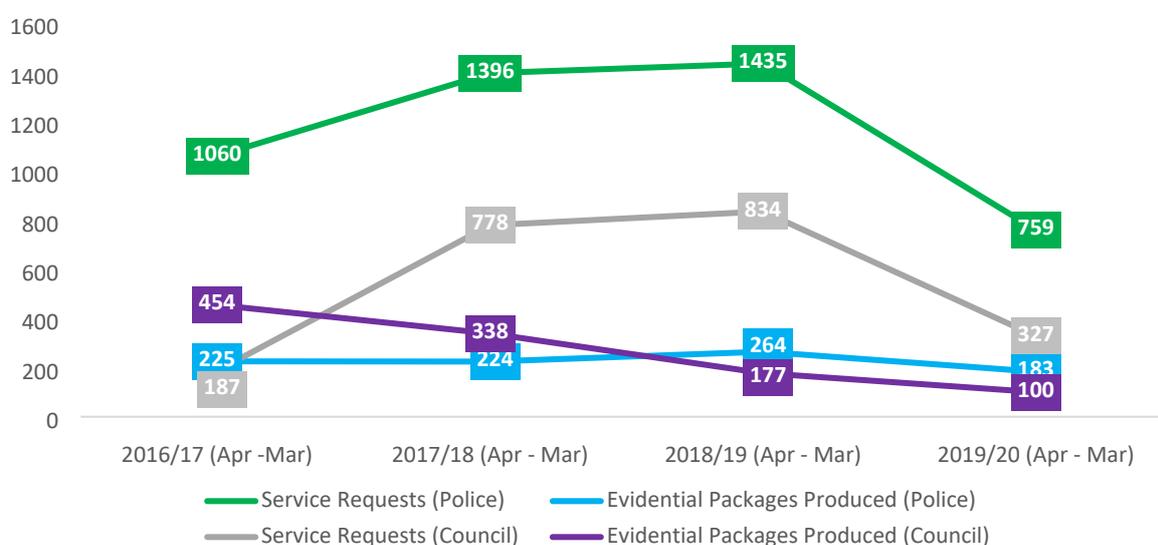
2.7 This approach will enable the Council and its partner agencies to actively encourage local communities and businesses to take a stand against the inconsiderate behaviour of a minority of people, whose actions blight a local area.

3. CCTV Enforcement in Thurrock

3.1 The Council's CCTV service has proved very successful in detecting crime, deterring criminals, assisting in the arrest of criminals and also as reassurance to the public.

3.2 This table shows the total number of video package requests by the Police and council's enforcement team over the last three years has steadily increased. The service requests are incidents of interest for enforcement teams gathering evidence or clues for action.

Year	Service Requests (Police)	Evidential Packages Produced (Police)	Service Requests (Council)	Evidential Packages Produced (Council)
2016/17 (Apr - Mar)	1060	225	187	454
2017/18 (Apr - Mar)	1396	224	778	338
2018/19 (Apr - Mar)	1435	264	834	177
2019/20 (Apr - Sep)	759	327	327	100



3.3 These are two examples of how CCTV identification tackled crime in the borough in conjunction with enforcement partners.

- Grays Town Centre

CCTV operators gathered video images of young people and adults involved in dealing Class A drugs in the town centre and surrounding areas. This evidence helped Operation Raptor of Essex Police prosecute four adults and five teenagers for a number of drug related offences and obtain a gang injunction excluding them from the town centre, Seabrook Rise and Grays Beach Riverside Park.

- King George Playing Field - Blackshots

The Police arrested a number of young people for nuisance motor cycling and off road quad biking with CCTV video evidence. This behaviour posed a real danger to our community and themselves at King George playing field. We received numerous complaints from members of the public about these

incidents. The Police have taken action by serving notices on the riders and seizing their machines.

4. The benefits of a Public Identification Policy

- 4.1 CCTV can be used in court as evidence to prove someone was in a certain place or that they committed an offence. Use of CCTV evidence can increase the rate of prosecution of offenders.
- 4.2 The publicity of cases or images related to environmental crime and ASB offer a valuable approach in preventing, detecting crime and protecting the public from harm.
- 4.3 The policy framework outlines where, how, when and against who we will use media to help identify any offenders of ASB and Environmental crime whom are not known or could not be identified by any other means.
- 4.4 The policy complies with relevant legislation requirements and assists the Council in deciding whether such cause of action is necessary and proportionate.
- 4.5 The Council will continue to share CCTV intelligence with Essex Police and other regulatory agencies where it is appropriate.
- 4.6 It will encourage residents to report crime and identify offenders.
- 4.7 Members of the public can identify the suspect anonymously either by phone or e-mail via a specified telephone number or e-mail address which would be given out when the images are published or via the Council's web site.
- 4.8 Information received would be passed onto the relevant council's enforcement teams to follow up. Any suspects identified in the process of released CCTV images will be interviewed under the Police and Criminal Evidence Act 1984 codes of practice.
- 4.9 The image will be taken down after a scheduled time period or once the identification has been completed.
- 4.10 Many other Local Authorities already have this policy in place and it has been particularly useful in cases of fly tipping and ASB for example LB of Barking and Dagenham, LB of Newham and LB of Waltham Forest. Those authorities have found it improves how they work with other departments, investigating and tackling crime in an efficient and effective manner.

5. Approval steps before releasing a CCTV image

- 5.1 The release of images must be necessary for a legitimate purposes and in early consultation with Essex Police, Adult and Social Care services.

- 5.2 CCTV images would be produced and approved for publication for persons who are deemed to be over the age of 18 to ask members of the public to help identify perpetrators via media publications and the internet who cannot be identified by other lines of enquiries.
- 5.3 Each case will be risk assessed to determine such a cause of action is necessary and proportionate.
- 5.4 No images of persons known to be under the age of 18 years old will be published related to environment crime and ASB.
- 5.5 Safeguards will eliminate known suspects known to Adults and Children's social care.
- 5.6 Third party images and property will be masked to prevent unwarranted identification.
- 5.7 A clear picture of the suspect is published where there is sufficient evidence to prosecute or use a civil penalty notice in relation to the offence and description of the offences will be published.
- 5.8 The decision to publish an image will be triaged through the Community Safety Partnership including early consultation with Essex Police.
- 5.9 The above steps need to be compiled with before a CCTV image is published.

6 Legislation

- 6.1 Thurrock cameras are carefully positioned to respect people's privacy and do not overlook any areas where you would expect privacy. This ensures people's rights and privacy of the public are balanced against the law.
- 6.2 We use CCTV to assist investigations into ASB and crime such as fly tipping, graffiti, criminal damage and fly posting. Our cameras are overt to secure evidence at the scene of incidents.
- 6.3 The use of CCTV cameras will be considered in accordance with the following:
 - General Data Protection Regulations [GDPR] and UK Data Protection Law
 - ICO's Code of Practice for surveillance cameras and personal information
 - The Surveillance Camera Code of Practice
 - Criminal Procedure and Investigations Act 1996
 - The Protections of Freedoms Act 2012
 - The Human Rights Act 1998
 - Regulation of Investigatory Powers Act 2000
 - Freedom of Information Act 2000

6.4 The CCTV team will process personal data in compliance with data protection principles. Section 29 of the Data Protection Act allows for 'data to be used for prevention and detection of crime, or apprehension or prosecution of offender' are exempt from the first data principle [Principle 1 data shall be processed fairly and lawfully]

6.5 The performance of staff is regularly reviewed to ensure that controls are being adhered to and all systems and processes are regularly audited.

7. Reasons for Recommendation

7.1 A CCTV public identification policy plays a part of the council's overall package to fight crime and disorder and ASB in the borough.

7.2 The Community Safety Partnership supports this policy to address crime and enforcement.

7.3 A safer and cleaner borough contributes towards public pride in the borough and creates a positive perception for investors and visitors.

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

8.1 The Cleaner, Greener and Safer Overview and Scrutiny Committee considered the Policy on 3 October 2019 and resolved that:

- The Cleaner, Greener and Safer Overview and Scrutiny Committee noted and commented on the implementation of a Public Identification CCTV policy for enforcement purposes.
- The Cleaner Greener and Safer Overview and Scrutiny Committee note that images would be released in local publications and on the internet including the Council's website.
- The Cleaner Greener and Safer Overview and Scrutiny Committee agreed that an Update Report should be brought back in six months' time.

8.2 The Community Safety Partnership have been consulted on the CCTV Public Identification Policy and support its implementation to help solve crimes and reduce disorder in the borough in line with Section 17 of the Crime and Disorder Act 1988.

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

9.1 The use of images will be restricted to tackle ASB and enviro-crime. This policy is aimed to resolve investigations with greater efficiency, to bring about general improvements in those neighbourhoods, affected by crime and disorder. This may result in greater resident participation and their role in evidence gathering and prevention.

10. Implications

10.1 Financial

Implications verified by: **Mike Jones**
Strategic Lead – Corporate Finance

There are no financial implications for the council that arise from this report at this time.

10.2 Legal

Implications verified by: **Simon Scrowther**
Solicitor

In its administration of its CCTV system, the Council must comply with the Data Protection Act 1998. Due regard is given to the data protection principles embodied in the Data Protection Act. These principles require that personal data shall be:

- a) processed fairly and lawfully;
- b) held only for specified purposes and not used or disclosed in any way incompatible with those purposes;
- c) adequate, relevant and not excessive;
- d) accurate and kept up to date;
- e) be kept longer than necessary for the particular purpose;
- f) processed in accordance with the rights of individuals;
- g) kept secure; and
- h) not be transferred outside the European Economic Area unless the recipient country ensures an adequate level of protection.

From 25 May 2018, the Council has had to comply with the General Data Protection Regulation. Due regard will be given to the data protection principles contained within Article 5 of the GDPR which provide that personal data shall be:

- a) processed lawfully, fairly and in a transparent manner;
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;

- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
 - d) accurate and, where necessary, kept up to date;
 - e) kept in a form which permits identification of the data subjects for no longer than is necessary for the purposes for which the personal data are processed;
- and
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organizational measures.

10.3 Diversity and Equality

Implications verified by: **Rebecca Lee**
Community Development Team Manager

A Communities and Equality Impact Assessment was completed. See appendix. This mitigates against any negative impact on the community to ensure fair enforcement. Persons under the age of 18 years will be exempt from this policy.

10.4 Other Implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder, and Impact on Looked after Children)

There are no staffing implication for the council that arise from this report at this time.

All staff receive rigorous Security Industries Authority [SIA] training that covers all aspects for the work including camera handling and relevant legal and data protection framework and required to undergo DBS checks.

11. Background papers used in preparing the report

- 11 May 2017, Cleaner Greener and Safer Overview and Scrutiny Committee, Contracted Environmental Enforcement Services
- October 2019, Cleaner Greener and Safer Overview and Scrutiny Committee, Public Identification Policy

12. Appendices to the report

- Appendix 1 - CCTV Public Identification Policy
- Appendix 2 - Communities and Equalities Impact Assessment CCTV Public Identification Policy

Report Author:

Dulal Ahmed

Housing Enforcement Manager

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The CCTV Public Identification Policy

1. Introduction

1.1 Thurrock Council – Vision

Thurrock Council's vision is to create an ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future. The council core priorities below reflect this ambition and cuts across the council's community safety partnership strategy on reducing crime and disorder in the borough.

- People – a borough where people of all ages are proud to work and play, live and stay
- Place – a heritage rich borough which is ambitious for its future
- Prosperity – a borough which enables everyone to achieve their aspirations

1.2 The Environmental Protection Act 1990, Crime and Disorder Act 1998 and Anti- Social Behaviour Crime and Policing Act 2014, set out the civil and criminal offences for enviro-crime and anti- social behaviour. These legislative framework were designed to address activities/behaviours which affect the quality of life of local residents and a deterrent for those who commit them.

1.3. In 2017 the Council adopted an Enforcement Policy. The policy sets out the Council's approach to enforcement, adopting a firm but fair approach which is considerate, proportionate, transparent and consistent.

1.4. This public identification policy provides the framework of where, how, when and against who we will use media to help identify any offenders of ASB/Environment crime who are not known or could not be identified by any other means.

2. Scope of Policy

2.1 This policy covers:-

- The publication of images of those people who commit criminal anti-social behaviour and enviro-crime where they cannot be identified by any other means.
- Publication of descriptions of individuals or groups where there is intelligence related to persistent anti-social behaviour or enviro-crime, where the persons cannot be identified by any other means.

Both actions require every possible step is taken to ensure that the person or persons are not under the age of 18. Publication in such circumstance will be considered as a last resort and only used where all other means of identification have taken place.

2.2. This approach will enable the Council and its partner agencies to actively encourage local communities and businesses to take a stand against the inconsiderate behaviour of a minority of people, whose actions blight a local area.

3. Aims of the Policy

3.1 The publicity of cases or images related to enviro-crime and anti-social behaviour offer a valuable approach in preventing, detecting crime, and protecting the public from harm. The purpose of this policy is to assist the Council in deciding whether such a cause of action is necessary and proportionate. The aims are to:

- Provide clear and consistent guidance in establishing if it is necessary and proportionate to make a disclosure.
- Ensure that the Council acts in accordance with general public law principles, and with national guidance.
- Ensure that the Council fully considers Data Protection legislation and the Human Rights Act
- Protect the public and the public realm

4. General Principles of using publicity in anti- social behaviour and enviro-crime cases.

4.1 It is important to highlight that the ability for the council to publicise images for the purpose of preventing and detecting crime is defined through a legislative framework. The framework includes:-

- Data Protection Act 2018 – replaced DPA Act 1988 – this provides provision about the processing of personal data. The CCTV team will process personal data in compliance with data protection principles. Under law enforcement processing purposes it provides agencies the ability to share information for the prevention, investigation, detection or prosecution of criminal offences including criminal penalties.
- Crime and Disorder Act 1998 – Section 115 – provide statutory agencies, including the Council, with the ability to disclose information where it is necessary and expedient for the purposes of addressing anti- social behaviour crime and disorder.
- Criminal Justice and Public Order Act 1994 Section 163 - provides local authorities with the power to record visual images in order to “promote the prevention of crime or the welfare of the victims of crime”.
- Local Government Act 1972 – Section 111 - provides local authorities with the power do anything “which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.” This power enables the local authority to release/publish images (“do anything”) with a view to identifying offenders (“facilitate, conducive or incidental to”) who have fly tipped or committed anti- social acts, so that they may be prosecuted, fined or cautioned (“discharge of any functions”).
- Human Rights Act 1998 – Article 8 – cover the right to a private life and would include a requirement for the local authority to balance the need to publicise images, the extent of publicity and the impact of publicity, specifically for vulnerable groups.

- CCTV Code of Practice 2014 provides guidance to local authorities on the use of CCTV in public areas and the requirements to meet and protect the personal data of anyone captured on CCTV.
- 4.2 There must be a balance between the rights of an individual suspect and those of the wider community. Any decision to release an image must be for a legitimate purpose, be necessary and proportionate.
- 4.3 Any decision to release an image must take into account any impact on victims or witnesses. The release of images must be necessary for a legitimate purpose and early consultation with the Police and the Council's Legal Services is encouraged.
- 4.4 A legitimate purpose may include, but is not limited to
- The prevention and detection of crime
 - Encouraging witnesses and/or victims to come forward
 - Discouraging offenders
 - Reassuring and informing the public
 - Reinforcing confidence in the criminal justice system
 - Identification of offenders
 - Raising public awareness
- 4.5. The council CCTV images are produced to high definition standards to prevent the risk of misidentification. No substandard or unclear images will be released under this policy framework.
- 4.6. In order for a release of the image to be necessary in pursuit of a legitimate purpose, all other reasonable means of tracing or identifying the suspect must have failed to be deemed not viable. A further consideration is that only the minimum necessary details are released, for example where there is a group of individuals out of which only one has been identified as offending, only the identified offender's image should be released.
- 4.7 All of the circumstances of the case must be taken into account when considering whether it is proportionate to release the images. The nature of the offence will be highly relevant, and the more serious the offence the easier it will be to justify the release as proportionate. The following factors may also be considered:
- Nature of the offence
 - Age
 - Vulnerability of the perpetrator
 - Vulnerability of any potential victims
 - Level of impact on the environment
 - Level of impact on the public/community and/or individuals

- Prevalence of local crime
- Repeat offending
- Public interest

5. Investigating complaints using CCTV images

5.1 Council officers investigating complaints that include CCTV public images must consider the impact on people's privacy if the images are to be shared with third parties.

The investigating officer is responsible to ensure using CCTV images in this way is justified, necessary and proportionate. It will be a requirement to obscure the faces of other people e.g. third parties that can be seen in the images to prevent unwarranted identification.

5.2 This process requires authorized officer[s] documenting their reason for disclosing a CCTV image and have this logged on the case file to ensure that information is used for its intended purpose to detect or prevent crime.

5.3 The council will block out intrusive footage of individuals and identifiable property where it may cause unwarranted harm or distress. Intrusive includes images of any identifiable private residential premises or any identifiable private vehicle captured during the CCTV incident not to be shared during this process.

5.4 Where it is not necessary to retain information/CCTV footage then it will be deleted in accordance to our Document Retention Policy and procedures.

5.5 Officers will follow the Police and Criminal Evidence Act 1984 codes of practice when interviewing the suspect under caution about the alleged offence[s] when investigating complaints using CCTV images

6. Procedure for publicising anti-social behaviour and enviro-crime offences.

6.1 The following key criteria will be used in assessing appropriateness of using images of anti-social behaviour and enviro-crime.

- Publicising is in the public interest either due to the scale, location or impact of the offending behaviour.
- No person known to be under the age of 18 will be named, or identified, in any publicity related to environ-crime or anti-social behaviour.
- Individuals with a known vulnerability, or businesses, or companies, or where there is a risk that a family member could become vulnerable through publicity, will not be placed in the public domain.
- No images which could incite community tensions will be publicized. This will be considered in partnership with the Police and community safety partners.

Appendix 1

- No cases will be publicized which could result in any complainant or victim being identified. Where images are to be used such as CCTV images, these can only be published where they have been obtained through a public body, such as the Council or Police and not a third party, such as a private individual or private business. Images must be clear and innocent parties are suitably obscured before images are disclosed to the media or published on the Local Authority's website.
 - Such images, or description of offenders, will only be publicized where the person or persons cannot be identified by any other investigative means. However, in such cases, the Council will undertake checks with relevant services such as social care, Essex Police, etc. to ensure the person or persons identified is not a vulnerable person, at risk, or is under the age of 18.
 - Prior to any publicity, officers will ensure that the case does not form part of a wider investigation by another partner agency or Council service such as Environment, Waste, ASB, Housing, Legal or the Police. Consultation with these services will take place prior to the images or descriptions being released. This security check is recorded on the form in appendix A.
- 6.2 Care will be taken when releasing images of unknown offenders to ensure that the wording accompanying the image is accurate. Officers will take all necessary steps to ensure that they have a high degree of confidence that the person in the image is a clear suspect in the investigation.

Where the individual is known, it is unlikely to be appropriate to release the image, although there are always exceptions and the Council will seek specific legal advice before images of known individuals are released. Other means of tracing the individuals will need to have been exhausted first.

Officers should record the rationale for the decision to release the CCTV visibly within the investigation or other case management file. The council will not consider releasing images of offenders where the image is not clear and there is insufficient evidence to prosecute or issue a penalty notice in relation to the offence.

7. Decision to publish image procedure

- 7.1 A simple criteria form (Appendix A) will be used by the lead officer in all cases.

Once the form has been completed the details of the case will be provided to Legal Services to confirm that there are no legal concerns in terms of publicity.

- 7.2 The details will also be sent to safeguarding children and adult leads to verify if any named person is known to them. No publication will take place until checks with the Council's Children and Adult Safeguarding leads has taken place.

- 7.3 The officer will check if the person[s] identified does not form part of a wider

investigation by another partner agency or council department.

- 7.4 The process will require a final approval by the relevant Strategic Lead /Senior Manager of the relevant service.
- 7.5 There will be a requirement that the person making the application retains a copy of the form and any images. The CCTV control room will also be required to maintain any application form and images requested for publicity.
- 7.6 The CCTV team will maintain a log of all anti-social behaviour and enviro-crime cases which have been published. This will include details of any CCTV images, where and when they were obtained, the date and time of any alleged offence.
- 7.7 The communications team will maintain a list of all press releases in relation to the publication of CCTV images which are available on the council's website at www.thurrock.gov.uk

8. Identification of a person through the publicising of images or descriptions person committing anti-social behaviour or enviro-crime offences

- 8.1. On the occasions when an individual is identified following the release of the images to the council, the communications team will inform the media that identification has been made, and similarly update the Council's website. However, if the person has been recognised and reported to the Police, we will work together with them on informing the media. Under no circumstances will the identification of the individual be released to the media or otherwise published on the Council's website.
- 8.2. If an individual featured in the images comes forward and is subsequently eliminated from enquiries, the communications team will be informed immediately so that the council's website and the media can be updated accordingly.
- 8.3. Identification issues will also be considered. The suspect may be the subject of another investigation and it is possible the release of an image could compromise identification evidence in relation to another enquiry.
- 8.4 In such circumstances, the officers will follow Code D of the Police and Criminal Evidence Act 1984. If there is any doubt, legal services will be consulted prior to release of any images or further information.

9. Working with Partners

- 9.1. Where appropriate, the images of descriptions of anti-social behaviour or enviro-crime, will be coordinated with other regulatory bodies and enforcement agencies. We will share intelligence with the Police, neighbouring boroughs and other regulatory enforcement agencies where it is appropriate in the prevention and detection of crime. This will include undertaking joint prosecutions.

10. Equal Opportunities and Diversity

- 10.1. The Council recognises the diversity of our community and enforcement activities will have due regard to the Equality Act 2010.

11. Review of Policy

- 11.1. We will review this policy and update it to reflect changes in its source documents and controlling bodies annually. We will also review its effectiveness in supporting the Council's and the Community's priorities.
- 11.2 We will consult with stakeholders before and after making any changes to this policy.

12. Monitoring Arrangements

- 12.1 The Council will monitor the activities set out in his policy through existing established reporting and management processes.

13. Complaints

- 13.1 Thurrock council provides a well published complaint procedure. This is accessible on the Council website at <https://www.thurrock.gov.uk/complaints/how-to-complain>
- 13.2 The complaints process will consider any complaints received following a disclosure under this policy.

Appendix A

MEDIA PUBLICITY PRO-FORMA CHECKLIST

NOTE:

There must be a balance between the rights of an individual suspect and those of the wider community. Any decision to release an image must be for a legitimate purpose, be necessary and proportionate.

Officers will obtain advice from the Police and Legal services before considering the publication of prolific or potentially dangerous offenders

This document must be completed before the release of any CCTV images for use in identifying offender's via media publication and use in public areas.

Images of minors (under 18 years) must not be released under any circumstances.

Any offenders that are considered as under age must be released to the Police and Council Officers only.

CCTV Images Only

Will the use of images help identify any offenders of ASB/enviro-crime who are not known or could not be identified by any other means?

Yes

No

Is the image[s] of good quality with third parties/ property / private business obscured before images are disclosed?

Yes

No

The release of any publicity, including images must be necessary for a legitimate purpose. Confirm which legitimate purpose(s) it is for and why?

PURPOSE	Yes/No	If Yes, please state why?
The prevention and detection of crime		
Encouraging witnesses and /or		

victims to come forward		
Discouraging offenders		
Reassuring and informing the public		
Reinforcing confidence in the criminal justice system		
Identification of offenders		
Raising public awareness		

Proportionality

Is the proposed action proportionate in relation to releasing the images to the effects of the offence(s)?

- Yes
- No

How serious is/are the offence(s) - was harm caused - if so, was it minor and was it a single incident?

Has the offence been investigated within a reasonable time?

- Yes, please explain
- No, please explain

Was there an element of fraud, negligence or recklessness?

- Yes
- No

Has there been a blatant disregard for Legislation / the Law? Please state

Consistency / equitable

Have we acted fairly?

- Yes
- No

Public interest

Is the action being taken within the statutory time limit in relation to the offence?

- Yes
- No

Is there sufficient evidence to prove the offence(s)?

- Yes
- No

Is the offence serious enough that prosecution or financial penalty is required?

- Yes
- No

What impact / risks has the offence had on the community?

Are there any financial effects on the community?

- Yes
- No

Was there any danger caused by the offence?

- Yes
- No

Have community concerns been taken into account?

- Yes
- No

Is the offence widespread in the area where it was committed?

- Yes
- No

Risk Assessment

Appendix 1

Are there any known risks in releasing this image[s] in the public domain?

	Yes/No	How to mitigate the risk
Age of the person suspected below 18 years old		
Vulnerable suspect		
Impact on the safety of the witness[s]		
Impact on the safety of the wider community		
Known to Children services		
Known to Adult services		
Legal		
Business name and reputation		
Wider investigation by another partner or council department		

LAG (Local Area Tasking Group) Decision to publish image

- Yes
- No

Date	

Legal Advice Decision to publish image

--

Legal Officer	Date

Please state where images are stored?

CCTV control room	
ASB Team	
Tenancy Management	
Waste Enforcement	
Communications	

Do the needs of the individual or those persons responsible for the business; outweigh the needs of others in respect of detecting enviro-crime/ASB or preventing similar cases happening in the future? (Article 8 of the Human Rights applies).

- Yes
- No

It is recommended to use the image in the following ways:-

The individual/business photo is shown on a 'need to know' basis between agencies and witnesses.	
The description or image of a person/persons' unknown is published	
Local Press Release	
National Press Release	
Newsletter	
Social Media	
Notification to other agencies as appropriate	
Nothing to be published	

Any further information

Signed:	
---------	--

Appendix 1

Print name:	
Job Title:	
Date:	

Print Name of Service Manager	
Job Title	
Signed	
Date:	

Community and Equality Impact Assessment

As an authority we have made a commitment to apply a systematic screening process to both new policy development or changes to services.

This is to determine whether the proposals are likely to have a significant impact on different groups within our community.

This process has been developed, together with [full guidance \(PDF\)](#), to support officers in meeting our duties under the:

- Equality Act 2010.
- The Best Value Guidance
- The Public Services (Social Value) 2012 Act

In addition the guidance supports officers to consider our commitments set out in the [Thurrock Joint Compact](#) with the voluntary sector.

As well as supporting you to look at whether there is, or will be, a significant impact, the guidance will also consider ways in which you might mitigate this in the future.

About the service or policy development

Name of service or policy	CCTV Public Identification Policy
Lead Officer	Dulal Ahmed, Housing Enforcement Manager, CO2-2, ext 63457
Contact Details	

Why is this service or policy development/review needed?
To enable the publication of CCTV images on the Council’s website for the purposes of identification of offenders involved in crime, Anti-social behaviour and fly tipping within the Borough of Thurrock where all other avenues of identification have been exhausted.

1. Community impact (this can be used to assess impact on staff although a cumulative impact should be considered).

<p>What impacts will this service or policy development have on communities? Look at what you know? What does your research tell you?</p> <p><i>Consider:</i></p> <ul style="list-style-type: none"> National and local data sets – for example, key statistics and ward profiles Complaints Consultation and service monitoring information Voluntary and Community Organisations The Equality Act places a specific duty on people with ‘protected characteristics’. The table below details these groups and helps you to consider the impact on these groups. 					
	Positive	Neutral	Negative	What are the positive and negative impacts?	How will benefits be enhanced and negative impacts minimised or eliminated?
Local communities in general	/			To reduce crime and anti-social behaviour and to apprehend and prosecute offenders.	The Policy clearly explains how the use of images will be publicised and the restrictions imposed on their use.
Age		/		For both sexes prosecutions concentrate between the ages of 20 and 45 years old in the criminal	The community safety partnership agencies carry out a number of awareness campaigns aimed

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

			justice system. The boroughs population of this age group makes up 35%.	at this age group to deter this group committing crime. The council's corporate communication team will publish its own ASB and environment awareness campaigns to deter ASB and environment crime aimed at this age group. This is accessible on types of format eg social media, press, online etc
Disability		/	To reduce crime and anti-social behaviour and to apprehend and prosecute offenders.	This policy supports all residents regardless of your protected characteristic including hidden disabilities that have no physical signs.
Gender reassignment		/	To reduce crime and anti-social behaviour and to apprehend and prosecute offenders.	This policy supports all residents regardless of your protected characteristic.
Marriage and civil partnership		/	To reduce crime and anti-social behaviour and to apprehend and prosecute offenders.	This policy supports all residents regardless of your protected characteristic.
Pregnancy and maternity		/	To reduce crime and anti-social behaviour and to apprehend and prosecute offenders.	This policy supports all residents regardless of your protected characteristic.
Race (including Gypsies, Roma and Travellers)		/	White males and females are more likely to commit crimes in the	The council's corporate communication team will publish

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

				locality due to demographics of the borough. The number of white residents is disproportionately higher than the BME community at 81%. This is true in the Criminal Justice System. A higher proportion of white residents to BME residents.	its own ASB and environment awareness campaigns to deter ASB and environment crime. This is accessible on types of format eg social media, press, online etc
Religion or belief		/		To reduce crime and anti-social behaviour and to apprehend and prosecute offenders.	This policy supports all residents regardless of your protected characteristic.
Gender			/	Men are more likely to commit ASB and environment crime offences than females. This is true within the Criminal Justice System. Men are more likely to be prosecuted or issued a Penalty Notice. The reoffending rate for males is higher than for females. The borough is split 49% male and 51% female.	The councils corporate communication campaigns will deter residents to commit crime and encourage neighbours to report on others identified.
Sexual orientation		/		To reduce crime and anti-social behaviour and to apprehend and prosecute offenders.	This policy supports all residents regardless of your protected characteristic.

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

<p>Any community issues identified for this location? <i>See above link to ward profiles.</i> If the project is based in a specific location please state where, or whether Borough wide. Please note any detail of relevance e.g. is it an area with high unemployment, or public transport limited?</p>		/	<p>The Policy will cover the entire Borough of Thurrock where CCTV is deployed.</p>	<p>Its aimed to increase public safety and reduce the fear of crime that the council will investigate and tackle ASB and environment crime.</p>
--	--	---	---	---

2. Consultation.

<p>Provide details of what steps you have taken or plan to take to consult the whole community or specific groups affected by the service or policy development e.g. on-line consultation, focus groups, consultation with representative groups? <i>This is a vital step</i> – see full guidance (PDF).</p>
<p>The council's borough CCTV wide service is effective tool fighting crime. This policy utilises our 491 cameras to work closely with enforcement teams, prioritising ASB and environment crime to make our neighbourhoods safer and cleaner.</p> <p>The team has consulted our Community Safety Partnership, Corporate Communication, internal enforcement teams, and Essex Police on the implementation of this policy to help solve crimes and reduce disorder in the borough in line with Section 17 of the Crime and Disorder Act 1988. The partnership includes neighbourhood watch group representatives who represent the communities we serve affected by this scheme.</p> <p>In addition, Legal Services and Information Governance have approved this policy during the consultation process of writing this policy framework.</p>

3. Monitoring and Review

<p>How will you review community and equality impact once the service or policy has been implemented? <i>These actions should be developed using the information gathered in Section1 and 2 and should be picked up in your departmental/service business plans.</i></p>		
Action:	By when?	By who?
<p>All images will need to be vetted and approved before publication, no persons deemed to be under the age of 18 years will be publicised.</p>	<p>Before publication</p>	<p>CCTV Manager, Community Protection Manager, ASB Manager, Environmental Enforcement</p>

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

How will you review community and equality impact once the service or policy has been implemented?

*These actions should be developed using the information gathered in **Section 1 and 2** and should be picked up in your departmental/service business plans.*

		Manager.
Images of individuals will only be publicised of the offender, any images containing other persons will be edited using Image Redaction software before publication.	ongoing	CCTV Manager
Publication of offenders will only be used where all other avenues of identification have been exhausted.	Before publication	Community Protection Manager, ASB Manager, Environmental Enforcement Manager.
The scheme effectiveness to build resident confidence and reduce the fear of crime to be monitored within the council's ASB customer satisfaction survey.	Ongoing	Investment and Programme Analyst
A six month review of the CCTV public identification will be presented to the council's Tenant Excellence Panel	April 2020	CCTV Manager

4. Next steps

It is important the information gathered is used to inform any Council reports that are presented to Cabinet or Overview and Scrutiny committees. This will allow Members to be furnished with all the facts in relation to the impact their decisions will have on different equality groups and the community as a whole.

Take some time to précis your findings below. This can then be added to your report template for sign off by the Community Development and Equalities team at the consultation stage of the report cycle.

Implications/ Customer Impact

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

Implications/ Customer Impact

The Policy has been produced in line with current Human Rights, Data Protection and GDPR guidance and therefore covers all aspects of data protection issues and persons who may be identified.

The Policy has also been produced in line with the current Crime and Disorder Act 1998 and relevant legislation that permits prosecution of offenders where identified.

5. Sign off

The information contained in this template should be authorised by the relevant project sponsor or Head of Service who will be responsible for the accuracy of the information now provided and delivery of actions detailed.

Name	Role (e.g. project sponsor, head of service)	Date
Carol Hinvest	Assistant Director of Housing Services	11/09/2019



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15 January 2020	ITEM: 16
Cabinet	
Mid-Year Corporate Performance Report 2019/20	
Wards and communities affected: All	Key Decision: Non-key
Report of: Councillor Deborah Huelin, Cabinet Member for Central Services and Communities	
Accountable Assistant Director: n/a	
Accountable Director: Karen Wheeler, Director of Strategy, Communications & Customer Services	
This report is public	

Executive Summary

This is the mid-year corporate performance monitoring report for 2019/20 reporting up to the end of September 2019.

At this midpoint in the year, this is a very positive report as overall three quarters of indicators are currently achieving target and 55% are better than the previous year.

This report provides a progress update in relation to the performance of those KPIs, including a focus on some specific highlights and challenges. Of particular note are the significant achievements in housing satisfaction and the consistently improved and on target performance relating to bin collections.

This report details the statistical evidence the council will use to monitor the progress and performance against the council's priorities. For 2019/20, these set of indicators were agreed by Cabinet in July 2019.

This report was presented to Corporate Overview and Scrutiny Committee on 14 January 2020, feedback from which will be raised at this meeting.

- 1. Recommendation(s)**
 - 1.1 To note and comment upon the performance of the key corporate performance indicators in particular those areas which are off target**
 - 1.2 To identify any areas which require additional consideration**

2. Introduction and Background

- 2.1. The performance of the priority activities of the council is monitored through the Corporate Key Performance Indicator (KPI) framework. This provides a mixture of strategic and operational indicators.
- 2.2. The indicators have been chosen to be as clear and simple to understand as possible, whilst balancing the need to ensure the council is monitoring those things which are of most importance, both operationally and strategically.
- 2.3. This reflects the demand for council services increasing and being ever more complicated and the need for a holistic approach to monitoring data and intelligence. Analysis of performance and internal processes at service level by Directors continued monthly throughout 2018/19 and will continue throughout 2019/20.
- 2.4. These indicators will continue to be reported to both Corporate Overview and Scrutiny Committee and on to Cabinet on a quarterly basis, throughout 2019/20.
- 2.5. In line with the recommendation from Corporate Overview and Scrutiny Committee in June 2019, throughout 2019/20, where performance is below target, commentary will be included to show the intended improvement plan. This is included in Section 3.5 as the “Route to Green”.

3. Issues, Options and Analysis of Options

- 3.1. This report is a monitoring report, therefore there is no options analysis.

3.2 Summary of Corporate KPI Performance

Quarter 2 2019/20 Performance against target		Direction of Travel compared to 2018/19	
Achieved	73.8% (31)	↑ BETTER	55% (22)
Failed	26.2% (11)	→ STATIC	17.5% (7)
		↓ WORSE	27.5% (11)

This is higher than the 67.5% overall percentage achieving target in 2018/19 and the same as the Quarter 1 position of 73.8% achieving target.

3.3 On target performance

Approximately three quarters of corporate KPIs achieved their end of year targets.

Indicator Definition	Portfolio Holder	2018/19 Outturn	Quarter 1	In month July	In month Aug	In month Sept	Quarter 2	Quarter 2 Target Status	Direction of Travel since 2018/19	Quarter 2 Target	2019/2020 Target
Proportion of people using social care who receive direct payments	Cllr Little	33.1%	36.5%	36.9%	36.4%	36.6%	36.6%	ACHIEVED	↑	32%	32%
% of refuse bins emptied on correct day	Cllr Watkins	97.85%	99.4%	99.2%	99.8%	99.5%	99.5%	ACHIEVED	↑	98.5%	98.50%
Tenant satisfaction with Transforming Homes	Cllr Johnson	87.50%	86.2%	90.6%	90.3%	87.2%	88.0%	ACHIEVED	↑	85%	85%
Forecast National Non-Domestic Rates (NDR) collected	Cllr Hebb	98.9%	99.3%	99.3%	99.3%	99.3%	99.3%	ACHIEVED	↑	99.3%	99.3%
% of potholes repaired within policy and agreed timeframe	Cllr Maney	99.10%	100%	100%	100%	100%	100%	ACHIEVED	↑	98%	98%
Contact Centre - Face to Face average waiting times (minutes)	Cllr Huelin	03:56		01:25	00:48	00:59		ACHIEVED	↑	3 mins	3 mins
Number of delayed transfers of care - days from hospital (attrib. to NHS, ASC & Joint)	Cllr Little	2,459	414	70	153	data in arrears	data in arrears	ACHIEVED	↑	1,020	3,036 (prov)
No of health hazards removed as a direct result of private sector housing team intervention	Cllr Johnson	896	201	85	96	197	579	ACHIEVED	↑	450	900
% General tenant satisfaction with neighbourhoods/services provided by Housing	Cllr Johnson	68%	73.9%	75.7%	74.3%	81.6%	75.5%	ACHIEVED	↑	75%	75%
% occupancy of commercial properties	Cllr Coxshall	89%	91%				91%	ACHIEVED	↑	88%	88%
Successful completion of treatment in Young People's Drug & Alcohol service (YTD)	Cllr Halden	89%	100%				95%	ACHIEVED	↑	70%	70%
No of GP practices with a profile card and agreed joint priorities within the preceding 12 months	Cllr Halden	93%	100%				100%	ACHIEVED	↑	93%	93%
No of placements available within council for volunteers	Cllr Huelin	180	191				240	ACHIEVED	↑	230	210
% of young people who reoffend after a previously recorded offence	Cllr Little	18%	18% (Q4)				11% (Q1)	ACHIEVED	↑	National average (39.6%)	
% of 17-21 yr old Care Leavers in Education, Employment or Training	Cllr Halden	62%	61%				66%	ACHIEVED	↑	Above national average (51%)	
Number of additional hypertensive patients diagnosed following screening programmes	Cllr Halden	694	255				477	ACHIEVED	↑	300	600
Street Cleanliness - a) Litter	Cllr Watkins	10.06%	Tranche 1 8%				Tranche 2 5.83%	ACHIEVED	↑	9%	9%

Indicator Definition	Portfolio Holder	2018/19 Outturn	Quarter 1	In month July	In month Aug	In month Sept	Quarter 2	Quarter 2 Target Status	Direction of Travel since 2018/19	Quarter 2 Target	2019/2020 Target
Overall spend to budget on HRA (£K variance)	Cllr Johnson	£0	£0	£0	£0	£0	£0	ACHIEVED	➔	£0	£0
Number of applicants with family commitments in Bed & Breakfast for six weeks or more (ie presenting as homeless with children/pregnant)	Cllr Johnson	0	0	0	0	0	0	ACHIEVED	➔	0	0
% of Major planning applications processed in deadline	Cllr Coxshall	100%	100%	100%	100%	100%	100%	ACHIEVED	➔	90%	90%
% of Minor planning applications processed in deadline	Cllr Coxshall	100%	100%	100%	100%	100%	100%	ACHIEVED	➔	90%	90%
Overall spend to budget on General Fund (% variance against forecast)	Cllr Hebb	0%	0%	0%	0%	0%	0%	ACHIEVED	➔	0%	0%
Forecast Council Tax collected	Cllr Hebb	98.9%	98.9%	98.9%	98.9%	98.9%	98.9%	ACHIEVED	➔	98.9%	98.9%
% of all schools judged "good" or better	Cllr Halden	88%	88%				88%	ACHIEVED	➔	National average	National average (85.6%)
% of repairs completed within target	Cllr Johnson	97.70%	97.4%	96.6%	97.7%	98.0%	97.3%	ACHIEVED	⬇	95%	95%
% Rent collected	Cllr Johnson	98.80%	89.6%	93.4%	93.0%	93.7%	93.7%	ACHIEVED	⬇	98%	98%
Average time to turnaround/re-let voids (in days)	Cllr Johnson	26.64 days	26.5 days	27.7 days	26.6 days	26.8 days	26.8 days	ACHIEVED	⬇	28 days	28 days
No of new apprenticeships started (incl current staff undertaking new apprentice standards)	Cllr Huelin	60	7	2	3	27	39	ACHIEVED	⬇	9	59 (2.3%)
Total gross external income (fees & charges) (based on sales forecast)	Cllr Hebb	£9.32m	£7.34m	£7.34m	£7.61m	£7.61m	£7.73m	ACHIEVED	⬇	£7.7m	£7.7m
Average time (in days) for a child to be adopted (3 year average) (ie time between entering care and moving in with adoptive family)	Cllr Little	343 days (Revised figure)	366 days				381 days	ACHIEVED	⬇	National average	National average (486 2015-18)
Number of new Micro Enterprises started since 1 April 2019	Cllr Huelin	new KPI	14				27	ACHIEVED	n/a	10	20
Value (£) of council owned property disposals	Cllr Coxshall	new KPI	£320k				£470k	n/a	n/a	n/a	Baseline

3.4 In focus for Quarter 2

Of particular note in Quarter 2 are the following indicators for which more detail is provided below:

Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	In month July	In month Aug	In month Sept	Qtr 2 Outturn	Qtr 2 Status	Direction of Travel since 2018/19	Qtr 2 Target	2019/2020 Target
No of new apprenticeships started (incl current staff undertaking new apprentice standards) as % of workforce	Cllr Huelin	60	7	2	3	27	39	ACHIEVED	↓	9	59 (2.3%)
<p>The target for apprentices is exceeding its profiled target at this stage in the year with credit due to targeted work completed by recruiting managers in collaboration with the resourcing and improvement teams. The apprentice recruitment day was held in July 2019 with over 20 apprenticeships on offer and all successfully recruited to. Additionally, apprenticeships are being offered as an upskilling opportunity to existing staff members which is also helping the target. There is positive work in the pipeline to ensure we continue to on board further apprentices through the remainder of the year with confidence high that the target will be exceeded overall.</p> <p>A detailed report was given to Corporate Overview and Scrutiny Committee at the September 2019 meeting.</p>											

Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	In month July	In month Aug	In month Sept	Qtr 2 Outturn	Qtr 2 Status	Direction of Travel since 2018/19	Qtr 2 Target	2019/2020 Target
% General tenant satisfaction with neighbourhoods/services provided by Housing	Cllr Johnson	68%	73.9%	75.7%	74.3%	81.6%	75.5%	ACHIEVED	↑	75%	75%
<p>Tenant satisfaction with the overall service provided by Housing was 81.2% in September which is the highest satisfaction rate ever recorded for this measure by a margin of 2.8%. In addition to this year to date performance for this measure is now on target at 75.5% which represents an improvement of 7.5% in comparison with the 2018-19 outturn.</p> <p>It has previously been reported that one of the key drivers for tenant dissatisfaction was communication and engagement. In order to address this a number of measures have been implemented in order to improve communication and to enhance the way the Housing department engages with tenants including the development of a formal communications plan, the inception of an annual tenants conference, enhancements to the Tenants Excellence Panels involvement in service delivery as well as a new tenants e-newsletter. Further to this, a new wider ranging tenant satisfaction survey will be undertaken early in 2020 to allow us to better understand our tenants with a view to improving service delivery.</p> <p>Analysis shows that the measures which have been implemented to improve communication and engagement have had an impact on satisfaction overall with 4% more tenants reporting satisfaction with the way they are kept informed of issues which affect them in comparison with last year. In addition to improvements in communication and engagement, this year there have also been improvements in tenant satisfaction with Transforming Homes, ASB, quality of home, grounds maintenance, caretaking, new tenants sign up process, value for money and Estates Officers which demonstrates improved service delivery this year overall.</p>											

Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	In month July	In month Aug	In month Sept	Qtr 2 Outturn	Qtr 2 Status	Direction of Travel since 2018/19	Qtr 2 Target	2019/2020 Target
% of refuse bins emptied on correct day	Cllr Watkins	97.85%	99.4%	99.2%	99.8%	99.5%	99.5%	ACHIEVED	↑	98.5%	98.50%
<p>With extensive work going on over the last year, it is positive to be able to report that with a single exception when the indicator was just 0.03% below target (March 2019) we have collected more than 98.5% of the bins in the borough on the scheduled collection day every month for a year.</p> <p>Work continues to ensure balanced rounds and strong performance going forward.</p>											

3.4.1 No of HRA-funded homes (units) that have started to be built since 1 April 2019

This indicator has been removed from the suite of indicators for 2019/20 but will return in 2020/21.

Work has continued on three HRA housing development projects that were approved in previous years, with completions anticipated in March and April 2020 on the Tops Club and Claudian Way projects. The Calcutta Road project is also in construction.

The council has embarked on a root and branch review of how housing schemes are developed, ensuring there is additional engagement and oversight in the process. Housing Overview and Scrutiny Committee and Cabinet will both consider the process by which each potential site is assessed, as well as the 'long list' of proposed sites. It is expected that these reports will have been considered by February 2020.

Based on the outcome of this process, the future pipeline of sites which will be brought forward will have higher degree of certainty, having gone through a rigorous process of assessment and engagement. On that basis and until this review is complete, there will be no further sites brought forward and therefore no HRA-funded homes starting on site.

Once approval is received for the "long list" of sites, work will progress at pace to bring forward detailed site by site proposals with the aim of achieving the next starts on site later in 2020.

3.5 Off target indicators

At the end of Quarter 2, 11 indicators failed to meet their target.

Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	In month July	In month Aug	In month Sept	Qtr 2 Outturn	Qtr 2 Status	Direction of Travel since 2018/19	Qtr 2 Target	2019/2020 Target
Number of library members signed up and active within 12 months (loans / PC use)	Cllr Huelin	25,756	25,383				25,865	FAILED	↑	26,271	26,785
<p>Libraries have joined 2,490 new members July-Sept 2019. This is in comparison to 2,248 in the same period last year which shows an increase of 242 members. However, some customers became 'inactive' as they have not used the service in the last 12 months. The increase in new members is largely due to the Children's Summer Reading Challenge. The vacant post of Children's Learning Services Officer was recruited to in late July.</p>											
Route to GREEN											
<p>The Summer Reading Challenge took place in August-September and was successful in increasing membership. Class visits have resumed from September and families are encouraged to join their children during these visits. All libraries have a daily new member target and all staff are being reminded to maintain the impetus and continue to promote library membership wherever possible, for example through outreach activities.</p>											
Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	In month July	In month Aug	In month Sept	Qtr 2 Outturn	Qtr 2 Status	Direction of Travel since 2018/19	Qtr 2 Target	2019/2020 Target
Permanent admissions of older people (aged 65+) to residential and nursing care homes per 100,000 population	Cllr Little	669 per 100,000	139 (33)	198 (47)	261 (62)	345 (82)	345 (82)	FAILED	↓	332 (79)	656 (prov)
<p>Although performance is 13 per 100,000 population under target, this equates to 82 permanent admissions which is only 3 people over the 79 profiled target. Due to the nature of this indicator, it is difficult to predict the demand for residential/nursing care.</p>											
<p>In addition, 28 of the 82 individuals are "full costers" (34%) which means that these placements are not funded by the council. Analysis with the Eastern Region has shown that most other local authorities do not have full costers because once an individual is assessed as able to fund their own care, the council duty is discharged and the individual is required to make a private arrangement with the care home. In Thurrock, the council will still make the placement, provided at council-agreed rates, and will continue to support the individual with reviews etc. As such, Thurrock figures for this indicator are higher than other local authorities.</p>											
Route to GREEN											
<p>Individuals are only placed in residential or nursing care if this is the most appropriate setting to meet their needs and all other community-based services have been considered and deemed unable to meet the need. The indicator is regularly audited to ensure all individuals placed in permanent residential/nursing care were placed appropriately. Due to the nature of this indicator, it is difficult to predict the demand for residential and nursing care, however as the indicator is currently only 3 people over the profiled target, it is likely that performance can recover in the coming months.</p>											

Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	In month July	In month Aug	In month Sept	Qtr 2 Outturn	Qtr 2 Status	Direction of Travel since 2018/19	Qtr 2 Target	2019/2020 Target
Proportion of older people (65+) still at home 91 days after discharge from hospital into reablement/ rehabilitation	Cllr Little	82.50%	86.9%				86.2%	FAILED	↑	86.3%	86.3% (prov)
<p>Performance is only 0.1% under target and Thurrock is performing better compared to the latest national average (82.4%), regional average (81.2%) and CIPFA comparator group (80.7%). Of the 94 individuals who were discharged from hospital into a Reablement Service in the period, 81 were at home 91 days later. Of the 13 individuals who were not at home, 7 had passed away, 3 were in hospital, and 3 had moved to residential care.</p> <p>Due to the fragility of the home care market, the Joint Reablement Team has been required to provide mainstream home care, which has impacted on their ability to deliver reablement and may have affected performance. Recently, the Council have terminated the contract of one Domiciliary Care provider due to their inability to provide the service for which they were contracted resulting in all care packages needing to be taken back.</p> <p>In addition, whilst the reablement service aims to improve independence to keep individuals at home for longer, some individuals may have health conditions that might mean that full independence is not possible. Some individuals can also have changes in circumstances or new conditions after reablement has taken place which has caused a loss of independence and may not be attributable to the service provided. In the case of the 7 individuals who have passed away, the age group was 72-96, with an average age of 83 years old.</p>											
Route to GREEN											
<p>Work continues to stabilise the market and we currently have two contracted domiciliary care providers, along with five spot providers, and our in house domiciliary care provision. We have also recently launched two new Wellbeing Teams currently based in the Tilbury and Chadwell localities, with plans to roll out this new approach across the whole of Thurrock. We also have in place a Bridging Service to facilitate hospital discharge which also provides some reablement support. A review of the reablement pathway is in progress and is due to be completed by the end of the year.</p>											

Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	In month July	In month Aug	In month Sept	Qtr 2 Outturn	Qtr 2 Status	Direction of Travel since 2018/19	Qtr 2 Target	2019/2020 Target
% of volunteer placements filled within council	Cllr Huelin	85%	90%				90%	FAILED	↑	92%	96%
<p>Following unexpected changes within the team leading the onboarding of volunteers, there have been temporary delays associated with the processing of new applications in the second half of the quarter leading this KPI just failing to reach target.</p>											
Route to GREEN											
<p>A volunteer recruitment action plan has been developed with adequate resourcing now in place to ensure that the target returns to green in Quarter 3 2019/20. Actions include the allocation of resource two days a week to cover the ongoing onboarding requirements as well as any backlog. In addition, resource is in place to ensure DBS checks, where applicable, are progressed swiftly to ensure the KPI is on target for the next quarter.</p>											

Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	In month July	In month Aug	In month Sept	Qtr 2 Outturn	Qtr 2 Status	Direction of Travel since 2018/19	Qtr 2 Target	2019/2020 Target
% of primary schools judged "good" or better	Cllr Halden	90%	92%				92%	FAILED	↑	94%	94%
In Quarter 2 there were three Ofsted Inspections of primary schools - Arthur Bugler and West Thurrock remained Good and The Gateway Primary Free School improved from Requires Improvement to Good. There are three primary schools that are not yet judged to be Good, two of whom have become sponsored academies and have changed their DfE number so have no inspection judgement currently. Both have significantly improved but is unlikely they will be re-inspected yet as Ofsted give schools up to five terms after they become an academy before they are inspected again.											
Route to GREEN											
Both schools have worked closely with the local authority and the multi-academy trusts to improve and their most recent data is at or above national averages. The third school that is not yet good is working with its Trust and the teaching schools to improve teaching and learning. It is unlikely that the school will be re-inspected until at least Sept 2020 due to the Ofsted cycle.											

Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	In month July	In month Aug	In month Sept	Qtr 2 Outturn	Qtr 2 Status	Direction of Travel since 2018/19	Qtr 2 Target	2019/2020 Target
Number of places accessed for two year olds for early years education (2YE) in the borough	Cllr Halden	79.6%					73.49% (Summer term)	FAILED	↓	75%	75%
Traditionally the lowest take up for 2YE is during the summer term because childcare providers have generally filled their places and there is no movement until September when children leave to take up their school places. There were 30 children on the 2YE summer term database who were unable to access a place because the chosen childcare provider was full and could not offer a place until the autumn term. Their families were offered the option of accessing with other providers in the area but declined often because their older children had attended the chosen setting and there was an established relationship with the provider. If these 30 children had accessed a placement during the summer term the take up would have been 77.26% and above target.											
Route to GREEN											
The route to green is to have eligible child accessing 2YE and not remain on a waiting list. The Two Year Entitlement Team work hard to encourage parents to take up their funding with alternative providers which includes making them aware that if they wait a term they may fall out of eligibility. However, it is parental choice as to which childcare provider they choose to send their child. The 30 children were on waiting lists with 14 different settings. One was a new setting not opening until September and one was in the process of moving onto a school site but with no expansion to their numbers. Only one of the settings was actively seeking to increase the number of placements they offer but currently this is not supported by Thurrock.											

Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	In month July	In month Aug	In month Sept	Qtr 2 Outturn	Qtr 2 Status	Direction of Travel since 2018/19	Qtr 2 Target	2019/2020 Target
% NEET + Unknown 16-17 year olds (Age at start of academic year)	Cllr Halden	1.9%	2.5%				20.5%	FAILED	↓	1.6%	1.6%
<p>The NEET figure for September 2019 stands at 1.5% - the target has been met. The Unknown figure stands at 19% - the target has not been met due to seasonal fluctuations of the figure which annually sees a spike each September/October and which comes down in November. This is a result of the process of reporting to DfE.</p> <p>The combined NEET + Unknown figure for September 2019 stands at 20.5% - the target has not been met due to the Unknown figure standing at 19%.</p>											
Route to GREEN											
<p>Significant tracking takes place annually in September, October and November in order to confirm the educational/training and employment destinations of approximately 6000 young people in Thurrock. This in turn will bring the Unknown figure back to '0' in November. The Combined NEET +Unknown figure will therefore come down to target.</p>											

Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	In month July	In month Aug	In month Sept	Qtr 2 Outturn	Qtr 2 Status	Direction of Travel since 2018/19	Qtr 2 Target	2019/2020 Target
No of Thurrock businesses benefitting from ERDF programmes	Cllr Coxshall	68	13				17 (4)	FAILED	n/a as new phase	20	40
<p>There has been a temporary reduction in the number of Thurrock businesses receiving support from the European Programmes over the past quarter. Most of the outputs in previous quarters have come from the LOCASE programme but delivery closed in July and we are waiting to hear if a new programme will be funded.</p> <p>The SECCADS programme operates across the South East LEP area and has seen a real downturn in grant applications over the summer months across the whole area. There have not been any grant applications from businesses in Thurrock but interest is picking up now that the summer holidays have ended.</p> <p>The Tilbury CLLD programme is now underway and there has been some interest from local businesses but no grants defrayed to date. The project officer has purchased a business database for Tilbury and is now visiting each eligible business to engage on a 1:1 basis and encourage applications.</p>											
Route to GREEN											
<p>The team will be looking at promoting the funds available over our social media accounts and on our website. The CLLD programme manager will continue to engage with eligible businesses in Tilbury on a 1:1 basis if necessary. The team will also look at diverting resource from other work to contact businesses and encourage engagement directly.</p>											

Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	In month July	In month Aug	In month Sept	Qtr 2 Outturn	Qtr 2 Status	Direction of Travel since 2018/19	Qtr 2 Target	2019/2020 Target
Payment rate of Fixed Penalty Notices (FPNs)	Cllr Gledhill	61.60%	53.05%	55.64%	62.40%	43.21%	54.40%	FAILED	↓	70%	70%
<p>The payment rate continues to be below the 70% target, a key reason for this appears to be the increase in fine value to £150. Non-payment is unacceptable. The council will continue to pursue payment through legal processes. A further factor that influences this indicator is that the payment rate is calculated monthly whilst offenders can have up to three months in which to make a payment. The result of this is that payment rate can appear to be lower than they actually are. All non - payment FPN cases are progressed to court for prosecution in line with the Single Justice Process system (SJP) as set by the magistrates. Since April 2019, there have been 85 successful convictions in a criminal court and the council will continue to take robust action against non-payment of FPNs. The average court results per non- payment FPN case are fine: £150; victim surcharge: £30; costs: £100 = total £280.</p>											
Route to GREEN											
<p>Non-payments of FPNs has been reviewed and an additional procedure of contacting non payers, prior to case file completion has shown some positive results. Those that don't pay are being pursued through the court process. This increased activity has shown positive results.</p>											

Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1 Outturn	In month July	In month Aug	In month Sept	Qtr 2 Outturn	Qtr 2 Status	Direction of Travel since 2018/19	Qtr 2 Target	2019/2020 Target
% Household waste reused/ recycled/ composted	Cllr Watkins	37.5%	39%	38%	37%	32%	36%	FAILED	↓	44.4%	41%
<p>The recycling rate at the mid-year point of the year is below target although in line with last year's performance. The last five years has shown a steady decline from 40.93% in 2013/14. The council can only 'encourage' residents to recycle and this is done using social media, information leaflets and the council's website to provide advice on what materials are collected both at kerbside and at the Household Waste Recycling Centre as part of a comprehensive communication plan.</p>											
Route to GREEN											
<p>There are a number of elements which will contribute to achieving our route to green.</p> <ul style="list-style-type: none"> • A cross party working group has been established to consider a new Waste Strategy with focus on increasing recycling rates. This is a long term intervention unlikely to have a direct impact on recycling rate this year. • The pilot that was initiated to introduce recycling facilities at two flatted communities in Grays has been successful, with clean recycling being collected from both sites. Residents have provided positive feedback and plans are being developed to roll out the programme at all flats in borough over the next 18 months. This is an exciting programme that is likely to have a significant positive impact on recycling tonnages in future. • The service is also exploring ways to separate additional materials and divert these to be recycled. The trial that was initiated with mattresses being diverted has been successful with 125.5 tonnes of mattresses (1,312 individual items) recycled in the first two months of the trial. • This year so far, we have delivered recycling focussed assemblies at 13 schools reaching over 4,000 children. A further nine events are already scheduled. 											

Indicator Definition	Portfolio Holder	2018/19 Outturn	Tranche 1	Tranche 2	YTD	YTD Status	Direction of Travel since 2018/19	Tranche Target	2019/2020 Target
Street Cleanliness - c) Graffiti	Cllr Watkins	4.28%	3.67%	4%	3.83%	FAILED	↑	3%	3%
<p>Based on independent inspections that are carried out by Keep Britain Tidy and cover 300 individual sites across a series of wards and land usage types, the level of graffiti reported in the borough is higher than the target agreed for this year after two rounds of inspections.</p> <p>The Clean and Green teams have been actively removing graffiti from the street furniture and infrastructure as it appears. All reports of graffiti are actioned within agreed timeframes and in addition to this all members of staff in mobile teams have been equipped with the tools and materials to enable them to remove or cover graffiti as they find incidents of this on their rounds.</p>									
Route to GREEN									
<p>It is important to note that a significant proportion of the graffiti identified in the street cleanliness inspections is on private property and as such cannot be immediately removed by the team. The service continues to work closely with Environment Enforcement Officers to ensure that graffiti on private property is removed.</p>									

3.6 Other key indicators

Throughout the year the council also monitors some other indicators as part of the corporate scorecard which, whilst not performance related, are important to keep under review.

Demand Indicator Definition	Portfolio Holder	2018/19 Outturn	Qtr 1	In month July	In month Aug	In month Sept	Qtr 2	Direction of Travel since 2018/19
Contact Centre - Face to Face - no of visitors	Cllr Huelin	68,822	14,489	5,668	4,757	5,050	29,964	↓
Number of households at risk of homelessness approaching the Council for assistance	Cllr Johnson	1,605	418	195	193	182	988	↑
No of homeless cases accepted	Cllr Johnson	97	27	4	5	6	42	↓

4. Reasons for Recommendation

- 4.1 The corporate priorities and associated performance framework are fundamental to articulating what the council is aiming to achieve. It is best practice to report on the performance of the council. It shows effective levels of governance and transparency and showcases strong performance as well as an acknowledgement of where we need to improve.
- 4.2 This report highlights what the council will focus on during 2019/20 and confirms the governance and monitoring mechanisms which were in place to ensure that priorities are delivered.

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

- 5.1 Performance against the corporate priorities was monitored through Performance Board, a cross-council officer group of performance experts representing each service. Performance Board will continue to consider the corporate KPIs on a monthly basis, highlighting areas of particular focus to Directors Board.
- 5.2 Each quarter a report will continue to be presented to Corporate Overview and Scrutiny Committee, and finally reported to Cabinet. This report was presented to Corporate Overview and Scrutiny Committee on 14 January 2020, feedback from which will be raised at this meeting.

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

- 6.1 The vision and priorities cascade into every bit of the council and further to our partners, through key strategies, service plans, team plans and individual objectives.

6.2 This report will help decision makers and other interested parties, form a view of the success of the council's actions in working towards achieving the vision and priority ambitions.

7. Implications

7.1 Financial

Implications verified by: **Dammy Adewole**

Senior Management Accountant – Central Services

The report provides an update on performance against corporate priorities. There are financial KPIs within the corporate scorecard, the performance of which are included in the report.

Where there are issues of underperformance or increased demand, any recovery planning commissioned by the council may entail future financial implications, and will need to be considered as appropriate.

7.2 Legal

Implications verified by: **Tim Hallam**

Acting Head of Law, Assistant Director of Law and Governance and Monitoring Officer

There are no direct legal implications arising from this report. However, where there are issues of underperformance or increased demand, any recovery planning commissioned by the council or associated individual priority projects may have legal implications, and as such will need to be addressed separately as decisions relating to those specific activities are considered.

7.3 Diversity and Equality

Implications verified by: **Rebecca Lee**

Community Development Team Manager

The Corporate Performance Framework for 2019/20 contains measures that help determine the level of progress with meeting wider diversity and equality ambitions, including youth employment and attainment, independent living, vulnerable adults, volunteering etc. Individual commentary is given throughout the year within the regular monitoring reports regarding progress and actions.

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

The Corporate Performance Framework includes areas which affect a wide variety of issues, including those noted above. Where applicable these are covered in 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):

N/A

- 9. Appendices to the report**

N/A

Report Author:

Sarah Welton
Strategy Manager

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15 January 2020	ITEM: 17 Decision: 110522
Cabinet	
Acquisition of Land	
Wards and communities affected: Stanford Le Hope West	Key Decision: Key
Report of: Councillor Mark Coxshall, Portfolio Holder for Regeneration and Strategic Planning	
Accountable Assistant Director: Anna Eastgate, Assistant Director - Lower Thames Crossing and Transport Infrastructure Projects	
Accountable Director: Andy Millard, Director of Place	
This report is Part Exempt – Appendix A and B is exempt by virtue that, in accordance with Schedule 12A of the Local Government Act 1972 (category 3), it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).	
Date of notice given of exempt or confidential report: 17 December 2019	

Executive Summary

The Stanford Le Hope Interchange scheme involves the construction of new station buildings with footbridge and lifts, passenger information system, bus turnaround facility, passenger drop-off points and cycle parking.

The current design of the Stanford Le Hope transport interchange scheme is complex and expensive. A review of the design has been undertaken in light of a potential option to purchase additional land in the locality to support a simpler but high quality scheme which delivers all of the components required of the scheme in a different way. This would enable the scheme to be delivered within the current budget envelope and would considerably reduce the risks the scheme is currently carrying.

If successful, the revised scheme with the additional land, which would require planning permission to be granted, would deliver a much improved and cost effective solution, improving the public realm and parking available in the locality and supporting the Council’s corporate policies and regeneration objectives.

1. Recommendation(s)

That Cabinet:

1.1 Notes the regeneration and financial opportunities presented by the potential acquisition of land identified in Appendix A.

1.2 Delegates authority to the Director of Place and Director of Finance, Governance and Property in consultation with the Cabinet Member for Regeneration to commence negotiations and seek to agree final terms for the acquisition of the site and to enter into any such agreements necessary to conclude the acquisition of the site.

2. Introduction and Background

2.1 The Stanford Le Hope Interchange scheme involves the construction of new station buildings with footbridge and lifts, passenger information system, bus turnaround facility, passenger drop-off points and cycle parking.

2.2 The location of the station within Stanford Le Hope is at times congested and busy. This is due to the constraints within the locality which include Mucking Creek, London Road and the railway crossing. The station is used as part of the travel plan for London Gateway DP World with buses bringing staff in to and collecting from the station during shift changeovers. The station is also heavily used for by commuters into London and there is limited availability of parking both at the station and within Stanford Le Hope itself.

2.3 Works were undertaken in March 2019 to demolish the existing station building to provide access into the remainder of the site to deliver the works. However, there are a number of issues that still need to be overcome to deliver the scheme.

2.4 The preliminary design of the scheme, with a cantilevered deck, is an expensive option to deliver. A review of the design has been undertaken to identify alternative design and construction options to enable the project to be delivered within the budget envelope.

2.5 The review identified that the scheme could be delivered by amending the design to incorporate a retained fill of the void area beneath the existing deck. The deck design is being driven by the need to provide a bus turnaround facility to relieve congestion along London Road during peak periods which in turn is driving the need to acquire the area at Mucking Creek and build out over the Creek which again increases the costs and complexity of delivering the scheme to a high standard.

3. The Opportunity

3.1 The acquisition land, if acquired, could significantly improve both the quality and deliverability of the scheme that can be delivered. Primarily it would negate the need for the complicated and expensive cantilevered deck, the need to build out over Mucking Creek and the need to rebuild the London Road Bridge, all of which are significantly increasing the costs and risks associated with the scheme.

- 3.2 If the scheme were to be considered in two phases, it is believed that it could be delivered within the existing budget envelope.
- 3.3 Phase 1 would be the delivery of the platform widening, stations forecourt area without the bus turnaround facility (see Phase 2), footbridge and lifts and new high quality station building. This would result in a much improved public realm area in front of the station
- 3.4 Phase 2 would involve the acquisition of the land set out in Appendix A which would provide a bus waiting and turnaround facility, passenger drop off as well as improved parking for the community of Stanford Le Hope.
- 3.5 The overall benefits of this proposal would result in improved public realm, a high quality design, improved parking and facilities for residents of the locality as well as commuters. This would also enable the scheme to be delivered within the existing budget envelope by removing the expensive and complex elements of the scheme which are currently causing delay and increasing costs.
- 3.6 Acquisition of the land and changes to the scheme would require further assessment and/or modification of the existing planning consent currently in place and a new consent if the acquisition site is secured.

4. Reasons for Recommendation

- 4.1 The proposed acquisition site has been identified as a solution to a number of issues and barriers to delivery of this important scheme. Progressing this alternative scheme contributes to the regeneration and economic growth objectives of the Council. Providing improved parking in the locality would support the local high street and provide a revenue stream from parking charges.

5. Consultation

- 5.1 None

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

- 6.1 If delivered, this improved scheme would support the Council's regeneration aspirations, by improving the accessibility to public transport for communities, providing high quality public realm and station facilities which enable communities to be connected as well as commuters to enjoy an improved experience. The scheme with its proximity to London Gateway DP World and with the Lower Thames Crossing proposals mean there is a need to provide connectivity for workers to support the delivery of infrastructure and the local economy, consistent with the Council priorities of people, place and prosperity.

7. Implications

7.1 Financial

Implications verified by: **Jonathan Wilson**
Assistant Director, Finance

It is expected the acquisition of the proposed land would enable the project to be delivered within existing capital budgets. This remains subject to the agreement of the final price.

Should the land be acquired by negotiation there will be a financial assessment undertaken to ensure the acquisition represents value for money and to understand any wider financial impacts on the medium term financial strategy. This will be assessed by the Director of Finance, Governance and Property in consultation with the Director of Place prior to any recommendation being made.

7.2 Legal

Implications verified by: **Tim Hallam**
**Acting Head of Law, Assistant
Director of Law and Governance and
Monitoring Officer**

Local Authorities are empowered under the Localism Act 2011 and the Local Government Act 1972 to acquire land. A local authority has the power to buy any land by agreement for the purposes of its functions.

Furthermore, Section 226 of the TCPA 1990 gives local authorities the power to compulsorily acquire any land in their area for development and other planning purposes.

Should negotiations progress, there will need to be a legal due diligence exercise to ensure (amongst other things) that there are no title encumbrances that would create any issues in relation to the future use of the site.

Any future operational development and change of use of the site will also require planning permission.

7.3 Diversity and Equality

Implications verified by: **Natalie Smith**
**Strategic Lead, Community
Development and Equalities**

The proposed acquisition could potentially facilitate regeneration, improve public realm and reduce congestion. Any future development would be subject to a community equality impact assessment

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

None

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

None

9. Appendices to the report

Appendix A – Financial information (exempt from publication)

Appendix B – Site Plan (exempt from publication)

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