

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 **9 December 2020**

Due to government guidance on social distancing, members of the press and public will not be able to attend this meeting. The meeting will be available to watch live at www.thurrock.gov.uk/webcast

Membership:

Councillors Robert Gledhill (Leader), Shane Hebb (Deputy Leader), Mark Coxshall, James Halden, Deborah Huelin, Andrew Jefferies, Barry Johnson, Ben Maney, Allen Mayes and Aaron Watkins

Agenda

Open to Public and Press

	Page
1 Apologies for Absence	
2 Minutes	5 - 14
To approve as a correct record the minutes of Cabinet held on 11 November 2020.	
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	
6 Briefings on Policy, Budget and Other Issues	
7 Petitions submitted by Members of the Public	

8	Questions from Non-Executive Members	
9	Matters Referred to the Cabinet for Consideration by an Overview and Scrutiny Committee	
10	Overview and Scrutiny at Thurrock: A Review (Decision 110537)	15 - 62
11	Financial Update Quarter 2 2020/21 (Decision: 110538)	63 - 102
12	Environmental Health Jurisdiction: DP World Distribution Park (Decision: 110539)	103 - 110
13	Housing Development Delivery Approach (Decision: 110540)	111 - 118
14	Sheltered Housing Decommissioning - Alexandra Road/Dunlop Road	119 - 126
15	Independent Review of the Local Safeguarding Children's Partnership (LSCP)	127 - 152
16	Purfleet Centre Regeneration (Decision: 110542)	153 - 180

Exclusion of the Public and Press (Item 16 – Appendix 1 & 2)

Members are asked to consider whether the press and public should be excluded from the meeting during consideration of an agenda item on the grounds that it involves the likely disclosure of exempt information as specified in Part I of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act.

In each case, Members are asked to decide whether, in all the circumstances, the public interest in maintaining the exemption (and discussing the matter in private) outweighs the public interest in disclosing the information.

17	Purchase and Development of Land in Tilbury (Decision: 110543)	181 - 196
-----------	---	------------------

Exclusion of the Public and Press (Item 17 – Appendix A & B)

Members are asked to consider whether the press and public should be excluded from the meeting during consideration of an agenda item on the grounds that it involves the likely disclosure of exempt information as specified in Part I of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act.

In each case, Members are asked to decide whether, in all the circumstances, the public interest in maintaining the exemption (and discussing the matter in private) outweighs the public interest in disclosing the information.

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: **1 December 2020**

This page is intentionally left blank

Information for members of the public and councillors

Access to Information and Meetings

Due to current government guidance on social-distancing and the COVID-19 virus, council meetings will not be open for members of the public to physically attend. Arrangements have been made for the press and public to watch council meetings live via the Council's online webcast channel: www.thurrock.gov.uk/webcast

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

Recording of meetings

This meeting will be live streamed and recorded with the video recording being published via the Council's online webcast channel: www.thurrock.gov.uk/webcast

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

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

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

Thurrock Council Wi-Fi

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

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

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

Evacuation Procedures

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

How to view this agenda on a tablet device



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

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

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

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

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

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

Helpful Reminders for Members

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

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

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



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

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

Disclosable Pecuniary Interests shall include your interests or those of:

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

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

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

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

Pecuniary

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

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

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

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

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

Non- pecuniary

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



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

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 11 November 2020 at 7.00 pm

Deadline for call-ins Monday 23 November 2020 at 5.00 pm

Present: Councillors Robert Gledhill (Leader), Shane Hebb (Deputy Leader), James Halden, Deborah Huelin, Barry Johnson, Ben Maney, Allen Mayes and Aaron Watkins

Apologies: Councillors Mark Coxshall and Andrew Jefferies

In attendance: Lyn Carpenter, Chief Executive
Ian Hunt, Assistant Director Law and Governance and Monitoring Officer
Lucy Tricker, Senior Democratic Services Officer

Before the start of the Meeting, all present were advised that the meeting was being recorded, and live-streamed onto the Council's website.

50. Minutes

The minutes of the Cabinet meeting held on 14 October 2020 were approved as a true and correct record.

51. Items of Urgent Business

There were no items of urgent business.

52. Declaration of Interests

There were no interests declared.

53. Statements by the Leader

The Leader began his statement by giving thanks on Armistice Day and remembering those who sacrificed, which was particularly significant as this year marked the 75th Armistice Day since the end of the Second World War. He stated that remembrance had been different this year due to COVID-19, but that the Royal British Legion had ensured safe remembrance services across the UK. He explained that Reverend Cannon Darren Barlow of St Peter and St Pauls Church in Grays had made an excellent virtual service available online, which had already been viewed by nearly 200 people.

The Leader moved onto discussing the second lockdown, which had been implemented to bring the infection rate down, protect the NHS, and save lives. He stated that people should stay at home and only go out for specific reasons such as shopping for necessities like food and medicine; going to work where it is not possible to work from home; for students going to college

or school, or for anyone to exercise. He urged residents to follow the month long lockdown and stick to the rules, after which he hoped the country would go into a new tiered system. The Leader asked people to work together to make sure that Thurrock comes out in the lowest tier, so that residents could visit family and friends again; open businesses; and play their part in getting the national economy back on track. He stated that since the start of the pandemic Thurrock Council had received more than £102million from government to support residents, businesses and the Council through this period, which included £79million for local businesses in grants and business rates relief. He stated that this week Thurrock would also receive £523,004 from the government to provide support to help families with children, and other vulnerable households with food, energy and water bills.

The Leader then moved on and described how the Council were taking tough action on people who broke the rules. He gave the example of landowners on Buckles Lane who had been forced to pay tens of thousands in costs and return the greenbelt to its original state. He stated that due to the injunctions which had been granted to the land north and south of Buckles Lane, the Council were able to stop unapproved work, force the landowners to re-seed the greenbelt and pay tens of thousands in costs to cover the council's legal bill. He explained that the Council would take action to tackle decades of unchecked development on the site, and stated he would take similar action if necessary to resolve the issue. The Leader also gave the example of a rogue landlord who had been forced to pay £18,000 in fines and costs after their company let undersized rooms to tenants. He stated that the Council had previously issued Civil Penalty Notices to the company, but the Council had seen no action and therefore took them to court to ensure the rights of residents to live in a decent home. He gave a final example of organisers of a Halloween Party in the Pilgrims Lane traveller site who now face large fine and possible evictions after they held a party for more than 50 people. He explained that the party organisers told police who saw them erecting a marquee that they would abandon the party, but simply moved the marquee to an area where they thought they could not be seen and continued with their plans. The Leader felt this was reckless and duplicitous, as the party organisers were given the opportunity to do the right thing. He summarised and stated that the Council would work with Essex Police to ensure they face the weight of the law.

The Leader then wished Councillor Huelin and Councillor Hebb good luck for their nominations in the Local Government Information Unit Councillor awards. He explained that Councillor Huelin was a finalist in the Community Champion category and Councillor Hebb had been shortlisted for the Finance and Economic Development category. He felt that both Members had done excellent work in their portfolios, which had been strongly impacted by the pandemic, and explained that they find out the results at a virtual award ceremony on 26 November.

54. Briefings on Policy, Budget and Other Issues

There were no briefings on policy, budget or other issues.

55. Petitions submitted by Members of the Public

No petitions had been submitted by members of the public.

56. Questions from Non-Executive Members

No questions had been submitted from non-Executive Members.

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

Other than those items already contained within the agenda, no matters had been referred to Cabinet for consideration by an overview and scrutiny committee.

58. Lower Thames Crossing Task Force Update Report (Decision: 110534)

Councillor Massey introduced the report in his role as Chair of the LTC Task Force and stated that it had been some time since the Chair of the Task Force had reported to Cabinet and referenced the Terms of Reference, outlining the reasons for the Task Force. He stated that in February Highways England (HE) had released a supplementary consultation, which they had presented to the Task Force in March. He explained that the Task Force had considered the consultation, before approving the Council's response. He then described that HE had also attended the July Task Force meeting during which they had presented their design consultation, and attended again in September to talk through more detailed design elements of the scheme, such as noise barriers. He stated that the Task Force were pleased to welcome this information from HE, but felt it could have come earlier in the process. He described how the Task Force had received reports in October's meeting regarding the Health Impact Assessment and Economic Impact Statement, although the Task Force had been lacking some HE data, which was not published until Development Consent Order (DCO) submission at the end of October. He stated that November's meeting of the Task Force had been cancelled due to the DCO submission, but a briefing had been held where the Task Force had agreed to move to a position of constructive opposition. Councillor Massey thanked the Cabinet for listening to his presentation and welcomed feedback on the move to constructive opposition.

The Leader thanked Councillor Massey for his attendance and felt it was good to hear directly from the Chair regarding updates. He stated that as the DCO submission process continued, he wished to see the meetings of the Task Force continue too.

RESOLVED: That Cabinet:

- 1. Noted the work of the Task Force and thanked the Task Force for their work.**

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

59. Waste Strategy Update (Decision: 110535)

Councillor Watkins introduced the report and stated that the strategy had been developed by the cross-party Waste Management Working Group (WMWG) which included Councillor Fletcher as Chair; Councillor Byrne as Vice-Chair; Councillor Muldowney; Councillor Ralph; Councillor Smith and Councillor Van Day. He thanked those Members for their eighteen months of hard work and delivery of the strategy. He stated that the Waste Strategy had seen continued focus from opposition groups, but the report had been through the cross-party Cleaner, Greener, Safer Overview and Scrutiny Committee and the WMWG.

Councillor Watkins explained that since 2014 recycling rates across the borough had been decreasing, and had decreased further since the start of the pandemic. He felt that the proposed Waste Strategy would help to increase recycling rates across the borough, and had been through a period of consultation, as well as communications via leaflet drops and a social housing pilot. He stated that the consultation had already helped to promote recycling across the borough, and this would be supported by the new waste contracts as the Council worked with the waste team to improve recycling, and reach the government target of 50% recycled waste by 2025. He stated that the WMWG had undertaken lots of detailed work including regular meetings, site visits, and had spent £30,000 on consultation. He explained that the WMWG had chosen option 2A, which Cabinet were being asked to endorse, and this involved a move to weekly recycling collections; bi-weekly refuse collections; and weekly food waste collections. He stated that the current recycling rate in Thurrock was only 33.86%, but this could rise to 54% with the introduction of the new measures. Councillor Watkins explained that as the recycling bin should be the fullest every week, accounting for roughly 64% of all rubbish; this would continue to be emptied on a weekly basis. He added that if any further collection changes were proposed then they would go through the WMWG, and the Cleaner, Greener and Safer Overview and Scrutiny Committee, before coming before Cabinet for approval.

Councillor Watkins then moved onto explain the affect the proposals would have on the workforce and explained that if there were any decreases in the number of waste staff, this would go through a process of rigorous consultation, but that the current plan was to freeze recruitment on the thirteen vacant posts. He stated that the proposed Waste Strategy had no immediate effect on the number of waste staff, and described how more staff might be needed in future due to housing development across the borough potentially leading to the introduction of new waste routes. He explained the changes that had been undertaken since the October Cabinet meeting, and stated that the Waste Strategy remained the same, but questions had been answered in more detail and had been shared with Cabinet Members.

Councillor Watkins explained that the Waste Strategy, if agreed, would begin an eighteen month implementation period, and research undertaken by the WMWG showed that the implementation stage was very important to the success of recycling rates, and could lead to a wholesale recycling change across the borough. He felt that the majority of measures Thurrock Council had put in place up until now had had little or no impact on recycling rates, but that other Councils who had moved to a system similar to option 2A had seen recycling rates increase to approximately 60%.

Councillor Watkins described how residents would be informed of the changes to their collection, and £120,000 would be invested in these communications, which were outlined on page 51 of the agenda. He stated that the communications around the strategy would be ongoing, but if there were any changes in the policy, these would go before the WMWG and Cleaner, Greener and Safer Overview and Scrutiny Committee. He stated that option 2B involved a charge for garden waste, but cross-party Members agreed that option 2A was better for residents and were therefore not proposing this new charge. He again stated that if there were any proposals involving 2B, these would go before the scrutiny committee.

Councillor Watkins summarised and stated that this strategy had been undertaken for the right reasons and all three parties had worked on this to ensure recycling rates improved across the borough and hoped they could continue to work together during the implementation stage. Councillor Watkins read out the recommendations being put to Cabinet and asked that recommendation 6c be removed as consultation had already been undertaken in early 2020 and £120,000 had been earmarked for the first year communications plan, with any problems going before the WMWG. Councillor Watkins instead proposed recommendation 7 which read “subject to the approval of 2A, which was agreed from the cross-party working group in recommendation 1.2, this Council commits to launching a borough-wide communications strategy to go forward to the Waste Management Working Group to demonstrate how £120,000 will be spent in the run up to the 2022 implementation” He thanked the staff and the WMWG for their commitment to recycling, and hard work even throughout the pandemic.

Councillor Halden thanked Councillor Watkins for his report and felt proud of the work that the cross-party WMWG had achieved. He stated that the proposed option research showed other Councils had adopted this strategy and improved recycling rates to over 50%. He added that there were also fringe tax-payer benefits to this scheme as the Council would receive fines if recycling targets were not met within the government deadline. He felt pleased that there had been cross-party support for the strategy, and felt glad to see that all parties were working together for the benefit of residents. He commented that he also felt pleased to see the communications strategy would include advice for people who needed to dispose of medical waste, and again thanked Councillor Watkins and his team for the report.

Councillor Hebb also thanked the WMWG for their collaboration shown on the strategy, and the conclusions they had reached. He stated that the world view

on recycling was changing as manufacturers reduced the number of single-use plastics being used in packaging, which formed part of a global shift towards increased awareness of recycling. He thanked the waste team for their dedication to the job, as they were out in all weathers, and stated that the Council would work with them as the project moved towards implementation. Councillor Watkins added that these changes would affect all residents and stated that the team would work to answer any questions that residents might have on the scheme. He added that he hoped the recommendation would be agreed that would allow the WMWG to continue their good work.

The Leader thanked the WMWG for their work on the strategy and felt that there was an increasing national trend to move towards bi-weekly refuse collection and weekly recycling collection, and felt it had been proven to work elsewhere. He thanked Councillor Byrne for his idea regarding the reduction of single-use plastics and stated that services were already starting to implement this reduction across the Council. Councillor Maney asked if data regarding recycling at ward level could be found, as he felt recycling rates would vary dramatically across the borough. He felt that the recycling communications would need to be focussed, so areas with lower recycling rates could be targeted. The Leader agreed with this statement, and added that recycling in flats was particularly difficult, so this should be an area of focus. He stated that this would be fed through the scrutiny committee and the Director of Environment, Highways and Counter Fraud to see if this approach was possible.

RESOLVED: That Cabinet:

- 1. Agreed the new Waste Strategy, noting the input of the Waste Cross Party Working Group.**
- 2. Reviewed the options relating to potential changes in the Waste Collection Service as proposed by the Cleaner, Greener and Safer Overview and Scrutiny Committee, and agreed option 2A from the table in 2.3.7 of this report.**
- 3. Engaged with the Cleaner, Greener and Safer Overview and Scrutiny Committee to consider a charge for garden waste service with a view that any recommendation be subject to a future report to Cabinet.**
- 4. Delegated authority for the re-procurement and/or extension of the Waste Disposal contracts to the Corporate Director of Finance, Governance and Property and the Director of Environment, Highways and Counter-Fraud, in consultation with the Portfolio Holder for Environment, Sports and Leisure.**
- 5. Delegated authority for the procurement of waste containers, collection vehicles and communication materials to facilitate the change in collection to the Corporate Director of Finance, Governance and Property and the Director of Environment, Highways and Counter Fraud, in consultation with the Portfolio Holder for Environment, Sports and**

Leisure.

6. Considered and agreed the recommendations of the Cleaner, Greener and Safer Overview and Scrutiny Committee:

6a. That the Cross Party Working Group continue to have a role in reviewing the progress of the implementation of the Waste Strategy.

6b. That Thurrock Council lead by example and act to reduce and where possible eliminate single use plastics.

7. Subject to the approval of 2A, which was agreed from the cross-party working group in recommendation 2, this Council commits to launching a borough-wide communications strategy to go forward to the Waste Management Working Group to demonstrate how £120,000 will be spent in the run up to the 2022 implementation.

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

60. Council Tax Exemption for Foster Carers (Decision: 110536)

Councillor Halden introduced the report and stated that he felt proud of this report as it was important for Thurrock based foster carers, as they would not have to pay council tax starting in April 2021. He stated that the average cost of council tax in a Band D property was £1600 per year, but foster carers would be exempt from paying this. Councillor Halden stated that this was the biggest single investment in Thurrock foster carers in many years, and felt it would help improve the number of Thurrock based foster carers, and this would allow foster children to remain in their own communities. He stated that this exemption would be funded through the premium currently being paid for external foster agencies, which cost roughly £2million. He felt this council tax exemption would encourage more local people to become foster carers and therefore reduce the Council's reliance on expensive external foster care agencies. He stated that the criteria and process to become a foster carer would remain high, and foster carers would still need to commit to the 'Stay Put' policy, which ensured foster carers gave pastoral support for foster children up until the age of 21.

Councillor Halden explained that Thurrock would still need to use foster carers outside the borough in some situations, for example if a child required specialist support or had specific medical needs that could only be treated outside Thurrock, but that the exemption would apply to current foster carers in Thurrock and current Thurrock foster carers living outside the borough. He added that officers would also be able to use their discretion regarding the exemption if they felt it was necessary. He thanked the team for their hard work, as well as the Leader and Councillor Hebb for their support on the project.

Councillor Hebb added that he felt this policy was the right thing to do for

Thurrock, and hoped it would encourage more people to apply to become foster carers. He stated that although independent foster care agencies were caring and reliable, by increasing the number of internal Thurrock foster carers, more children could stay within their local neighbourhoods and receive continued support. He thanked the social care team and Councillor Halden for their hard work on the project. Councillor Mayes added that his parents had been Thurrock foster carers for forty years, and felt he understood the challenges that foster carers faced. He commented that any additional money or savings received by foster carers went on caring their foster children, and felt that this council tax exemption would really be of benefit.

The Leader summarised and stated that as a former council tax enforcement officer, he understood the benefit this council tax exemption would have on local foster families. He stated that by increasing the number of home-grown foster parents, this would increase savings for the tax base, and the Council were investing to save. He stated that this report was not designed around those savings, and the main focus was ensuring that foster children stay within Thurrock to ensure they could continue accessing the necessary support and stay within their schools, which would increase their life chances. He stated that as this exemption formed part of the council tax budget, it would be reviewed by Full Council every year.

RESOLVED: That Cabinet:

1. Recommended the introduction of a Council Tax exemption scheme starting in April 2021 (2021/22 financial year) as outlined in section 3 in the report.

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

61. Mid-Year/Quarter 2 (April-September 2020) Corporate Performance Report 2020/21

Councillor Huelin introduced the report and stated that this was the mid-year corporate performance report, which ran from April-September 2020. She stated that during this time period 76.7% of key performance indicators (KPIs) had been achieved despite the ongoing pandemic. She thanked all staff members for their hard work throughout the pandemic, and understood that many people were now working differently at home, or had changed their services completely. Councillor Huelin gave the example of the library service who were now running a 'click and collect' service whereby people could order books online or over the phone and collect them from the library. She felt this was an excellent resource for people who may be self-isolating or who lived on their own. She stated that some KPIs had missed their target, but this was due to the impact of COVID, for example the Council had not been able to hold any physical recruitment days, so the number of new apprentices started had missed its target. She added that some KPIs could no longer be measured either, for example the face-to-face wait times in the Civic Offices.

Councillor Huelin summarised and stated that the report had been through Corporate Overview and Scrutiny Committee, who had no additional recommendations to add.

Councillor Johnson stated that he felt pleased to see the KPI regarding percentage of repairs carried out had maintained its high level, and thanked the repairs team for their hard work even during the pandemic. The Leader thanked all teams for their hard work in meeting KPIs, and added that if residents were unhappy with the service they were receiving they could email or phone the Council. He stated that some KPIs had not reached target due to COVID, such as the payment of Fixed Penalty Notices, which had dropped to 50%, and added that the Council would chase any non-paid fines, and encouraged residents to pay fines early rather than risk going to court. The Leader was also pleased to see the continuation of the red/green KPI system, rather than the traffic light system, as he felt this clearly showed when KPIs were meeting, or not meeting, their targets.

RESOLVED: That Cabinet:

- 1. Noted and commented upon the performance of the key corporate performance indicators, in particular those areas which are off target and the impact of COVID-19.**
- 2. Identified any areas which require additional consideration.**

The meeting finished at 8.06 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

This page is intentionally left blank

9 December 2020	ITEM: 10 Decision: 110537
Cabinet	
Overview and Scrutiny at Thurrock: A Review	
Wards and communities affected: All	Key Decision: Key
Report of: Councillor Oliver Gerrish, Chair of Corporate O&S and the Scrutiny Review	
Accountable Assistant Director: Ian Hunt, Assistant Director Law and Governance, and Monitoring Officer	
Accountable Director: Sean Clark, Corporate Director Finance, Governance and Property	
This report is public	

Executive Summary

This report details the Task and Finish Review that was undertaken in order to focus on overview and scrutiny, and the motions process at Thurrock Council. The outcome of the review is to ensure scrutiny works for all Members, and the function meets national guidelines and frameworks.

1. Recommendation(s)

- 1.1 That Cabinet approve the recommendations as set out in Appendix 1 as they relate to Cabinet functions, and to note those that pertain to the Overview and Scrutiny Function.**
- 1.2 That Cabinet approve the draft Executive-Scrutiny Protocol, as attached at Appendix 1.**

2. Introduction and Background

- 2.1 This review began due to a number of factors, including Members wish to have a detailed look into the process, and a motion raised at October 2018 Full Council by Councillor Spillman who questioned the effectiveness of motions, and the overview and scrutiny process across Thurrock.
- 2.2 Members undertook a number of meetings and events, as well as detailed research to look into the current state of scrutiny at Thurrock and how the

function currently works well, and what areas could be improved by the work of the review.

2.3 The Committee's findings are attached at Appendix 1 of this report.

3. Issues, Options and Analysis of Options

3.1 The issues and options relating to the report are contained at Appendix 1 of this report.

3.2 Members are asked to be mindful of the meaningful balance required to deliver an effective scrutiny function alongside the resources available to support its work and aspirations. The recommendations in the review represent a refocus of current resources rather than a call for additional financial support or officer resource.

4. Reasons for Recommendation

4.1 This report has been agreed by the Corporate Overview and Scrutiny Committee and has now progressed to Cabinet in order they may note the important findings of the Review, but also to approve any recommendations relating to them, most notably the Executive-Scrutiny Protocol.

4.2 The recommendations will allow for scrutiny committees and the Executive to have an enhanced working relationship and to improve practices in the scrutiny function in line with evidenced findings led by Members.

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

5.1 Members of overview and scrutiny committees and the Executive, have been consulted on the findings laid out in this report, through the comments made at the scrutiny symposium and the Executive-Scrutiny Workshop.

5.2 This report has also gone through internal processes such as Directors Board, and governance procedures.

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

6.1 Delivery of successful, high-quality governance has a significant impact on all of Thurrock Council's priorities. Specifically, on including the community in governance procedures such as Committee meetings and asking questions of Members.

7. Implications

7.1 Financial

Implications verified by: **Dammy Adewole**

Senior Management Accountant

There are no financial implications attached to this report.

7.2 Legal

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

This report ensures that Thurrock Council meets the Statutory Guidance on Overview and Scrutiny in Local Combined Authorities, published by the Ministry of Housing, Communities and Local Government in May 2019. It also ensures that the Council is meeting its overview and scrutiny function as provided by the Local Government Act 2000, and the Localism Act 2011.

7.3 Diversity and Equality

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

This report helps Thurrock Council meet its diversity and equality requirements by allowing greater input into the decision-making and governance processes by Members and officers, which leads to increased accountability and access for members of the public.

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

There are no other implications attached to this report.

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

- None

9. Appendices to the report

- Appendix 1: Overview and Scrutiny at Thurrock Council – A Review

Report Author:

Lucy Tricker & Wendy Le

Democratic Services

Finance, Governance and Property

This page is intentionally left blank

Report of the
Corporate Overview and Scrutiny Committee:

**Overview and Scrutiny at Thurrock
Council: A Review
2019/20**



Contact:

Democratic Services

Thurrock Council

Direct.democracy@thurrock.gov.uk



Lead Member's Foreword

The Corporate Overview and Scrutiny Committee is a scrutiny committee made up of local councillors who want to improve services for residents', and monitor the Council's overall performance.

Between 2018 and 2020, as the Chair of the Committee, I oversaw an in-depth review into scrutiny practices at Thurrock Council and how this function could be improved for residents, Members and officers. We chose to review this function as Members felt there was room for improvement, and a chance for backbench Members to make more of an impact to services and policies throughout the Council. A review was subsequently agreed following a motion made at Full Council in October 2018, which raised questions into the effectiveness of scrutiny and the motions process at Thurrock Council. We felt that this was an important area to review to ensure that Members could effectively ensure the accountability of the Council, which will make sure that residents are receiving the best services and the best value for money.

This report sets out the current picture of scrutiny at Thurrock, and how we have worked throughout this review to improve and change current practice. This includes how other Councils are currently running their scrutiny function; the powers that overview and scrutiny have in law; and workshop sessions with scrutiny Members and the Executive to communicate ideas and recommendations.

Councillor Oliver Gerrish

Chair of the Corporate Overview and Scrutiny Committee, and Lead Member for the Scrutiny Review

Structural Recommendations

- 1. Establish an Executive-Scrutiny Protocol to ensure a formal process for scrutiny comments to reach the Executive.**
- 2. Every Overview and Scrutiny Committee to have an over-arching topic-led project that they manage throughout the municipal year.**
- 3. Portfolio Holders are invited to attend Overview and Scrutiny Committees to answer questions.**
- 4. Members to commit to Committee specific training at the start of the municipal year, with Chairs to receive specific Chairs training.**
- 5. Members agree that the number of scrutiny Committees meets the requirements of the Council, and ensures each Committee can fulfil their role.**
- 6. Members agree that overview and scrutiny processes with regards to call-ins are to remain the same, taking into account the research undertaken by officers into best practice at other Councils.**
- 7. Members agree that the motions process works effectively at Thurrock Council, although quarterly update reports on motions will be provided to the relevant Overview and Scrutiny Committee for their comment and oversight.**

Developmental Recommendations

- 8. Selected reports for pre-scrutiny come to the relevant Overview and Scrutiny Committee earlier in the policy development process, so scrutiny comments can be included in policies.**
- 9. The number of 'to note' reports to be reduced, by emailing 'to note' reports to Committee Members for comment.**
- 10. The Work Programme to be more Member-led. A discussion to happen at the beginning of each municipal year regarding which reports would be sent through committee throughout the year.**

Timeline Summary

31 October 2018: motion to Full Council to review the scrutiny function and motions process.

4 December 2018: Democratic Services attended the Centre for Public Scrutiny's Annual Scrutiny Conference to understand scrutiny at a national level, and discuss the review with Councils across the country.

31 January 2019: first meeting of Corporate Overview and Scrutiny Committee to discuss the Centre for Public Scrutiny's Evaluation Framework and the initial key lines of enquiry.

5 March 2019: Corporate Overview and Scrutiny Committee outlined the projects for the review and agreed consultation.

26 September 2019: The Scrutiny Symposium – all scrutiny Members were invited to attend the event hosted by Dr Dave McKenna from the Centre for Public Scrutiny.

6 March 2020: Democratic Services attended the Association of Democratic Services Officers (ADSO) Scrutiny Conference to discuss national legislation developments regarding scrutiny.

10 March 2020: The Corporate Overview and Scrutiny Committee received a verbal update on the review, and the Committee provided additional guidance and comments to be included in the final document.

14 September 2020: After some delay due to COVID-19, the Committee met with the Leader and selected Portfolio Holders to discuss the review, particularly the Executive-Scrutiny Protocol.

10 November 2020: The final review document will be submitted to the Corporate Overview and Scrutiny Committee for their agreement.

9 December 2020: The Scrutiny Review will be submitted to Cabinet for their comment and sign off.

Introduction

1.1 For a number of years, the idea of reforming the scrutiny function has been discussed at Thurrock Council, both by officers and Members from all parties. It was felt there was room for improvement, both to engage Members, and improve the supporting processes and procedures.

1.2 The idea for this review came from a variety of sources, including from a motion at the meeting of Full Council on 31 October 2018 reading:

'Full Council asks for the Corporate Overview and Scrutiny Committee, under its cross-cutting remit on overall performance, monitoring and steering of the overview and scrutiny function, to look into:

- *The effectiveness of overview and scrutiny processes at Thurrock Council*
- *The effectiveness of Motions agreed at Full Council'*

1.2 In response to the motion, the Corporate Overview and Scrutiny Committee commissioned a report, which was discussed at Committee on 31 January 2019 to outline a potential review. We agreed that the initial key lines of enquiry would be:

1. What does overview and scrutiny look like at Thurrock Council, and how does the Council meet the national framework for scrutiny and governance?
2. How effective is the overview and scrutiny process in Thurrock Council, in terms of both quantitative and qualitative data?
3. How effective is the motions process, once they have been agreed at Full Council?

Key Line of Enquiry 1: Evaluation Framework

1.3 To answer the first key line of enquiry, the Committee spent time discussing the Centre for Public Scrutiny's (CfPS) Evaluation Framework, which are the national guidelines on good scrutiny at a local authority, which every Council should follow. One of our key focusses at this meeting was whether Thurrock Council met the Framework, which would provide a good baseline for the review.

1.4 Upon reviewing the CfPS Evaluation Framework we found that Thurrock Council met the national guidelines, and the detail of this can be found at Appendix 3.

1.5 Although Thurrock Council met the overall national guidelines, we felt that there could be improvement, and wished to further scrutinise the following areas as part of our review:

- **Work Programme:**
 - More input from scrutiny Members in shaping the Work Programme, in terms of what reports, issues or items they would like to see.
- **External Committee Activities:**
 - Increase activity between meetings to allow Committee Members the chance to strengthen their understanding and knowledge of issues, for example site visits.
- **Focussed Training Sessions:**
 - Members could benefit from focussed short training sessions specific to overview and scrutiny throughout the year. For Members who join a Committee during the municipal year, a trainer could provide an individual training session.
- **Time Management of Meetings:**
 - Improve the efficiency of meetings to ensure each agenda item has an appropriate amount of time allocated. This would give Members enough time to discuss agenda items and prevent one item running on longer than necessary.
- **Relationship with Cabinet:**
 - A closer relationship between the Executive and scrutiny functions, with a more impactful role for scrutiny.

Key Line of Enquiry 2: Quantitative Data

- 1.6 In regards to the second line of enquiry, we asked Democratic Services to undertake a quantitative study regarding the types of reports that came before all scrutiny Committees between 2014 and 2018. The outcome of this study can be found below:

Type of report	Percentage of Total Reports
Pre-scrutiny (reports that have to be signed-off by scrutiny before being approved at Cabinet)	16%
Update reports	22%
'To note' reports	45%
Actionable reports (reports that had recommendations that required Member participation to progress the Council's work)	17%

- 1.7 Members felt that, based on these figures, there were too many ‘to note’ reports coming before scrutiny Committees, and not enough actionable reports, through which Members could make changes and develop policy.
- 1.8 Democratic Services also spoke to scrutiny Members as part of their qualitative research, and they expressed concern regarding how impactful scrutiny could be, as they felt that ‘to note’ reports and update reports reduced the influence that the scrutiny function could have on policy development. Members also felt that although pre-scrutiny reduced the need for call-ins, they were an important part of the scrutiny function.

Key Line of Enquiry 3: Motions

- 1.9 We also undertook a study of motions at Thurrock, focussing on motions from between 2014 and 2018. They were broken down into the categories below:

Year	Actions resulting from Motions				
	Additional Committee Work Undertaken (such as extra research by Committees)	Work with external bodies	Work with Central Government and MPs	No update required	Motion Unanswered
2014/15	5	2	4	2	0
2015/16	7	8	4	1	0
2016/17	6	1	3	0	0
2017/18	2	2	5	0	0

- 1.10 As no motions were left unanswered, and many resulted in Committee’s undertaking additional work, the Committee felt that the motions process at Thurrock worked relatively effectively.

The Review

- 2.1 Following the discussion regarding the initial key lines of enquiry, Members agreed to undertake a consultation and project on the aspirations for future delivery of overview and scrutiny.
- 2.2 The Democratic Services team and the Chair of Corporate Overview and Scrutiny then held a series of meetings to discuss how the project should take shape, and the outcomes Members wanted to see once it was finished. The Corporate Overview and Scrutiny Committee then deliberated over the proposed project at its meeting on 5 March 2019. The Committee agreed three 'activities' for the project to undertake:

Plan of Activities

Name of Event	Brief Description
The Scrutiny Symposium	Members agreed that the event would include all scrutiny Members, and would take place after the first meetings of the municipal year were held. An independent organisation would run the event to ensure it was politically neutral. The symposium would focus on the positives and the challenges of being a scrutiny Member; the community and scrutiny; and the scrutiny governance process.
An Executive-Scrutiny Workshop	This would include Members from the Corporate O&S Committee and selected Portfolio Holders, as well as the Leader. The Workshop would consider how recommendations moved from scrutiny to Cabinet and vice versa; and how to increase communication between the two branches of local government.
Comparative Exercise	To compare the overview and scrutiny function at Thurrock with neighbouring councils, and other unitary authorities. This would also include governance and legislation regarding the role that overview and scrutiny can play in an Executive system, and the current scrutiny debate at a national level.

Terms of Reference and Targeted Outcomes

Terms of Reference

- 3.1 Following the agreement of the review 'project activities', the Corporate Overview and Scrutiny Committee agreed the Terms of Reference for the project, and the outcomes Members would like to see.
- 3.2 These were formulated into four key questions, which would be answered by the end of the review:
- 1. Is there enough co-ordination between scrutiny committees and the Executive?**
 - 2. Is there a formal process for scrutiny Committee Members to be heard at Cabinet?**
 - 3. Does the content provided at scrutiny Committee's satisfy Members aims and objectives?**
 - 4. Are there the right number of Committees at Thurrock, and do they have the right Terms of Reference?**
- 3.3 Members agreed that the outcomes of this review should ensure that the relationship between the Executive and scrutiny is functional and works well. It is also to ensure that Members are fully involved in the scrutiny process, and can help residents to the best of their ability.

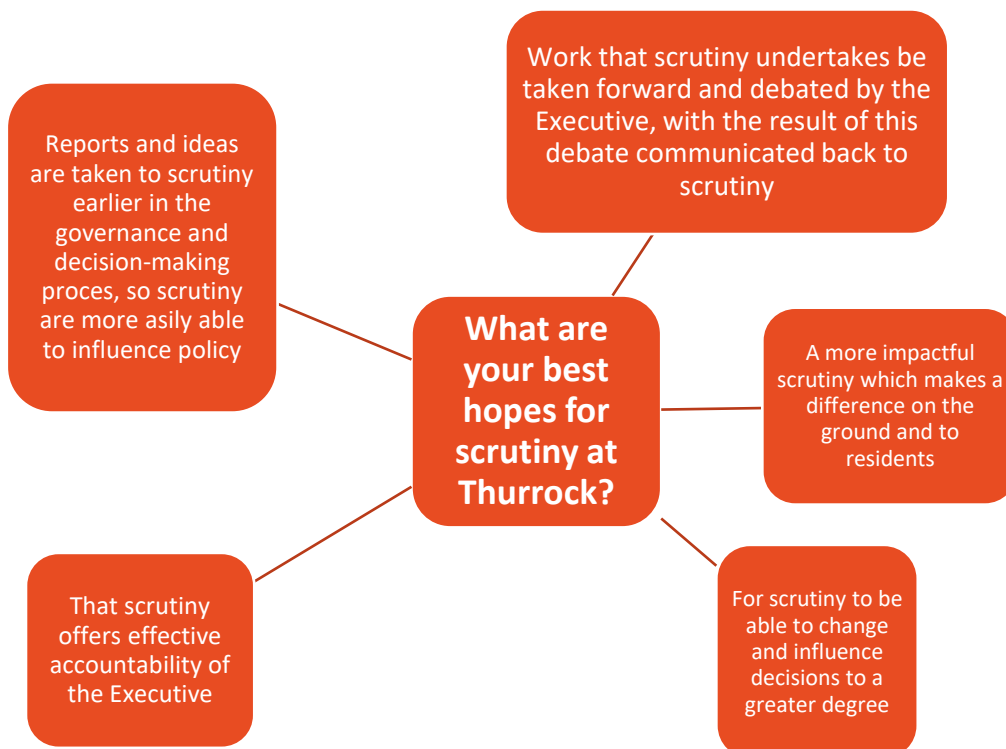
The Scrutiny Symposium Event

4.1 Dr Dave McKenna, a representative from the Centre for Public Scrutiny, chaired the Scrutiny Symposium on Thursday 26 September 2019.



4.2 Dr McKenna organised the debate so the attendees could try to answer the four key questions outlined above, and also asked what Members wanted the future of scrutiny to look like.

What are your best hopes for scrutiny at Thurrock?

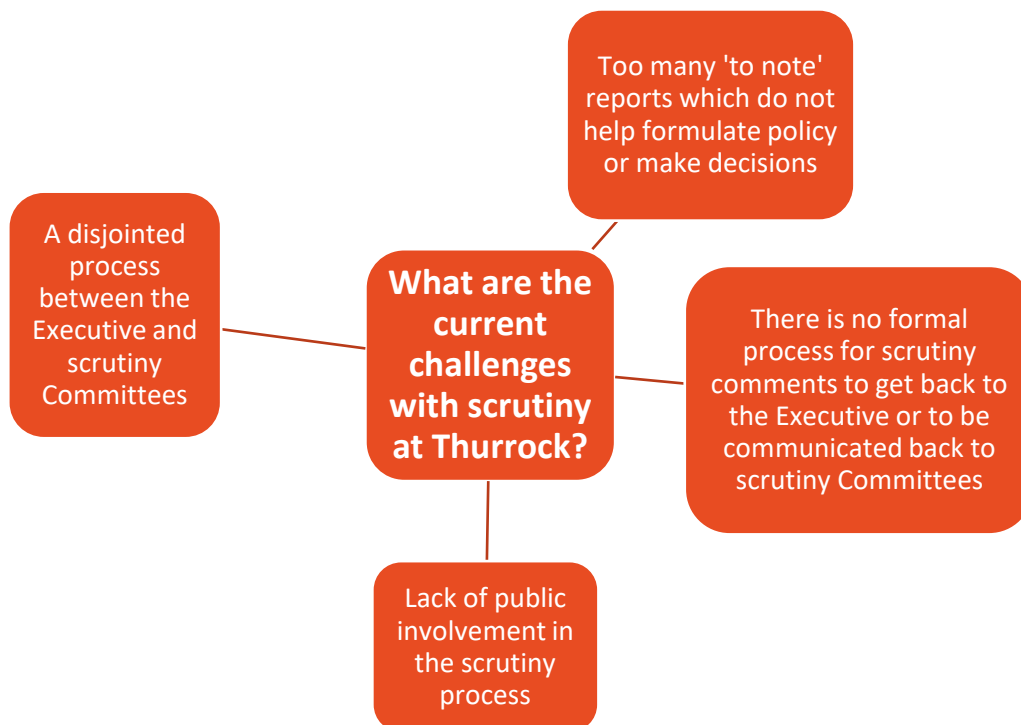


Outcomes

4.3 Members felt from this discussion that the most important role for scrutiny at Thurrock was to make an impact, on both policy development and the lives of residents.

- 4.4 We felt that scrutiny could be more impactful if activities were engaged in between Committee meetings, such as training or site visits, to ensure that issues were progressed quickly and were brought to the Executive earlier in the policy development process.
- 4.5 One of the key action points that became clear from Members 'best hopes' was for increased communication between the Executive and the scrutiny function, to make sure scrutiny could fulfil their role successfully, and were able to make a larger impact.

What are the current challenges with scrutiny in Thurrock?



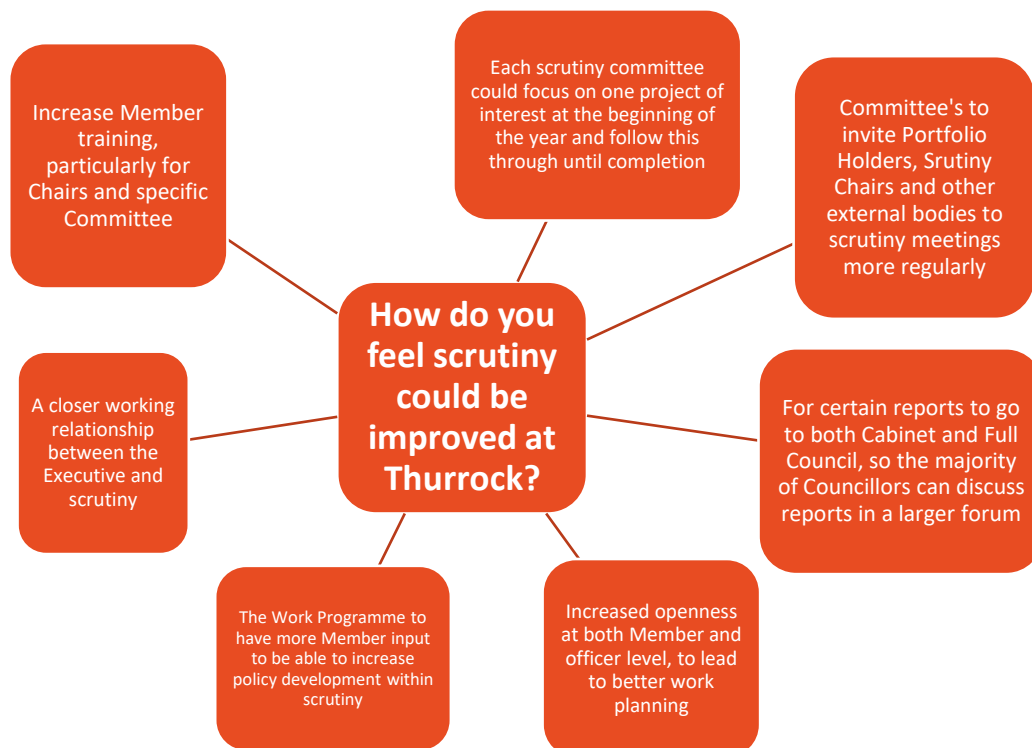
Outcomes

- 4.6 One of the main themes of this conversation was the lack of discussion between the Executive and scrutiny functions. Members wanted to formalise this process and ensure it was not 'disjointed', in order for good decisions to be made.
- 4.7 The idea arose of introducing a formal 'Executive-Scrutiny Protocol' to formalise the process, and ensure both functions were heard. It would also allow for more considered decision-making as reports would have been scrutinised, and would ensure that the Executive heard these comments, so

they could consider and make recommendations.

- 4.8 As shown in the diagram above, Members also felt there were too many 'to note' reports, and felt that if 'to note' reports were emailed to Members separately, more time could be used for in-depth scrutinising and policy development.

How do Members feel scrutiny could be improved at Thurrock?



Outcomes

- 4.9 Members felt that a better dialogue was needed at both Member and officer level, so better discussions could be had regarding reports presented before Committee, and more detailed work planning for the municipal year could take place.
- 4.10 On this basis, some Members suggested that the Chair of a scrutiny Committee could be involved in deciding the number of meetings every year, which would allow for flexibility regarding the Work Programme, and the development of reports. After much consideration, we felt that this idea would be impractical as officers needed to decide on the time of meetings before the election of a Chair at the beginning of the municipal year, in order to plan reports and the governance processes around this. We felt that scrutiny Chairs already had the prerogative to call extraordinary meetings when the

Work Programme became full, and the Committee could undertake extra work such as site visits throughout the year if required.

- 4.11 Members also suggested the idea that each scrutiny committee could decide on a 'project' at the beginning of the year, and could follow this through until completion. The project could revolve around one aspect of their scrutiny committee that interested Members, or was felt could help residents and the community. It could also be a way to involve residents in scrutiny across the borough.
- 4.12 In previous years, Thurrock has used the 'project' system, and this is still used in many Local Authorities such as the London Borough of Barking and Dagenham.
- 4.13 We felt that by undertaking a 'project' Members could help residents with issues across the borough. It could also help scrutiny fulfil its policy development role, as O&S would send the projects recommendations to Cabinet for discussion and potential implementation.
- 4.14 We felt that Chairs and Committee training was already held throughout the year, with an external provider attending regularly to discuss Chairing skills, questioning skills, and how to make the most out of scrutiny meetings. These training sessions were poorly attended, and we felt that if Members pledged to attend, they would improve their skills and would not need additional specific training.
- 4.15 Members wished to invite Portfolio Holders, other scrutiny Chairs, and external bodies to scrutiny meetings to give the chance for them to ask questions, and for scrutiny to hold the Executive to account.
- 4.16 We felt that this invitation could take the form of answering questions regarding a specific report, or O&S Chairs could invite Portfolio Holders to answer questions about the performance of their service as a whole. This decision could be at the discretion of the Chair or whole committee.
- 4.17 Questions to Portfolio Holders could follow a similar system to Full Council, and be sent to Democratic Services and the Monitoring Officer prior to the meeting. This would ensure questions are in-line with the Constitution, and the process remains fair for all involved.
- 4.18 Members also felt that O&S Committees could send reports to both Cabinet and Full Council, so all Councillors could discuss important reports in a larger forum. We felt this was not in-line with governance processes, as under an Executive system, the Executive have the majority of the decision-making power. Reports of significant importance would still go to Full Council to add

weight to certain decisions.

- 4.19 Overall, Members had many suggestions in how to improve scrutiny at Thurrock. They were mainly themed around the relationship with the Executive, training, and policy development.
- 4.20 Some of these suggestions could not be implemented due to internal governance processes and legislation, but others were taken on board for the Corporate O&S Committee to discuss.

What are the good things about scrutiny at Thurrock?

Organisation	<ul style="list-style-type: none">• Well-organised by Democratic Services as information is always provided on time.
Collegial Environment & Objectivity	<ul style="list-style-type: none">• A collegiate environment in scrutiny committees with cross-party communication.• Good interpersonal support between Members of all parties during scrutiny committees.• No explicit party politics, and objective discussions.
External Attendees	<ul style="list-style-type: none">• Often successful at requesting external partners to attend with good questions asked by scrutiny Members.• Good Member and officer attendance at scrutiny.
Number of Committees	<ul style="list-style-type: none">• The right number of committees that were able to scrutinise each directorate, under specific and separate remits.

Outcomes

- 4.21 Members had many positive comments regarding scrutiny in Thurrock, and felt that O&S Committees could produce good outcomes, such as the establishment of the Lower Thames Crossing and Local Development Plan Task and Finish Groups; the work on the Tree Strategy by the Cleaner, Greener and Safer Overview and Scrutiny Committee; and the Garages Review undertaken by the Housing Overview and Scrutiny Committee.

4.22 From these comments, we can see that Members are happy with the quality and content of reports, and the attitudes of officers. As previously mentioned, Thurrock Council met the CfPS National Evaluation Framework, although some areas needed additional scrutiny.

Conclusions

4.23 The key areas for action, as taken from the symposium can be collated into three areas:



The Executive-Scrutiny Workshop

- 5.1 As part of this review, we felt that a discussion with Members of the Executive would be useful at this juncture to understand how they felt the relationship between the two functions worked, and how they felt it could be improved.
- 5.2 This workshop was held on Monday 14 September 2020 between Members of the Corporate Overview and Scrutiny Committee and the Executive, via Microsoft Teams.
- 5.3 The aim of this workshop was to:
- Study the Executive-Scrutiny Protocol
 - Discuss the recommendations outlined in the review
 - Consider the relationship between the Executive and scrutiny functions from the Cabinet perspective, and how this could be improved
- 5.4 The meeting was attended by Councillors Huelin, Mayes and Watkins for the Executive function, and Councillors Gerrish and Ralph for the scrutiny function. The Leader's views were represented by the Democratic Services Manager, at the Leader's request.
- 5.5 The meeting began with an introduction by Democratic Services, which included the story so far, the purpose of the meeting, and future aims and goals. Members of the workshop discussed the recommendations point-by-point, including how they thought these could be implemented and any changes they wished to see.
- 5.6 Overall, Members from both the Executive and scrutiny functions agreed with all of the proposed recommendations.
- 5.7 Members raised the following areas as action points:
- Members wished to see additional training for scrutiny committee members and Chairs, which would include training on: the proposed Executive-Scrutiny Protocol; the role and powers of the chair and vice-chair; how to compose questions for Cabinet; and the powers of scrutiny in the Constitution.
 - Recommendations to be divided into short term recommendations and long-term ambitions, as some (for example recommendations two and six) would require a long-term change in the council's working practices and procedures.
 - Members requested that the proposed over-arching topic project fulfil the SMART objectives, and were discussed beforehand in collaboration with the relevant Portfolio Holder and officers.
 - Members requested that recommendation ten be included as part of the Work Programme, so Committees could take action if necessary, but did not take up time as a full agenda item.

Comparative Evaluation

6.1 We asked officers to undertake comparative research which looked into the following areas:

- The number of Committees
- Pre-scrutiny processes
- The call-in process

6.2 We also asked for additional information regarding the following factors that influenced overview and scrutiny:

- Legal rights of scrutiny
- The current debate on the role and value of scrutiny

6.3 Our research focussed on other unitary local authorities (ULA) and Thurrock's neighbouring boroughs, as well as other Councils to note.

Other Unitary Local Authorities (ULAs)

6.4 The average number of scrutiny committees for ULAs were three, as outlined in Appendix 4, with most of these having an Overview and Scrutiny Board or Commission to manage the Work Programmes of scrutiny committees. In some ULAs, Task and Finish Groups regularly commissioned in-depth reviews on time-limited matters.

6.5 Thurrock Council therefore has comparatively 50% more scrutiny committees than those studied, but follows a similar process of commissioning Task and Finish Groups to undertake detailed research.

6.6 As the majority of the ULAs use the Leader-Executive system, the decision-making process is similar as in Thurrock, with decisions being considered by a scrutiny committee before being sent to Cabinet for agreement. Therefore, pre-scrutiny is a common occurrence across other ULAs studied. Both the Centre for Public Scrutiny and Local Government Association also recommended a process of pre-scrutiny.

6.7 The call-in process for most of the ULAs are also similar to Thurrock Councils, with a deadline given of a call-in to be received within 5 working days of a published decision.

6.8 The majority of other ULAs benchmarked had an Executive-Scrutiny Protocol in place, which shows that Thurrock Council would be undertaking best practice if it introduced one. In addition, the Overview and Scrutiny Committees at Medway Council have a standing annual item on the agenda where the Portfolio Holder is held to account on the performance of their Portfolio, and this may be something that Thurrock wishes to consider.

Thurrock's Geographical Neighbours

- 6.9 Scrutiny processes in Thurrock's geographical neighbours varied dramatically with no similarity between each one and none similar to Thurrock's scrutiny process, as demonstrated in Appendix 4. For example, Southend operate a system of post-scrutiny with focus on call-ins, and the Portfolio Holder at the London Borough of Barking and Dagenham is called upon to introduce the report to scrutiny, and answer any questions the Committee may have.
- 6.10 Across Thurrock's geographical neighbours, where a call-in deadline is given, the average is within 5 working days of a published decision that has not yet been implemented. Both the London Borough of Havering and Basildon Council have a scrutiny board in place to monitor the call-in process and to decide whether a call-in is upheld or declined.

Other Councils of note

- 6.11 Throughout the Committee's research, other Councils were contacted through the Association of Democratic Services Officers, and although these did not fit into our benchmarking categories, their scrutiny procedures were interesting and therefore included in this review.

Hertfordshire
County Council

Southwark
Council

Suffolk County
Council

Use Task and Finish Groups rather than scrutiny committees, and hold one 'scrutiny day' per year, with an additional half day to agree recommendations

Hold regular interviews with Portfolio Holders to discuss scrutiny, and what reports the Executive would like scrutiny to focus on

Work Programmes are agreed by the Cabinet and Full Council, so all Members are aware of any upcoming work

The Legal Rights of Scrutiny

6.12 The legal rights of scrutiny are set out in the Local Government Act 2000 as well as other legislation, and are intended to counter the Executive structures that were created by the same Act.

6.13 The powers of overview and scrutiny in legislation are listed below:

- Any Member of scrutiny has the right to refer a relevant matter to the committee.
- Overview and scrutiny committees may hold inquiries and produce reports.
- Scrutiny Committees have the power to 'call in' decisions made by the Executive. They may then review a decision and recommend that the council reconsider it. The government guidance implies that call-in would be expected to be used as a last resort when other methods of engagement have failed.
- Committees may require Executive Members and officers of the authority to appear before them. Individuals from outside the Council can be invited, but are not compelled to attend.
- Overview and scrutiny reports must receive a response from the Executive within two months.
- Scrutiny Committees cannot oblige either the Council or Executive to act upon their findings.

6.14 Under law, Thurrock Council is in line with legislation, but Members could use these powers more frequently, such as inviting Portfolio Holders to scrutiny meetings.

The Current Debate on the Role and Value of Scrutiny

6.15 As part of the review, we felt it was important to understand the current debates regarding overview and scrutiny on a national level.

6.16 To understand the current debate regarding scrutiny, and to find out what successful governance looked like at other Councils, the Committee decided to attend the Centre for Public Scrutiny's (CfPS) annual scrutiny conference. A number of topics were discussed, and it gave a good starting point for best practice research amongst other Councils. The diagrams below outline the main topics raised.

What does successful scrutiny governance look like at a national level?

Concentration on scrutiny's raison d'etre - management and not oversight.

Members should 'get something out of it' so they feel more included and make a difference.

Scrutiny should give a level of accountability regarding commercialisation and council owned companies.

Should include residents to increase transparency and hold the Executive to account.

Open and transparent decision making - accurate information and appropriate advice given.

Take into account 'social value added', so every report and procurement exercise should focus on how social value could be added, rather than simply money.

Strong leadership to promote integrity and respect.

6.17 In conclusion, the main debate at a national level regarding scrutiny was making sure that Councils operate a transparent governance and scrutiny process, that ensures Members feel included and can make a difference. We felt that Thurrock operated an open system of governance, but both the Executive and scrutiny were able to use closed sessions to discuss commercially sensitive information, and other exempt/confidential reports.

6.18 This has helped to shape the outcomes of this review, as this national debate has remained one of the focusses. As Members wished to be more included in the process, this will bring Thurrock in-line with the national debate, this has been included in the recommendations.

List of Recommendations arising from this Review

The Committee recommends that:

1. Establish an Executive-Scrutiny Protocol to ensure a formal process for scrutiny comments to reach the Executive.

We felt that by introducing an Executive-Scrutiny Protocol, the governance procedure would become clearer for both Cabinet and scrutiny Members. Communication between the two branches could improve and comments from both could be more easily included in reports and during meetings. Guidance from the central government published in May 2019 suggested that every local authority introduce an Executive-Scrutiny Protocol and numerous other Councils have already adopted this. The impact of this recommendation would be to formalise a process that already exists, and ensure that both Members and Officers are aware of the relationship between scrutiny and the Executive. This Protocol will also be included within Members training, so all are aware of the statutory and constitutional powers of scrutiny. The Executive-Scrutiny Protocol is listed at Appendix 1.

2. Every Overview and Scrutiny Committee to have an over-arching topic-led project that they manage throughout the municipal year.

Overview and Scrutiny Committees pledge to identify an issue to investigate and develop in the course of a municipal year, in collaboration with officers and other Members. We felt that by introducing one overarching project for each Committee, every year Members could understand areas of concern and work in greater depth. All projects would be discussed beforehand with the relevant Portfolio Holder and officers, and follow the SMART objective guidelines.

3. Portfolio Holders are invited to attend Overview and Scrutiny Committees to answer questions.

Portfolio Holders are invited once a year to field questions from Members of the Committee on specific agenda items or areas of concern. We felt that this would greater fulfil scrutiny's ability to scrutinise Cabinet Members and increase accountability. The process will be outlined in the Executive-Scrutiny Protocol. In this way, all questions will be regulated to ensure they adhere to Council rules, whilst allowing Members freedom to ask a variety of questions.

4. Members commit to Committee specific training at the start of the municipal year, with Chairs to receive specific Chairs training

A detailed Members training programme is released at the start of every municipal year, and this includes Committee training, Chair's training, Work Programme training, Community Leadership training and other mandatory training such as Licensing and Planning. Scrutiny Members commit to attend these training sessions regularly to be aware of guidance and best practice. If Members attend these training sessions, but still feel there are gaps in their knowledge, Democratic Services can look into other training sessions that could be provided to Members.

5. Members agree that the number of scrutiny Committees meets the requirements of the Council, and ensures each Committee can fulfil their role.

As evidenced in the report (Appendix 4) Thurrock Council have a greater number of scrutiny Committees than other neighbouring councils, and other unitary authorities. Despite this, we felt that Thurrock had the appropriate number of scrutiny Committees that had specific and separate remits, and were able to undertake pre-scrutiny and consider a number of reports successfully.

- 6. Members agree that overview and scrutiny processes with regards to call-ins are to remain the same, taking into account the research undertaken by officers into best practice at other Councils.**

As evidenced in the report Thurrock Council are in line with other Councils in terms of call-ins. Scrutiny Committees have the opportunity to call-in any report which has not been through pre-scrutiny, and although some Members felt unhappy with this, the process is in line with best practice guidance from the Centre for Public Scrutiny, other Councils and the Local Government Association.

- 7. Members agree that the motions process works effectively at Thurrock Council, although a quarterly report on motions will be provided to the relevant Overview and Scrutiny Committee for their comment and oversight.**

As based on evidence provided earlier in the review, Members felt that the motions process worked effectively at Thurrock, with no motions going unanswered, and the majority leading to additional and useful work. Members did wish to have increased oversight of motions presented at Full Council, and it was felt that a quarterly item should be added to the Work Programme, so the relevant Overview and Scrutiny Committee could be updated on motions under their remit and maintain oversight.

Developmental Recommendations

- 8. Selected reports for pre-scrutiny come to the relevant Overview and Scrutiny Committee earlier in the policy development process, so scrutiny comments can be included in policies.**

As a part of this review, we felt that Members did not have enough time to fulfil their role of policy development (Thurrock Constitution, Chapter 4, Part – Article 6), as reports came before committee late in the process. We understand that this is not always possible due to timelines; therefore, we feel that at the beginning of the municipal year Members and officers could agree on two or three reports that could include additional time for scrutiny to undertake policy development. The additional scrutiny would therefore be more detailed, as the Overview and Scrutiny Committee would have more time to consider alternative ideas and proposals. In addition, those reports that have not been pre-scrutinised could be called-in under the standard procedures outlined in Thurrock’s Constitution.

- 9. The number of ‘to note’ reports be reduced, by emailing ‘to note’ reports to Committee Members for comment.**

We felt that scrutiny had too many ‘to note’ reports, which were taking up time and resources, but did not help the scrutiny Committee fulfil their statutory role. To solve this issue, it is recommended that Democratic Services work with officers to ensure that all officers are aware of the report writing guidance, and the need to reduce ‘to note’ reports. Officers would then work collaboratively to decide if a ‘to note’ report needed to go before the Committee, or could be emailed to the relevant scrutiny Members. If a ‘to note’ report was emailed to Members, they would still have the ability to ask questions and make comments to officers via email, or could ask for the report ‘to be tabled’ for the Committee meeting, if more serious concerns were raised.

10. The Work Programme be more Member-led. A discussion to happen at the beginning of each municipal year regarding which reports would be sent through committee throughout the year.

Although Members can already suggest items for the Work Programme, Members and officers will commit through this review to enhance this in future. This will also be helped by Members commitment to undertake specific Work Programme training. Chairs will ensure that the Committee agree to one over-arching focus report at the beginning of year (as stated in recommendation 3), and discuss what other issues they would like to receive reports on. This will ensure that a specific scrutiny Committee can cover every topic that falls under their remit within one municipal year.

Next Steps

Evaluation

- 7.1 Overall, we feel that the review has been successful, and has considered a range of options and ways to move forward.
- 7.2 Unfortunately, this review did not get to consider topics such as how to increase public involvement in scrutiny, as we wanted to keep the review timely. In addition, public involvement is a very large topic and it therefore would have been difficult to look at both public involvement and scrutiny processes in enough detail within one review.
- 7.3 The issue of public involvement in scrutiny is something that should be considered at a later date, if Members so wish.
- 7.4 In addition, there were a number of delays with the report, due to an unexpected general election in 2019, and the outbreak of the COVID-19 pandemic.

Implementation

- 7.5 Implementation of this review will begin at the start of the 2021/22 municipal year, with individual committee discussions happening in late 2020/21 to ensure the necessary preparations are made.
- 7.6 Once the Corporate Overview and Scrutiny Committee and Cabinet have agreed the recommendations, they will become a good practice guide, along with the Executive-Scrutiny Protocol.
- 7.7 The diagram below shows the life cycle of the 'ideal report' through the Committee system, once recommendations of this review have been agreed and implemented.

First stage (September 2021)

- Officers will write a report, to be sent to the relevant overview and scrutiny committee.
- The scrutiny committee will then make comment, potentially asking for extra information, and make additional recommendations.

Second stage (December 2021)

- Officers will then go and make the discussed changes to the report
- The Executive will then have the opportunity to consider the report, including scrutiny comments, and will debate.
- After the debate, the Executive will potentially agree the recommendations, including those made by scrutiny.

Third stage (January 2022)

- The Committee will receive a briefing note regarding the debate had at Cabinet, so they are aware of the decision and comments made.

Appendices

Appendix 1: The Executive Scrutiny Protocol

Appendix 2: Scoping, Methodology and Bibliography to the Review

Appendix 3: The Centre for Public Scrutiny's Evaluation Framework

Appendix 4: Comparative and Benchmarking Research

Appendix 1 - Thurrock Council's Executive-Scrutiny Protocol

1. Introduction

- 1.1 The Executive-Scrutiny Protocol is a guide for Portfolio Holders and Members of Overview and Scrutiny Committees, which outlines the relationship between the two functions, and the procedural processes that underpin this. This protocol draws on Thurrock Council's Constitution, and the purpose is to establish helpful operating guidelines to aid governance.

2. Constitutional Basis of the Executive-Scrutiny Relationship

- 2.1 Scrutiny's role is to act as a 'critical friend' to the Cabinet and Full Council in order to promote better services, policies and decisions. Scrutiny's role and powers is set out in Chapter 4 of Thurrock Council's Constitution and can be summarised as:

- The power to call-in Executive decisions
- The power to consider Councillor call for action
- The power to establish Working Groups and Task & Finish Groups
- The power to consider reports regarding crime and disorder and health
- The power to consider urgent and very urgent items of business

3. Functions of Overview and Scrutiny

- 3.1 Overview and Scrutiny Committees power is outlined in Chapter 4, Part 1, Article 6 of Thurrock's Constitution and have the ability to:
1. Review and scrutinise any decisions made or actions taken in connection with the discharge of any of the Council's functions
 2. Make reports and recommendations to the Cabinet and/or Full Council and/or any Committee in connection with the discharge of any functions
 3. Consider any matter affecting the area of Thurrock or its inhabitants and make reports and recommendations
 4. In accordance with the procedures for Call-In, exercise the right to Call-In for reconsideration decisions falling within their remit that have been made but not yet implemented by the Cabinet or on behalf of the Cabinet, and undertake reviews aiming to improve the efficient and effective delivery of services to local people.
 5. Assist the Council and the Cabinet in the development of its Budget and Policy Framework by analysis of policy issues or proposed projects.

6. Conduct research, community and other consultation in the analysis of policy issues or proposed projects and possible options.
7. Consider and implement mechanisms to encourage and enhance community participation in the development of policy or project options.
8. Question Members of the Cabinet, Committees and senior Officers of the Council, and representatives of other public, business, or voluntary/community sector bodies, about their views on issues and proposals affecting the area.
9. Liaise with other external organisations operating in the area, whether national, regional or local, to ensure the interests of local people are enhanced by collaborative working.
10. Review and scrutinise the decisions made by, and the performance of, the Cabinet, Committees and Council officers, both in relation to individual decisions and over time.
11. Review and scrutinise the performance of the Council in relation to its policy objectives, performance targets, and/or particular service areas.

4. Executive Attendance at Overview and Scrutiny Committees

- 4.1 Cabinet Members will not be expected to attend all scrutiny meetings, but may do so if they wish. Their participation in any meeting will be at the gift of the Overview and Scrutiny Chair.
- 4.2 Overview and Scrutiny Committees are entitled under s21 of the Local Government Act 2000 to require any Members of the Executive or any Senior Officer to attend to give account for any matter within their responsibility or remit, particularly relating to:
 - A particular decision
 - The actions that have been taken to implement Council policy
 - Performance
- 4.3 It is the duty of those persons to attend if so required. When a scrutiny committee wishes to invite a Cabinet Member, Officer or another individual to a meeting it will:
 - Provide a minimum of two weeks' notice
 - Outline the reason that the individual has been requested to attend and the likely areas upon which they are expected to answer questions
 - Identify whether any papers are required to be produced

- 4.4 On an annual basis, the relevant Portfolio Holder will be required to attend a meeting of the relevant scrutiny committee, to discuss performance, answer questions on specific reports, and be held accountable via questions from scrutiny Members.
- 4.5 Members of the relevant Overview and Scrutiny Committee will have the opportunity to submit advance questions to the Portfolio Holder with a deadline for submission being 5pm, ten working days before the meeting. This will allow Portfolio Holder's and officers to prepare an informed response to these questions. The Chair will have the prerogative to accept questions without notice once all questions on notice have been answered and to further manage the debate of the meeting.
- 4.6 All other issues pertaining to questions and debate will follow the Council Procedure Rules, as laid out at Chapter 2, Part 2 of Thurrock's Constitution.

5. Overview and Scrutiny Attendance at Cabinet

- 5.1 The Chair, or appropriate Members if the Chair is not available, of a scrutiny committee may be called by the Executive to present a report or answer questions. If the Executive wish to invite a Member of scrutiny then they must provide two weeks' notice, and outline the reason why the individual has been requested and the likely areas upon which they are expected to answer questions.

6. Responding to Scrutiny's Recommendations

- 6.1 Scrutiny Committees will agree outcomes of their meetings and detail any conclusions and recommendations in the formal minutes. Reports that then follow the governance procedure and go to Cabinet for sign-off must include details of those conclusions and recommendations made at the meeting of overview and scrutiny.
- 6.2 If the Cabinet report has been published before the overview and scrutiny meeting has been held, the recommendations made at overview and scrutiny must still be communicated to the Executive. This can be done in two ways:
1. Cabinet will table a briefing note, which explains discussions held and clearly sets out the formal recommendations made by the scrutiny Committee. The report author will draft the briefing note, which will receive sign-off through internal governance procedure.
 2. The Portfolio Holder introducing the report can provide a verbal update to Cabinet outlining discussions and recommendations made by the scrutiny Committee. This will only be acceptable if the time between the scrutiny Committee and Cabinet meeting (or vice versa) is so short that is impractical to provide a briefing note.
- 6.3 Non-Executive Members, including scrutiny Members, have the opportunity to ask questions at Cabinet on any agenda item, and the rules for this process

are set out in the Constitution at Chapter 3, Part 2. For example, the question must be received by midday two working days before the Cabinet meeting is due to be held.

- 6.4 Outside of the pre-scrutiny process, the Chair may formally raise concerns via a Chairs Letter directed to the relevant Cabinet Member(s), and the Cabinet Member must respond within four weeks indicating whether the recommendation needs to be referred or what action they intend to take. The Chair's Letter and Executive Member's response will be filed with Democratic Services, with a record being kept for reference.

Appendix 2 - Methodology and Bibliography to the Review

This appendix outlines the methodology of this review, and includes the different methods the Committee used to collate evidence for potential recommendations.

Overview of the Methodology

- 1.1 This review gathered evidence in between the Committee's meetings held between December 2018 and September 2020. Details of evidence gathered, as well as outside organisations and their contributions to this Review are outlined below:

Centre for Public Scrutiny

- 1.2 The Centre for Public Scrutiny is the 'national centre of expertise on governance and scrutiny' and provided consultancy, research and practical support throughout our review.
- 1.3 Towards the beginning of the review on 4 December 2018, Democratic Services Officers attended a Centre for Public Scrutiny conference, to discuss scrutiny with other local authorities from all over the country, to find examples of best practice and advice regarding this review. Outcomes and discussions held during this conference are included in the main body of this review.
- 1.4 On 26 September 2019, Dr Dave McKenna from the Centre for Public Scrutiny chaired the scrutiny symposium and helped to frame the debate and discussion between Members.
- 1.5 The Centre for Public Scrutiny also provided examples of best scrutiny practice to officers throughout this review, as well as providing advice and guidance.

Other Local Authorities

- 1.6 Throughout this review, Democratic Services have been in contact with other Local Authorities to understand how their democratic process works.
- 1.7 Democratic Services Officers have also contacted the Association for Democratic Services Officers (ADSO) to gather ideas and research for the comparative section of this review.

Bibliography

1.8 During the Review, Democratic Services Officers considered the following pieces of research and evidence, the most important of which were presented before the Corporate Overview and Scrutiny Committee:

1.9 Centre for Public Scrutiny, The Good Scrutiny Guide - <https://www.cfps.org.uk/wp-content/uploads/CfPS-Good-Scrutiny-Guide-v5-WEB-SINGLE-PAGES.pdf> - June 2019

1.10 Centre for Public Scrutiny Evaluation Framework Analysis - <https://www.cfps.org.uk/wp-content/uploads/CfPS-Scrutiny-Evaluation-v2-SINGLE-PAGES.pdf> - April 2017

This was presented to the Corporate Overview and Scrutiny Committee on 31 January 2019, with analysis on how Thurrock Council met the framework and areas for improvement to be included in this review:

<https://democracy.thurrock.gov.uk/documents/s23015/The%20Overview%20and%20Scrutiny%20Functions%20and%20Motions%20Process.pdf>

1.11 House of Commons Library Briefing Paper, Overview and Scrutiny in Local Government - <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN06520#fullreport> – June 2019

1.12 Essex County Council Overview and Scrutiny Annual Report 2018/19 - https://assets.ctfassets.net/knkzaf64jx5x/71DFSTQ2EdENHYlfrpL7em/15de9476b394f785feadce8947aaf929/Scrutiny_Activity_2018-19.pdf - June 2019

1.13 Ministry of Housing, Communities and Local Government, Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/800048/Statutory_Guidance_on_Overview_and_Scrutiny_in_Local_and_Combined_Authorities.pdf - May 2019

A report on this guidance was presented to Corporate Overview and Scrutiny Committee on 14 January 2020, with analysis on how Thurrock Council meets the guidance, and areas for improvement to be included in this review.

Appendix 3 - The Centre for Public Scrutiny's National Framework: Thurrock's Self-Evaluation

<u>CfPS Scrutiny Evaluation Framework Characteristics</u>	<u>Thurrock's scrutiny process</u>
<p>1. Overview and scrutiny (O&S) has a clearly defined and valued role in the council's improvement and governance arrangements.</p>	<p>The current administration follows a pre-scrutiny process where the majority of reports with key decisions that are going to Cabinet, go through O&S for Members of the Committee to scrutinise beforehand. In addition, Chairs of O&S can attend Cabinet meetings to ask questions and make recommendations to an item on the agenda that relates to their O&S committee, although this is not common practice at Thurrock.</p> <p>Every year Full Council debates the Annual Overview and Scrutiny report, which offers all Members a chance to debate the function of O&S, and raises its public profile.</p>
<p>2. O&S has the dedicated officer support it needs from officers who are able to undertake independent research effectively, and provide councillors with high-quality analysis, advice and training.</p>	<p>Dedicated support is provided by Democratic Services who ensure O&S runs smoothly by organising meetings, checking the quality of reports and being the liaison between Committee Members and Officers. To give Councillors a better understanding of items on the agenda Democratic Services arrange site visits when Councillors request them. For example, Members of Cleaner, Greener and Safer O&S have visited rubbish and waste sites to analyse potential problems regarding waste processing.</p> <p>At the beginning of each year, Democratic Services work with the relevant Directors and members to draw up the Work Programme and discuss which reports are due. If the Committee wish to amend the Work Programme, Democratic Services do this at the end of each meeting. Democratic Services ensure these reports are received and published on time, in line with statutory obligations.</p> <p>Officers undertake detailed research for each report that the Committee considers. Officers</p>

	<p>also benchmark against other councils on statistical data. For example, in Children's Services O&S, Children's Social Care reports compare Thurrock's child assessment rates with the English average, Thurrock's statistical neighbours and with East England.</p> <p>A Director and report authors attend the meetings and are usually able to answer Members' questions in detail and provide answers by email for any questions that require further investigation. The Committee can also request reports and Democratic Services ensure the Work Programme reflects this.</p>
<p>3. O&S provides viable and well-evidenced solutions to recognised problems.</p>	<p>Most of the reports brought to O&S provide the Committee with an update on performance and plans within the service.</p> <p>Where a service has identified areas requiring more scrutiny, the Committee work to find solutions, with evidence provided by officers as to why/how it would work. For example, the Health and Wellbeing O&S Committee commissioned the Orsett Hospital Task and Finish Group to look at the services and proposed closure of Orsett Hospital.</p> <p>The Committee also have to approve solutions before going ahead. For example, CGS O&S had to approve the Tree Planting Strategy before final Cabinet approval. Committee Members also have to give comments and approval for update reports before moving onto the next stage or submitting a design. For example, the Planning, Transport, Regeneration O&S request regular updates on the Purfleet Regeneration project at each stage of development. This gives the Committee a vital opportunity to offer alternatives to the suggested recommendations.</p>
<p>4. O&S councillors have the training and development opportunities they need to undertake their role effectively.</p>	<p>Members are provided with scrutiny training (Committee Skills Member training) every municipal year. Individual and specialised scrutiny committee training is provided to Committee Members e.g. Health & Wellbeing</p>

	<p>Adult Social Care Member training, Preventing Child Sexual Exploitation Member training.</p> <p>There are also opportunities for Members to attend external training sessions throughout the year.</p>
<p>5. The process receives effective support from the council's corporate management team who ensures that information provided to O&S is of high quality and is provided in a timely and consistent manner.</p>	<p>There is effective support from the council's corporate management team who are aware of the pre-scrutiny process.</p> <p>To ensure the quality of O&S reports, Directors Board discuss each report before final submission. In addition, the relevant Director, who is the 'sponsor', supports each O&S and attend the Committee meeting to provide support to reports or answer questions.</p>
<p>6. O&S is councillor-led, takes into account the views of the public, partners and other stakeholders, and balances the prioritisation of community concerns against issues of strategic risk and importance.</p>	<p>Members lead O&S, as they can request relevant reports to the Committee and influence service operations. For example, in Health and Wellbeing O&S, HealthWatch raised an issue in relation to SERRIC, which led to the Committee requesting an additional report for more information. Additionally, Councillors can put forward a motion at Full Council requesting a relevant O&S to look into an issue. For example, a Member raised a motion requesting the Cleaner, Greener and Safer O&S to look into Tree Planting, and subsequently the Committee reviewed the Strategy and agreed a new approach.</p> <p>The Lower Thames Crossing is a prime example of prioritising Thurrock's community concerns, so much that a Task Force was set up for sole devotion to the opposition of the LTC. To ensure the local community had their own voice, Councillors called for representatives of the local community to be involved, with two community representatives and two business representatives.</p>
<p>7. O&S meetings and activities are well planned, chaired effectively and make best use of the resources available to it.</p>	<p>Annual Council agree the forthcoming O&S meetings for the municipal year, so meetings are planned far in advance. Extraordinary meetings or the setup of Task Force groups will</p>

	<p>usually have meetings planned at least a month in advance.</p> <p>The Chair can request briefings before the meeting, which are organised between Democratic Services and the Chair. In regards to the agenda, the reports arise from the Work Programme ,which is a combination of Officer and Member initiative.</p> <p>Available resources for meetings include rooms and IT equipment, which are always available for Officers and Members to use when booked in advance. There is also a small budget available for project work.</p>
<p>8. Decision-makers give public account for themselves at O&S committees for their portfolio responsibilities.</p>	<p>Portfolio Holders rarely attend O&S meetings at present, but Chairs could invite them to attend where necessary to answer the Committee’s questions. For example, Councillor Halden (former PFH for Education and Health) attended Children’s Services O&S to answer questions on the Pilot Development for Head Start Housing for Vulnerable Young People and Care Leavers.</p>
<p>9. O&S is recognised by the Executive and Corporate Management Team as an important council mechanism for community engagement, and facilitates greater citizen involvement in governance.</p>	<p>Most reports going to Cabinet usually go through O&S first. Cabinet can request that reports to go back to O&S, for example Cabinet asked the Housing O&S Committee to consider the Grounds Maintenance Charge, and undertake detailed research into the proposed charge.</p> <p>In addition, the Constitution Working Group considered reducing the timeframe for submitting questions, and Full Council agreed this. This has facilitated greater citizen involvement and gave more importance to the function of O&S.</p>
<p>10. O&S is characterised by effective communication to raise awareness of, and encourage participation in democratic accountability.</p>	<p>The Communications Team in the Council tweets of upcoming O&S committee meetings to notify the public. The public occasionally attend and they are able to ask questions or present a petition as set out in the Constitution under Chapter 4, Part 3 – section 5.</p>

	<p>In 2017, the Constitution Working Group reviewed public participation in the democratic process, and compiled a report. The improvements made from this were:</p> <ul style="list-style-type: none"> • The Council website was amended for better clarity. • The timeframe for the public to submit questions was reduced. • Clarity was given to the Mayor on accepting late questions at their discretion.
<p>11. O&S operates non-politically and deals effectively with sensitive political issues, tension and conflict.</p>	<p>There is no evidence of partisanship within the function and the Monitoring Officer has not received any complaints or evidence to the contrary.</p>
<p>12. O&S builds trust and good relationships with a wide variety of internal and external stakeholders.</p>	<p>Trust is built with external stakeholders by ensuring solutions from council services have a positive impact. For example, Health and Wellbeing O&S works together with the NHS; and Planning, Transport, Regeneration O&S works with the C2C on train services. External representatives attend O&S to provide reports and take comments and questions from Members.</p> <p>Other external stakeholders also attend O&S Committees as Co-Opted Members, and provide updates. HealthWatch attends the Health and Wellbeing O&S to provide the Committee with regular updates. In Cleaner, Greener and Safer O&S, Essex Police have attended a recent meeting to discuss the Gang Related Violence Report, and presented the report with the Thurrock Community Partnership.</p>
<p>13. O&S enables the 'voice' of local people and communities across the area to be heard as part of decision and policy-making processes.</p>	<p>Councillors on O&S Committees represent the 'voice' of the local community. Many questions and comments posed by Councillors are done so with the local community in mind, and discussions revolve around how a solution or decision would impact the local community. For example, the PTR O&S Committee raised</p>

	concerns regarding the A13 Widening Scheme and the disruptions this could cause to local residents, to which Officers had given solutions to reduce the impact of the works.
--	--

Appendix 4 - Comparison of Thurrock's Geographical Neighbour's Scrutiny Processes

Council	No. of Scrutiny Committees	Decision Making Process	Call-in	To Note
Southend	3 – People, Place and Policy & Resources (17 Members on each), meet 6 times a year	Decisions are made at Cabinet, which are then often called-in for debate by scrutiny.	O&S committees monitor the decisions of Cabinet and can call-in decisions made by Cabinet, which have not been implemented. Southend call-in roughly 75% of all reports, rather than undertaking pre-scrutiny.	Every year each committee focus on 1 topic for in-depth study and public inquiry into local concerns, which lead to reports & recommendations.
London Borough of Barking and Dagenham	2 – O&S Committees & a separate Health O&S, which is not politically balanced – also represented on Joint HOSC for Outer North East London	The relevant PFH attends to introduce the report at O&S, and remains to answer questions.	Call-ins are avoided as scrutiny committee's undertake pre-scrutiny.	Each year the scrutiny committee undertake 1 or 2 in-depth reviews which go on to form policy.
Basildon	6 Service Committees and 4 sub-committees	Operating on a Committee System, decisions are made by service committees who also set policies and monitor service performance. There is no Leader or Cabinet in a Committee System.	This is known as a Decision Review, which must be submitted by the fifth working day after the published decision. It is decided within 10 working days by the Staffing and Review Sub-Committee whether the decision will be referred back to the relevant committee for review.	
London Borough of Havering	6 O&S Committees	Decisions made by Cabinet are monitored by	Members are notified of decisions and if calling-in a decision,	Members of the public can request a committee to look into a

	with an O&S Board	O&S and can be called-in following procedures.	it must be submitted within 3 working days. This is then heard at the next O&S Board meeting (if within 15 working days) where it will be decided if the call-in is upheld or declined. Pre-scrutiny is undertaken on a regular basis.	particular topic through submitting a topic request form.
Rochford District Council	1 O&S – the Review Committee (15 Members)	The Review Committee monitors decisions made by Cabinet, Committees or Council and can call-in decisions that are not implemented.	Call-ins must be made within 5 working days of a published decision.	The Review Committee looks into matters of concerns raised by members of the public.

Appendix 4 - Comparison of Unitary Authorities' Scrutiny Processes

Council	No. of Scrutiny Committees	Decision Making Process	Call-in	To Note
Medway	4 (TF Groups commissioned for in-depth reviews)	Decisions are scrutinised at the 4 O&S Committees before the decision is considered at Cabinet.	Within 5 working days of a published decision unless, it is an urgent decision. If a call-in is accepted, the decision will go back to the relevant O&S for consideration.	Each O&S includes an agenda item on holding a PFH to account on their performance against their portfolio.
Luton	3 and an Overview and Scrutiny Board	Scrutiny or a time-limited T & F can review or scrutinise matters of interest to the local community and make recommendations/comments to inform executive decisions. Implemented decisions can be reviewed and the O&S or T&F can submit recommendations to the executive or the council.	Called-in decisions must be determined within 20 days of the publication date. A decision cannot be called-in if it has gone through pre-scrutiny.	Some items on O&S work programmes were acquired from their Local Democracy Week consultation with the public.
Bracknell Forest	3 panels, joint health committee and an O&S Commission	The O&S Commission develops the work programme for O&S panels through discussions with the Executive and Corporate Management Team. This includes called-in decisions.	Within 5 working days of a published decision.	
Wokingham	3 and an O&S Management Committee	Decisions to be considered at Cabinet can go through O&S beforehand.	Within 5 working days of a published decision and must be determined within 20 days of publication date.	

9 December 2020	ITEM: 11 Decision: 110538
Cabinet	
Financial Update – Quarter 2 2020/21	
Wards and communities affected: All	Key Decision: Key
Report of: Councillor Shane Hebb, Deputy Leader and Cabinet Member for Finance and Transformation	
Accountable Assistant Director: Jonathan Wilson, Assistant Director Finance, Corporate Finance	
Accountable Director: Sean Clark, Corporate Director of Finance, Governance & Property	
This report is public	

Executive Summary

This report covers the first six months of the municipal year 2020/21. The government began announcing key headlines within its Spending Review 2020 at the end of November 2020. This report does not take any announcement into consideration.

The Ministry of Housing, Communities and Local Government (MHCLG) will not be announcing finalised settlement positions until at least mid-December 2020.

This means that a forthcoming paper will be presented at the January Cabinet meeting, which reports back on the impacts of the Spending Review 2020.

Medium Term Financial Strategy

In February 2020 the projected position over 4 years was a total £5.595m deficit, with years one to three being in surplus.

This has now deteriorated to a £33.673m deficit over the same period.

This represents a combination of projected reductions in locally raised taxes, increased costs and expected reductions in fees and charges arising from the COVID-19 pandemic. This continues to be assessed and remains subject to significant uncertainty. The MTFs also now reflects an agreed pause to the investment strategy, inclusive of the pause to TRL, which equates to £11.973m of the total movement across the 4 years. Initial actions have reduced the projected

deficit of £19.318m in 2021/22 to circa £5m. These continue to be developed alongside longer term solutions to address the overall deficit in the MTFs.

General Fund Revenue Monitoring Q2 2021/21

The position forecast at the end of September 2020 is a forecast net pressure of £6.746m against the General Fund budget. It is expected that the budgeted surplus of £4.074m will be fully applied to the adjusted net pressure and reduce the overall pressure to £2.672m based on month 6 data. Member priorities which were originally earmarked for spend against this surplus have now either been deferred, or cancelled altogether.

As at 30 September 2020, Thurrock has received funding from Central Government to the value of £10.757m to mitigate costs associated with the COVID-19 pandemic and has been reflected in this report. The report also reflects forecast additional support of £1.2m from MHCLG to offset income losses and forecast furlough income of £0.3m. Returns continue to be submitted to MHCLG highlighting the ongoing financial risks in the current year. Further funding has subsequently been announced to the value of £3.485m which is not yet reflected in the body of this report, for the reasons already explained. This will be considered alongside the reassessment of associated pressures at Quarter 3.

The position presented is still subject to significant uncertainty in response to the Covid-19 pandemic. The impact of this has been identified and separated from the core budget monitoring and on this basis the overall forecast overspend position of £6.746m breaks down to:

Forecast on delivery of core services - £3.847m

Forecast on COVID-19 related pressures net of government funding - £2.899m

There are two significant pressures in core services:

- A projected reduction of investment income linked to the uncertain future of the wholly owned regeneration company TRL, and the ongoing consideration of the investment strategy. This pressure is projected to be £3.913m.
- Projected increased costs in Children's Social Care relating to an increase in high costs placements. This pressure is projected to be £0.895m.

The Covid-19 pressures are split between:

- 1) Increased spend as a result of Covid-19 emergency response; and
- 2) Income losses as a direct result of Covid-19.

There remains ongoing uncertainty on the full impact that Covid-19 will have on existing services and while some financial risk has been projected this could increase significantly in these areas:

- The need to provide further financial stability in the adult social care market;
- Increases in child protection referrals;
- Increases in homelessness applications; and
- Home to School Transport costs.

The wider impact on Council Tax and Business Rates remains under consideration with the potential for further losses linked to the wider economic impacts of the pandemic. Updated legislation is expected on this to enable the spreading of any losses over the next three financial years. Hence the impact on the current year is effectively deferred and is not included in the figures above but is reflected in the recent medium term financial strategy update.

Housing Revenue Account

The Housing Revenue Account is projecting a breakeven position. There has been a limited impact from Covid-19 to date but this continues to be monitored and there remains concern over the stability of rents as the year progresses.

Dedicated Schools Grant

The DSG position is indicating pressures of £1.617m. The position reflects the increased pressure in the high needs block and additional demand for school places in Thurrock. In common with the wider sector a 3 year deficit recovery plan is being developed in consultation with the Education Skills Funding Agency (ESFA).

The Secretary of State for Education announced details of the provisional Dedicated Schools Grant (DSG) allocations for 2021/22. Thurrock's funding formula in 2021/22 will implement the following principles consistent with the decision made by Cabinet in February 2020.

Capital Monitoring

This forecast position at the end of quarter 2 is that expenditure on General Fund schemes will be £93.6m against a planned budget of £114.3m. Schemes in the Housing Revenue Account are projected to meet the budgeted expenditure.

Treasury Management

The treasury management position as at the end of quarter 2 shows the Council's total net – not gross - liability position for borrowings and investments is £286.9m. This is similar to years gone past.

1 Recommendations:

- 1.1 That Cabinet comment on the MTFS and the forecast outturn position for 2020/21; and**
- 1.2 Agree that Thurrock's 2021/22 Schools funding formula be implemented as stated in section 16. This being consistent with Cabinet's decision made in February 2020.**

2 Medium Term Financial Strategy

- 2.1** The current MTFS is included at Appendix 1. The overall financial position over the next 4 years has deteriorated by £27.485m since the budget passed in February 2020. This reduction has arisen from the projected impact of COVID-19 and a pause to the investment strategy – including new investments and the review of housing delivery options.

2.2 The impact of COVID-19 has resulted in the following key movements:

- Local Funding – the projected movement in the financial funding from Council Tax and Business Rates equates to £3.293m. This includes assumptions on the collection fund deficits and increases in the use of the local council tax scheme from the current year which remain subject to the wider economic impacts of the pandemic.
- Budget surpluses are now not projected across the life of the MTFS as the costs of the pandemic absorb these. This equates to a deterioration in resources of £5.531m, and a loss of additional funding for Member priorities which had, otherwise, been committed.
- Additional ongoing costs and loss of income – additional pressures and further income losses total £3.320m.

2.3 In addition the Council's investment strategy has been paused with a projected impact of £11.973m over the four-year life of the MTFS. This includes both cash investments and capital investments and hence the associated targets have been removed pending further consideration. In addition savings targets for subsequent years have been removed totalling £2m and revisions to wider projections total £3.368m.

2.4 The impact in 2021/22 has been assessed and initial actions identified to reduce the projected financial gap from £19.3m to £5m. Further action is ongoing to address the remaining gap and longer term sustainable solutions are being developed which address the underlying budget deficit in subsequent years.

2.5 There remains uncertainty over the wider economic impacts on the pandemic and, while further financial support has now been made available to local authorities in the current year, this does not address the underlying financial gaps in the MTFS. The sector settlement will be assessed once released to understand if this provides additional support to local authorities.

General Fund Quarter 2 Monitoring

3 Introduction and Background

3.1 In February 2020 Council agreed the 2020/21 budget in line with the balanced MTFS. This was supported by an investment approach and the delivery of savings targets via service reviews. The investment approach has been paused pending agreement of updated scrutiny arrangements while savings targets have been delayed by the urgent response to the Covid-19 pandemic.

3.2 The financial reporting includes the impact of the pandemic which has required a wider range of responses from the Council and continues to be a significant source of uncertainty. This report sets out the latest assessment of the financial impact on 2020/21 and incorporates the associated MHCLG funding announced to date. The longer term economic impacts continue to be

monitored to enable accurate estimates to be made for the 2021/22 council tax and business rate bases. There remains significant risk in this area.

- 3.3 Any perceived risks associated with the EU Exit Process continue to be monitored.
- 3.4 The report sets out the latest forecast position for 2020/21 across the main revenue accounts – the General Fund, Housing Revenue Account, Dedicated Schools Grant and Public Health grant.

4 The Overall General Fund position is set out in detail in the table below:

Directorate	Full year budget	Month 6 Forecast	Less Covid-19 income losses	Month 6 Adjusted Directorate forecast	Variance to budget
	£'000	£'000	£'000	£'000	£'000
Adults, Housing and Health	42,950	43,366	(566)	42,800	(150)
Children's Services	40,207	42,038	(936)	41,102	895
Commercial Services	1,027	799	0	799	(228)
Environment & Highways and Counter Fraud	30,664	31,440	(776)	30,664	0
Finance, Governance and Property	17,549	18,374	(700)	17,674	125
Housing General Fund	1,817	1,817	0	1,817	0
HR, OD and Transformation	5,145	4,845	0	4,845	(300)
Place	5,306	6,433	(1,127)	5,306	0
Strategy, Communications & Customer Services	3,175	2,984	(218)	2,766	(409)
Corporate Costs	4,301	4,301	0	4,301	0
Central Financing	(118,089)	(118,089)	0	(118,089)	0
Treasury	(33,024)	(29,111)	0	(29,111)	3,913
Unachievable savings	(1,027)	0	(1,027)	(1,027)	0
Service Total	0	9,196	(5,349)	3,847	3,847
Covid-19 costs	10,757	9,807	5,349	15,156	4,399
Covid-19 funding	(10,757)	(10,757)	0	(10,757)	0
Covid-19 Job Retention Scheme & Income compensation	0	(1,500)	0	(1,500)	(1,500)
Covid-19 impact	0	(2,450)	5,349	2,899	2,899
Month 6 Total	0	6,746	0	6,746	6,746
Use of budget surplus				(4,074)	(4,074)
Grand Total				2,672	2,672

Section 1 – Directorate Outturn position

- 4.1 The following section sets out the directorate outturn position, excluding the impact of Covid-19 (this is detailed separately in section 2 of this report). It should be noted that the council would have otherwise predicted a break-even position across the council, had it not been for the impacts of the COVID-19 pandemic on the council, and the pause of elements of the Investment Strategy.

Analysis by Service Area:

5 Adult Social Care

Service	Current Budget	Adjusted Forecast	Reported month 6 variance
	£'000	£'000	£'000
Assistive Equipment & Technology	599	599	0
Commissioning & Service Delivery	2,464	2,735	271
Community Development	2,088	1,849	(239)
External Placements	27,343	27,406	63
Fieldwork Services	3,642	3,311	(331)
Provider Services	6,815	6,901	86
Total	42,950	42,800	(150)

- 5.1 The directorate outturn position is currently projecting a forecast underspend of £0.150m.
- 5.2 The department is able to finance the budget pressures, which are not as a result of the COVID-19 pandemic, within the overall service budget allocation. These are costs that occur during the running of front line operations of social care and safeguarding activities.
- 5.3 There remains some pressure within the Commissioning & Service Delivery service. This is currently due to a delay in the planned implementation of service changes due to COVID-19 which impact on the associated planned cost savings. In addition there is forecast overspend on legal costs.
- 5.4 Community development arises from staff savings caused by the delay of the implementation of a planned restructure, and staffing cost forming part of the COVID allocation as they relate to operation shield works
- 5.5 Fieldwork work service is underspent due to a delay in recruitment in the service. This will be addressed in the second half of the year.
- 5.6 Essential premises and maintenance costs continue to be incurred within Collins House until longer term capital projects are undertaken, which form part of the long-term capital programme budget.

- 5.7 There has been demand on the provider bank budget to cover additional staffing costs in the delivery of homecare and residential services.

6 Children's Services

Service	Current Budget	Adjusted Forecast	Reported month 6 variance
	£'000	£'000	£'000
Central Administration Support and Other	1,478	1,365	(113)
Children and Family Services	30,261	31,739	1,478
Head Start Housing Service	716	664	(52)
Learning & Universal Outcomes	5,197	4,633	(564)
School Transport	2,555	2,701	146
Total	40,207	41,102	895

- 6.1 The overall Children's Services forecast outturn position is £0.895m overspent.

Children and Family Services

- 6.2 Within the overall reported pressure placement costs remain the key area of risk. In respect of support for looked after children and young people subject to child protection plan there is a pressure of £1.795m primarily as a result of large sibling group placements.
- 6.3 The original budget was based on 288 looked after children. Late in 2019/20 placements increased to 297, this has now returned to 288 yet the profile of placement type is impacting the budget as demonstrated in the below table:

Placement Type	Budgeted number of placements	Sep-20 Actual number of placements	Variance	20/21 Revised Budget £'000	Month 6 forecast £'000	Variance £'000
Placed with Parent/Prison	5	6	1	0	0	0
Internal Fostering	134	120	(14)	2,485	2,432	(53)
Supported Accommodation	31	22	(9)	820	635	(185)
External Fostering	94	112	18	3,908	5,178	1,270
External Residential	24	27	3	4,167	4,701	534
Secure Placement	0	1	1	0	229	229
Total	288	288	0	11,380	13,175	1,795

6.4 Underspends in the running of the fostering & adoption and the children with disabilities services are helping to mitigate some of the above pressures, and a focus on enabling more internalised foster carer arrangements through tax exemption is being piloted, to gauge improvements on people outcomes, and less dependency from the authority on Independent Fostering Agencies.

6.5 The number of agency staff has increased by 2 to 29 FTE agency workers engaged as at 30 September.

6.6 The Directorate continue with a number of actions to address the projected deficit. These need to be considered in the context of COVID-19 which has restricted the range of actions available. These include:

- The continued review of all high cost placements with an annual cost of £0.130m; and
- A review of the engagement of the Families Together Team in respect of children who have become looked after in February/March to consider the level of engagement at this time with the families and identify further actions to address as Covid-19 restrictions lift.

Learning and Universal Outcomes

6.7 The service are reporting a projected underspend of £0.564m; through delays in filling vacant posts, the non-recruitment to vacant posts, a reduction in full time equivalents and non-enrolment in the Superannuation scheme.

7 Environment, Highways & Counter Fraud

- 7.1 The overall position for the directorate is forecast to be breakeven after adjustment for the income losses relating to Covid-19.

Row Labels	Current Budget	Adjusted Forecast	Reported month 6 variance
	£'000	£'000	£'000
Counter Fraud & Enforcement	168	346	178
Emergency Planning and Resilience	430	417	(13)
Environment and Highways	1,332	1,114	(218)
Highways; Fleet and Logistics	9,114	9,038	(76)
Street Scene and Leisure	19,620	19,749	129
Total	30,664	30,664	0

Counter Fraud & Enforcement

- 7.2 The Traded Services income for the Counter Fraud team has been forecast to budget based on external work that has been agreed with MHCLG during 2020/21 to review the financial support that has been awarded to local businesses during the lockdown period. This income is expected to mitigate other budgeted income that is no longer expected from work carried out with other Local Authorities – however it is important to note that there will also be additional costs associated with this activity which has also been reflected in the overall position.
- 7.3 Additional agency staff costs have been included in the forecast for enforcement and this resource will be reviewed in the next quarter.

Environment & Highways

- 7.4 Close control of staffing costs and vacant posts have led to a forecast underspend of £0.218m. There is an assumption in the forecast for a proportion of staff costs to be charged to the capital programme and this will continue to be reviewed alongside the updated capital projects list.

Street, Scene & Leisure

- 7.5 Waste services are forecasting risk against their allocated budget as there remains a variable cost per tonne element within the Recycling contract. The quarterly price has increased from £101.27 to £105.04 per tonne for quarter 3. This will need to be closely monitored when new rates are released on a quarterly basis. Month 9 will allow for further detailed analysis to take place. In addition, the Energy from Waste contract had an increase of approximately 500 tonnes per month for quarter 1 and this has continued through quarter 2. Both of these contracts will continue to be closely monitored.

8 Place

Service	Current Budget	Adjusted Forecast	Reported month 6 variance
	£'000	£'000	£'000
Delivery and Strategy	580	580	0
Economic Development	524	524	0
Lower Thames Crossing & Transport Infrastructure Service	141	141	0
Place Delivery Service	341	341	0
Planning; Transportation and Public Protection	3,719	3,719	0
Total	5,306	5,306	0

8.1 Although a balanced position has been forecast at month 6 it should be noted that this is dependent on a plan to mitigate pressures identified across the directorate to the value of £0.147m being implemented within the required timescales.

Delivery & Strategy

8.2 The Delivery and Strategy service is forecast to overspend by £0.046m due to extending the role of the Assistant Director – Place Delivery to the end of January 2021. Finance have reviewed staffing support to a number of regeneration capital projects to ensure relevant associated costs are not borne by the General Fund. This approach alongside a reduction in non-essential spend should fully mitigate the pressure in this area.

Place Delivery

8.3 The Regeneration team is forecasting to overspend by £0.038m. This is due to the difference in cost between agency staff and the budget for the Regeneration Managers posts. The service have set out a staffing restructure plan which if implemented within the required timescales will mitigate £0.020m of the pressure.

8.4 All further non-staffing budgets will be reviewed to mitigate the remaining pressure in this area.

Planning, Transportation & Public Protection

8.5 There is a forecast overspend position of £0.063m which is largely due to the agency staffing provision within Environment Protection. All project work budgets and non-essential spend will now be scaled back to ensure this pressure is fully mitigated.

Planning Delivery Fund

8.6 The Planning Delivery Fund is money that is being held as part of a partnership arrangement across seven local authorities. The seven local

authorities are Basildon, Brentwood, Castle Point, Essex, Rochford, Southend-on-Sea and Thurrock. The money is due to be spent across these local authority areas.

- 8.7 This funding was carried forward from 2019/20 to be spent in 2020/21.

9 Finance, Governance & Property

Service	Current Budget	Adjusted Forecast	Reported month 6 variance
	£'000	£'000	£'000
Assets	5,443	5,481	38
Cashiers	65	65	0
Chief Executive	363	428	65
Corporate Finance	2,415	2,484	69
Democratic Services	234	220	(14)
Electoral Services	506	313	(193)
ICT	3,575	3,838	263
Legal Services	1,899	1,855	(44)
Members Services	753	762	9
Revenue and Benefits	2,295	2,227	(68)
Total	17,549	17,674	125

- 9.1 Attention is drawn to 3 specific areas:

Assets

- 9.2 Services and staff managed by Apleona came back under local authority management from 1st April and this has produced a saving of £0.130m. There are some additional staff allowances as part of the TUPE transfer and security staff overtime which means the full £0.157m saving target will not be achieved.
- 9.3 The Asset Management team are forecasting to underspend by £0.092m this is a result of the Assistant Director post being vacant from June. It is assumed no permanent replacement will be appointed this financial year utilisation of the wider management team will continue until the end of the year.
- 9.4 The Corporate Landlord is forecasting to overspend by £0.091m. This is due to the expected loss of income from Thameside, Community Halls and Children's Centres.
- 9.5 A number of buildings have transferred to the Corporate Landlord area with limited budgets in comparison to the expected support from services; examples include Collins House, Meals on Wheels, Oaktree Resource Centre, Avey Hub and Centurion House. Any costs in these buildings will potentially

further increase the pressure on the budget but there may be opportunity to utilise capital funding to offset these pressures.

ICT

- 9.6 Archiving costs related to Oracle R12 have been appropriately capitalised and the use of capital receipts has supported the ongoing transformation of the finance and HR systems, reducing the impact on the revenue position.
- 9.7 There remains a £0.125m traded services income pressure that will need to be revisited as part of the wider income targets linked to services with schools and other authorities.
- 9.8 There has been an increase of £0.106m in the cost of telephone services compared to previous years as agile working arrangements have been implemented.

Electoral & Members Services

- 9.9 This is a non-election year so the under spend is expected and this will offset the over spend in the members budget related to the rebasing of members allowances. This will need to be addressed as part of the budget setting process for 2021/22.

10 Housing General Fund

Service	Current Budget	Adjusted Forecast	Reported month 6 variance
	£'000	£'000	£'000
Homelessness	1,229	1,229	0
Hostel Provision	209	209	0
Private Sector Housing	326	326	0
Travellers Sites	53	53	0
Total	1,817	1,817	0

- 10.1 The Housing General Fund financial outturn is projected to be delivered within the agreed budget level. There remains significant risk in respect of homelessness claims in the second half of the year. The associated forecast costs have been reflected in the COVID-19 cost impact section of this report.

Strategy, Communications & Customer Service	Total	Adjusted forecast	Reported month 5 variance
Subservice			
	£'000	£'000	£'000
Corporate Communications	514	514	0
Customer Services	1,132	838	(294)
Social Care Performance	1,209	1,104	(105)
Strategy Team	320	310	(10)
Total	3,175	2,766	(409)

- 10.2 The overall Strategy, Communications and Customer Services directorate forecast variance at the end of quarter 2 is £0.409m underspend.
- 10.3 Customer Services is forecast to be underspent by £0.294m once the loss of income anticipated for the Registrars service is adjusted for.
- 10.4 The wider underspend is due to vacant posts across a number of the services and the tight management of resources overall. Any decisions regarding the reinstatement of face-to-face services may result in changes to the financial position but the option to redeploy staff will be reviewed.

11 HR, OD & Transformation

Service	Revised budget	Adjusted forecast	Reported month 5 variance
	£'000	£'000	£'000
HR OD Team	4,251	3,942	(309)
Occupational Health & Counselling	132	128	(4)
Corporate Training & Development	180	178	(2)
Information Management	581	596	15
Total	5,144	4,844	(300)

- 11.1 The Directorate continue to manage their staffing levels and forecast an underspend of £0.300m at the end of this financial year. This is based on the projected capitalisation of staff on relevant capital and transformation projects where resource has been identified.

12 Treasury & Financing

- 12.1 The reported position of £3.913m reflects a pause to the investment strategy, including TRL.

12.2 The Council has also taken action to stabilise cash-flow in light of increased demands arising from the response to the pandemic. The Council projects to utilise increased fixed term borrowing in 2020/21 which has a higher associate interest rate than borrowing in the local authority market. During the current financial period, a further proportion of the Councils overall debt was re-financed, increasing the variance by £0.712m for the financial year.

13 Housing Revenue Account

Service	Revised budget	Forecast Outturn	Directorate Outturn Variance	Covid-19 Impact	Adjusted Forecast	Reported Month 6 Variance
	£'000	£'000	£'000	£'000	£'000	£'000
Housing Development	217	217	0	0	217	0
Financing and Recharges	24,440	24,775	336	0	24,775	336
Rent and Income	(50,254)	(49,725)	529	529	(49,725)	529
Repairs and Maintenance	12,021	12,021	0	0	12,021	0
Operations and Management	13,575	12,711	(865)	0	12,711	(865)
Total	0	0	0	529	0	0

13.1 Overall, the HRA is forecasting a balanced position at the end of financial year. Expenditure within this service is more manageable in certain respects as activity levels can be adjusted accordingly, to remain within financial constraints. However, as the full impact of COVID-19 starts to become identified action is likely to be required to contain adverse financial impacts within its allocated level of resources.

13.2 The economic impact of the pandemic is being seen to have a direct adverse financial impact on the HRA. There have been documented reports of significant increases to levels of unemployment within the borough, which will affect both existing tenants and the number of people requiring social housing. This is reflected in the table above to demonstrate a forecast loss related to expected increases in the level of bad debts relating to existing rents.

13.3 In addition, there has been a delay in hand over time of the new build properties at Topps Club and Claudian Way. Therefore the anticipated reduction in the level of rent and service charge has been reflected.

13.4 There are currently a number of vacant posts across the directorate which will mitigate the in-year impact of reduced income levels and the requirement to increase the bad debt provision (as more tenants move across to universal credit).

15. Dedicated Schools Grant

DSG 2020/21	Funding Settlement	Academy Recoupment	Final DSG	Forecast Outturn	Variance
	£'000	£'000	£'000	£'000	£'000
Schools	126,839	(118,496)	8,343	7,510	(833)
Central Services	1,850	0	1,850	1,804	(46)
High Needs	26,021	(5,322)	20,699	23,195	2,496
Early Years	12,699	0	12,699	12,699	0
Total	167,409	(123,818)	43,591	45,208	1,617

15.1 The 2019/20 outturn position along with the latest sector information available has been considered to support the forecast outturn position. Information available regarding school place movements which apply from September 2020 have also been reflected.

Schools Block

15.2 The growth fund allows officers to ensure sufficiency of places within Thurrock schools for all children of school age. Based on current commitments and historic level of spend there is a forecast underspend of £0.833m.

Central Services Block

15.3 A projected underspend of £0.046m through a combination of a delays in recruitment within School Admissions to September 2020 and savings in venue hire, as Schools Forum meetings are to be held virtually in 2020/21.

High Needs Block

15.4 This is the significant area of financial risk and can be broken down into four key areas:

1. The continued increase in the number of pupils with Education Health and Care Plans. Additional costs of £0.696m are forecasted in maintaining pupils within Thurrock schools or other Local Authority mainstream schools and academies.
2. Post 16 – Increased pupil numbers are forecasted with additional cost of £0.400m.
3. Residential and Non-Residential Non-Maintained and Independent placements forecast an overspend of £1.100m.
4. Increase in supplying tuition packages for pupils not in School, costing additional £0.300m.

15.5 A review of the local offer and commissioned places available in Thurrock continues. The need to challenge schools on the use of the Notional SEN budget and the requirement to progress to an EHCP remains.

DSG Reserve

- 15.6 The DSG has a carried forward deficit of £1.978m into 2020/21. The 2020/21 in year position will increase the deficit to £3.595m.
- 15.7 A 3 year deficit recovery plan will be agreed with the ESFA (this has been delayed as a result of Covid-19). While the DSG reserve is not currently forecast to reduce in the current year (given the position on the high needs block outlined above) further actions will be taken to mitigate costs where possible.

16 DSG Allocations 2021/22

- 16.1 In July, the Secretary of State for Education announced details of the provisional Dedicated Schools Grant (DSG) allocations for 2021/22. The tables below show the funding to be received by Thurrock:

	Funding Settlement 2020/21	Provisional Settlement 2021/22	Increase 2021/22
	£m	£m	£m
Schools	127.474	136.550	9.075
Central Services	1.850	1.699	(0.151)
High Needs	25.468	28.074	2.606
Early Years	12.481	12.481	0.000
Total	167.273	178.804	11.531

- 16.2 Thurrock's funding formula in 2021/22 will implement the following principles consistent with the decision made by Cabinet in February 2020:
- National Funding Formula values to be applied;
 - Any unallocated funding will be applied to the Basic Entitlement values;
 - Growth fund provided by ESFA to be retained to support sufficiency of school places.

- Schools Forum have agreed to transfer up to 0.5% from the Schools Block to the High Needs Block to support increase demand for Specialist placements and Education, Health and Care Plans.

These have been discussed and agreed with the Schools Forum in November 2020.

17 Public Health

- 17.1 The Public Health Grant increased by £0.735m in 2020/21 with the full allocation for the year being £11.485m. The increase has been allocated to inflationary increases against existing contracts with external health providers in line with the national Agenda for Change (AFC) and consequently the grant is allocated in full.
- 17.2 The Public Health Grant distribution focuses on key areas of delivery including drug and alcohol, sexual health and Healthy Families. Within these contracts there is no demand exceeding the budget allocation at this stage, each contract is continuously monitored and reviewed by the service in line with GP practices and health care providers as the service continues to operate within the ring fenced grant conditions.
- 17.3 There are no adverse financial implications at present as a result of the COVID-19 pandemic, which is being dealt with as part of the test and trace programme detailed below:

Test and Trace

- 17.4 On 22 May 2020, the UK Government announced its expectation that every top tier local authority would create a Local Outbreak Control Plan by the end of June 2020.

The seven key themes are as follows:

1. Planning for local outbreaks in care homes
 2. Identifying and managing outbreaks in high risk places, locations and communities
 3. Identifying methods for local testing capacity
 4. Contact tracing in complex settings
 5. National and local data integration including local surveillance and monitoring of outbreaks
 6. Supporting vulnerable local people to self-isolate
 7. Establishing governance structures including a local DPH led Health Protection Board and elected member led Engagement Board
- 17.5 Thurrock Council has been awarded a central government grant to the value of £1.052m to develop and implement its plan, including local testing and contact tracing arrangements. The below table shows the initial allocation for this funding:

Allocation	£'000
Government Grant	(1,051)
Staffing	599
Projects	100
Communications	10
Interpreter costs	2
Enhanced testing contract	300
Database costs	20
Training	20

18 Section 2 Corporate Covid-19 impact:

18.1 The overall position is set out in the table below:

Service	Income received	Month 6 Forecast Costs/Losses	Forecast local impact
	£'000	£'000	£'000
Covid-19 Government funding	10,757		
Income loss compensation	1,200		
Furlough Income	300		
Total	12,257	15,156	2,899

18.2 Expenditure and income losses attributable to the impact of the COVID-19 pandemic for each directorate are broken down in the following table:

Directorate	Additional costs	Income loss	Total	Key areas of spend/income pressures
	£'000	£'000	£'000	
Adults, Housing and Health	4,251	566	4,817	External care market support, internal care provision, increased demand, temporary suspension to charging & review process
Children's Services	2,023	936	2,959	Anticipated increase in referrals, delays to legal proceedings, Head Start Housing, school transport

Directorate	Additional costs	Income loss	Total	Key areas of spend/income pressures
	£'000	£'000	£'000	
Corporate costs	568	0	568	Operation Shield, food stock/delivery, staff overtime and temporary mortuary facilities.
Environment and Highways	407	776	1,183	Bus subsidy, PPE, HRWC, HGV hire, enforcement staffing costs. Loss of income for parking & enforcement, commercial waste
Finance, Governance and Property	406	700	1,106	ICT costs for home working, loss of rental income on commercial properties
Housing General Fund	2,150	0	2,150	Increased Homelessness (post landlord eviction amnesty), temporary accommodation
Place	0	1,127	1,127	Planning income, Thameside Theatre closure, licencing, business centre income losses
Strategy, Communications & Customer Services	0	218	218	Restrictions placed on the registrars service, loss of advertising and Film Office income
Unachievable savings	0	1,027	1,027	Delay to savings built into base budget
Total	9,807	5,349	15,156	

18.3 Further detail is set out below in respect of the impact on Adult Social Care, Children's Services and the Housing General Fund:

Adult Social Care

18.4 The following costs have been included in the position to support the financial resilience of providers, facilitate hospital discharges and support internal care provision and are all as a direct consequence of the pandemic:

Covid-19 Direct Response	£000
External Market Support	
10% resilience Payments across ASC providers	2,408
Increase Home Care rates to 5% uplift	305
Ongoing increase in demand for provision (not covered by HDI)	606
Internal Care provision	
Additional equipment - Oak House & Piggs Corner	30
Specialist Dom Care Teams - enhanced payments	165
Telecare - installation, additional equipment & 7 day service	26
PPE	30
Voluntary Sector contracts	86
Staffing costs - residential care/libraries/shielding	595
Total	4,251
Hospital Discharge	
Net expenditure	1,119
Offset Against CCG Income (not yet received)	(1,119)
Total	0

18.5 Adult Social care departments nationally received a further allocation of grant funding – the Infection Control Grant in order address specific issues within the sector. This is ring-fenced for these purposes and reported outside of the position detailed above.

Direct Service intervention to the external market:

18.6 Regarding Financial resilience payments, the Council has provided a temporary financial resilience payment of 10%. This was agreed to be paid out for the first 16 weeks of the year and is based on the budgeted level of spend for each provider. This is available to all service providers and is in response to higher levels of dependency, staff sickness rates and absenteeism and overall volatility.

18.7 The Service has increased the uplift on domiciliary care providers from £16.25 to £17.06. This has been done to ensure one of the most vulnerable markets, who themselves, care for the boroughs most vulnerable, are able to operate financially during a period of intense spending, and increased pressure.

18.8 Although not agreed at this stage, it is possible that further resilience and support packages will be required by Local Authorities throughout the financial year to address the issues being faced by external providers and this has been assumed in the above figures. The emerging situation with regards to residential care is of particular concern; with an increase in the number of voids resulting in higher unit costs for providers in an already fragile market. The current estimates in the forecast assume a continuation of the measures in place for the first sixteen weeks of the year but there remains the potential

for additional financial risk. This has been reflected in the ongoing care costs of £0.606m.

- 18.9 It is for the reason noted about above that Members are reminded that reserves positions are finite and, once used, are no longer available to use on one-off stimuli. This is why a long-term view is necessary on reserve positions.

Internally managed care provision (Provider Services)

- 18.10 Internally managed care provision, namely through Collins House residential home and Thurrock Care at Home domiciliary care has faced significant additional costs during the pandemic. This largely equates to the following:

- Increased level of overtime and usage of provider bank staff to cover staff sickness and absenteeism;
- Increase demand for PPE in order to undertake duties safely; and
- Specialist domiciliary care teams implemented to provide care for clients who have tested positive for Covid-19.

- 18.11 The Covid-19 pandemic is starting to change the way in which Adult Social Care services are delivered. A legacy of the recent events could see a permanent reduction in the demand for residential care services, with a greater emphasis on domiciliary care and people being looked after in their own homes, or cared for at a home of a family member who themselves are now able to work from home on a more permanent basis. This represents a significant ongoing economic and financial risk to this sector of the market. An increased number of voids, and reduction in demand will require a different financial strategy in future years.

- 18.12 There will also be a requirement to undertake a high level of both care and financial assessments when previous legislation is reinstated. This could result in additional costs in order to secure the required level of care resources.

Hospital Discharge process

- 18.13 In response to the Covid-19 Crisis and to ensure timely discharge the NHS and Local Authorities are required to work together to:

- provide free out of hospital care and support to people discharged from hospital;
- provide free care and support to people requiring additional care to avoid hospital admission (in line with national guidance at the time and during the COVID-19 crisis);
- remove barriers to discharge and transfers between health and social care to get people out of hospital and either home or into an alternative care setting quickly;
- work together to maximize the funding available including putting relevant funds into a pooled budget to cover costs of discharge support and removing room for debate at this time; and

- Provide support to the care market through the Covid-19 emergency period

18.14 The Council is working closely with Thurrock CCG in order to deal with people who are being discharged from hospital during the pandemic.

18.15 Further guidance has now been issued in relation to the hospital discharge scheme. In summary, the Council needs to ensure that people discharged from hospital before the 31st August 2020 will need to be assessed in a reasonable timeframe, and if continuing social or health care is needed, this will be a cost directly to the Local Authority or CCG as applicable.

18.16 The current cost of the people where this is applicable is £0.165m per month, and the potential on-going cost included in the table above represents the staged approach the reduction of health care funding over the next four months.

18.17 The directorate continues to work closely with colleagues across the CCG on this complex issue to agree a pragmatic approach

Income adjustments

18.18 There has been a reduction in the forecast level of income that will be achieved in the financial year to the value of £0.566m. This is as a direct result of the Covid-19 situation, and relates to the following areas:

Detail	Income loss
	£000
Temporary suspensions to charging and review processes	165
Closure of Libraries, Hubs, Day Care centres and Cafe	129
Internal residential care facilities operating on a reduced occupancy level	272
Total	566

Children's Services

18.19 The following Covid-19 related costs have been incurred by Children's Services (or are anticipated to cause an increase in costs in the coming months):

Detail	Additional costs
	£000
Education IT equipment and video	12
Head Start Housing	252
Increase in Child Protection referrals/Delayed Care Proceedings/Block placement purchasing	1,258
Schools Transport	501
Total	2,023

Increase in child protection referrals & delayed care proceedings

- 18.20 An allowance has been made for potential increased costs within children's social care and this is a nationally recognised issue. Most referrals are made by schools and health professionals who identify safeguarding concerns; the number of referrals fell significantly during the lockdown period. With children and young people returning to school in September an increase in referrals is anticipated
- 18.21 Cllr Judith Blake, Chair of the LGA's Children and Young People Board, said: 'The impacts of the pandemic will be far reaching for some children, young people and their families. As this becomes clearer, more children and their families are likely to need support and councils expect to see a significant rise in referrals to children's social care and demand for wider children's support services'. Some children and their families will need significant interventions, but others will just need some extra help to get through a difficult period. It will be essential that the right services can be there to support them and help them cope.
- 18.22 The position on all forecast impacts remains under review.

Head Start Housing

- 18.23 Increased Head Start Housing costs have resulted from the increased use of properties required for young adults who were shielding as part of lockdown restrictions.

Home to School Transport

- 18.24 A significant risk is Home to School Transport due to Covid-19 and the continued increase in demand for service and social distancing measures required. Initial projections, based on invoices paid to date and current contract values, show a potential additional costs of £0.501m.

Income adjustments

Detail	Income loss
	£000
Admissions and Welfare	28
Adult college	131
Grangewaters	103
Head Start Housing	9
Income from Catering	246
Music Services	85
Nursery	154
Sunshine Centre	3
Traded Income	177
Total	936

18.25 A number of services ceased during the national lockdown and fees for these services have been negatively impacted; Grangewaters, Adult College, Music services.

18.26 Both of the day nurseries, Neptune and Little Pirates, are reporting a combined overspend of £0.154m due a reduction in fee income recovery. The provision was limited to only delivering a service to children of key workers during the national lockdown.

18.27 The catering income reduction reflects the associated reduction in demand from schools since the start of the pandemic.

Housing General Fund

Detail	Additional costs
	£000
Homeless Incentive Payments	59
Increased Homelessness (post landlord eviction amnesty)	1,274
Rooms at Thurrock Hotel	818
Total	2,151

Homelessness

18.28 Whilst the first two periods of the financial year has seen some stability in the number of people presenting themselves as homeless, this trend is unlikely to continue throughout the remainder of the financial year.

- 18.29 One of the major routes into homelessness is as a result of landlords imposing eviction measures. These measures were on hold until the 20 September 2020. The concern is that once these actions can commence there will be an increase the number of households presenting as homeless in a similar period of time. In addition as the wider economic impacts of the pandemic are felt this may further increase pressure on the service and hence there is a forecast pressure in this area which continues to be monitored.
- 18.30 From the outset of the pandemic there were 32 people identified as rough sleepers who were housed in short term emergency accommodation since the onset of the pandemic. The average cost of this is in the region of £70 per day, per person, for this level of short term temporary accommodation. The full year effect of this is reflected in the level of anticipated spend in the corporate forecast at £0.818m, but the service are reviewing this cohort of people to find alternative, longer term housing solutions. There is a varying degree of need, vulnerability and suitable accommodation provision across the demographic, ranging from the ability to place people in HMO's through to supported accommodation placements.

CAPITAL MONITORING – 2020/21 Quarter 2

19 General Fund Schemes

- 19.1 The current position for General Fund schemes for 2020/21 is summarised below:

Capital Programme – Projected Outturn as at Month 6

	Latest Agreed Budget	Projected Outturn to 31/03/2021	Variance against budget
	£'000's	£'000's	£'000's
Expenditure:			
Children's Service ¹	11,475	11,071	(404)
Adult, Housing & Health	4,906	3,853	(1,053)
Environment and Highways	21,425	17,646	(3,779)
Place	51,481	40,917	(10,564)
Finance and IT	15,173	11,529	(3,644)
HR, OD & Transformation	9,542	8,317	(1,225)
Customer Services	302	283	(19)
Commercial Services	18	18	0
Total Expenditure	114,322	93,634	(20,688)
Resources:			
Prudential Borrowing	(56,416)	(40,456)	15,960
Capital Receipts	(51)	0	51
Reserves	(71)	(71)	0
Government Grants	(21,116)	(20,384)	732
Other Grants	(31,955)	(29,058)	2,897
Developers Contributions (S106)	(4,713)	(3,665)	1,048
Total Resources	(114,322)	(93,634)	20,688
Forecast Overspend in Resources	0	0	0

19.2 This illustrates a projected outturn at the end of the financial year of £93.634m, which is £20.688m less than the latest agreed budget for the year. This forecast variance is further analysed below.

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

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
Expenditure:	£'000	£'000	£'000	£'000
Children's Service	(400)	0	(4)	(404)
Adult, Housing & Health	(1,049)	0	(4)	(1,053)
Environment & Highways	(2,811)	0	(968)	(3,779)
Place	(10,564)	0	0	(10,564)
Finance and IT	(3,586)	0	(58)	(3,644)
HR, OD & Transformation	(1,225)	0	0	(1,225)
Customer Services	(19)	0	0	(19)
Commercial Services	0	0	0	0
Total	(19,654)	(0)	(1,034)	(20,688)

- 19.3 This shows that the forecast underspend is principally due to slippage/budget re-profiling on current schemes (£19.654m). Consequently the funding remains allocated to specific current schemes.
- 19.4 There are no schemes exceeding their capital budgets projected to the end of the current year. However work continues to assess the final forecast position on the A13 widening works project as a whole and as reported to the Standards and Audit Committee and the Planning, Transport and Regeneration Committee, the last project forecast was expected to be within the range of £114m to £120m. This remains under assessment as the project continues and further project and financial risks continue to be managed.
- 19.5 Following a review of the capital programme by Officers and Members a number of projects have currently been put on hold, pending further reviews. These projects (£13.057m) are reflected in the slippage/budget re-profiling above.
- 19.6 A list of schemes where the variance is greater than £1m is shown in Appendix 3.
- 19.7 A number of capital schemes are also expected to complete construction in future years with expenditure totalling £38.574m. Budgets for these schemes have been profiled accordingly.
- 19.8 In addition, the following schemes and allocations have Council approval but are dependent on scheme development and/or third parties:

Capital Programme – Schemes under development

19.9 These schemes are at a feasibility stage or at an earlier stage of development have total projected budgets of £100.1m and are excluded from the reported position. These include school improvement works, the A13 East Facing slip road, Grays South development and the 21st Century Care Home.

20 Housing Revenue Account Schemes

20.1 The current position for Housing Revenue Account schemes for 2020/21 is summarised in Table 4.

Table 4: HRA Capital Programme – Projected Outturn

	Latest Agreed Budget	Projected Outturn to 31/03/2021
	£'000's	£'000's
Expenditure:		
Transforming Homes	23,041	23,041
Housing Development	6,651	6,651
Total Expenditure	29,692	29,692
Resources:		
Prudential Borrowing	(8,865)	(8,865)
Capital Receipts	(9,543)	(9,543)
Reserves	(744)	(744)
Government & Other Grants	0	0
Major Repairs Reserve	(10,540)	(10,540)
Total Resources	(29,692)	(29,692)
Forecast Overspend in Resources	0	0

20.2 The budget for Transforming Homes in 2020/21 is £23.041m and the forecast spend remains as budget but slippage is anticipated on some budget lines which will be confirmed by the quarter 3. Spend as at 30 September 2020 was £3.291m.

20.3 The revised budgets for 2020/21 for HRA New Build Schemes are set out below. The current forecast is £6.651m against a budget of £6.651m. 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	5,590	856	5,590	(0)	(0%)
Claudian Way	672	180	672	(0)	(0%)
Tops Club	377	312	377	(0)	(0%)
Prince of Wales	12	12	12	(0)	(0%)
Total	6,651	1,360	6,651	(0)	(0%)

21 Treasury Management – 2020/21 Quarter 2 Update

- 21.1 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 2020.

Borrowing

- 21.2 The Council's borrowing position as at 30 September 2020 is summarised in the table below:-

Source of Loan	£m
Long Term Market Loans	29.0
Long Term Market Loans re Investments	90.0
Long Term PWLB	235.9
Temporary Market Loans Re Investments	823.2
Other Temporary Market Loans	139.8
Total Debt	1,317.9
Total Investments	(1,031.0)
Total Net Indebtedness	286.9

- 21.3 The net indebtedness (borrowing less repayable investments) of the council is £286.9m, made up of £160.9m of PWLB long term debt relating to the HRA and £126.0m of long and short term debt relating to historic capital funding.

- 21.4 The Council continues to fund the £84.0m ex-PWLB debt on a temporary basis. Interest rates fell to 0.10% in March 2020 due to the Pandemic and

forecasts predict that the rate will remain at this level for the time being. There is still a discussion held in which direction interest rates will go, with negative interest rates not ruled out, mainly due to possible concerns surrounding Brexit.

- 21.5 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.
- 21.6 The council's PWLB debt portfolio currently consists of two elements, one of £160.9m of loans taken out with regards to the HRA settlement undertaken on 28 March 2012 and the other of £75m at 1.89% on a two year EIP repayment plan taken out in March 2020 to assist with funding with the Pandemic.
- 21.7 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.
- 21.8 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

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

Source of Investment	Balance at 30/9/20 £m
Overnight Cash Investments	20.0
Short Term Cash Investments (2 to 365 days)	1.0
Repayable Capital Investments	906.0
Fund Manager Investments- Repayable on demand	104.0
Total Investments	1,031.0

- 21.10 A proportion of the internally managed investments are held for very short time periods in order to meet day to day cash requirements.
- 21.11 The Council maintains its investment in the CCLA Property Fund and, has also increased its capital/non-capital investments in line with pre-agreed commitments only.
- 21.12 New investment target income for 2020/21 has been put on hold while further work is undertaken in strengthening democratic oversight and an assessment of the future situation is undertaken, in regards to a post COVID world.
- 21.13 Internally held balances currently stand at £21m and will remain around that level 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.
- 21.14 All investments made have been with organisations included on the "List of Acceptable Counterparties and Credit Limits" within the 2020/21 Annual Treasury Management Strategy and the total sums invested with individual institutions have been contained within the limits specified therein.

22 Reasons for Recommendation

- 22.1 The Council has a statutory requirement to set a balanced budget annually. This report sets out the budget pressures in 2020/21 along with actions to mitigate these pressures and deliver a breakeven position.

23 Consultation (including Overview and Scrutiny, if applicable)

- 23.1 This report is based on consultation with the services, Directors' Board and portfolio holders.

24 Impact on corporate policies, priorities, performance and community impact

- 24.1 The implementation of previous savings proposals has already reduced service delivery levels and the council's ability to meet statutory requirements, impacting on the community and staff. There is a risk that some agreed savings and mitigation may result in increased demand for more costly interventions if needs escalate particularly in social care. 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.

25 Implications

25.1 Financial

Implications verified by:

Jonathan Wilson

**Assistant Director Corporate
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.

25.2 Legal

Implications verified by: **Ian Hunt**
**Assistant Director Law and Governance
and Monitoring Officer**

There are no specific legal implications set out in the report. 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.

25.3 Diversity and Equality

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

The Equality Act 2010 places a public duty on authorities to consider the impact of proposals on people with protected characteristics so that positive or negative impacts can be understood and enhanced or mitigated as appropriate. Services will be required to consider the impact on any proposals to reduce service levels through a community equality impact assessment which should seek to involve those directly affected.

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

There are no other implications arising directly from this update report.

26. 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.

27 Appendices to the report

Appendix 1: Medium Term Financial Strategy

Appendix 2: Summary of 2020/21 Capital Programme

Appendix 3: General Fund Schemes

Report Author

Sean Clark

Corporate Director of Finance, Governance and Property

Appendix 1 MTFS as at 30 September 2020

Narrative	2021/22	2022/23	2023/24	2024/25
	£000's	£000's	£000's	£000's
1. Local Funding				
Council Tax Base / Charge	(1,740)	(1,500)	(1,500)	(1,500)
Adjustment for Increase in LCTS	1,541	(250)	(250)	(250)
Council Tax - Collection Fund Deficit b/f	1,403	0	0	(1,403)
	1,204	(1,750)	(1,750)	(3,153)
Business Rates Precept	(500)	(665)	(665)	(665)
Business Rates - collection fund deficit	275	0	0	(275)
	(225)	(665)	(665)	(940)
2. Total Government Resources				
Revenue Support Grant	6,806	0	0	0
Transfer to funding formula under 75% retention	(6,806)	0	0	0
New Homes Bonus	527	491	289	0
HB Admin	283	0	0	0
	810	491	289	0
Net Additional (Reduction) in resources	1,789	(1,924)	(2,126)	(4,093)
3. Inflation and other increases				
	5,714	4,515	4,665	4,762
4. Treasury				
Existing Treasury Inflation Costs	5,223	2,500	2,065	0
MRP	308	32		
2020/21 ongoing borrowing rate change	650			
Treasury and Capital Financing	6,181	2,532	2,065	0
6. Corporate Growth				
Adults	2,500	1,000	1,000	1,000
Children's	1,814	1,314	1,314	1,314
	4,314	2,314	2,314	2,314
8. Commercial - Reduction in Fees and charges @ 20%	1,320	0	0	500
C/f Position	0	0	0	0
Working Total	19,318	7,437	6,918	3,483

Appendix 2 – Summary of 2020/21 Capital Programme

Table 5 – Summary of the 2020/21 General Fund Capital Programme	Approved Budget			Projected Outturn			CY Spend	% Spend against
	2020/21	2021/22	2022/23	2020/21	2021/22	2022/23	(Sep-20)	CY Forecast
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
Childrens Service	11,475	0	0	11,071	400	0	5,285	47.74
Adults; Housing and Health								
Provider Services	524	0	0	500	20	0	409	81.80
Better Care	1,351	0	0	1,351	0	0	100	7.00
Community Development	2,640	280	0	1,610	1,309	0	240	15.00
Housing General Fund	391	100	35	391	100	35	16	4.00
	4,906	380	35	3,852	1,429	35	765	19.86
Environment, Highways & Counter Fraud								
Highways Infrastructure	1,051	0	0	1,051	0	0	-297	-28.26
Highways Maintenance	11,916	2,898	2,250	10,015	3,630	2,450	2,550	25.00
Resident Services	2,147	0	0	269	1,878	0	189	70.00
Environment	6,061	1,030	0	6,061	1,030	0	545	9.00
Counter Fraud & Investigation	250	0	0	250	0	0	8	3.00
	21,425	3,928	2,250	17,646	6,538	2,450	2,995	16.97
Place								
Place Delivery - Highways Major Projects	30,615	7,214	0	30,615	30,000	8,032	16,252	53.09
Place Delivery - Regeneration	15,585	10,333	5,084	6,845	18,311	5,846	1,537	22.45
Planning and Transportation	5,280	2,014	0	3,457	3,836	0	249	7.20
	51,480	19,561	5,084	40,917	52,147	13,878	18,038	44.08
Finance, Governance and Property								
Information Technology	8,331	585	80	8,331	585	80	1,180	14.16
Corporate Assets	6,842	3,768	0	3,198	4,630	2,724	386	12.07
	15,173	4,353	80	11,529	5,215	2,804	1,566	13.58
HR, OD and Transformation	9,542	2,903	0	8,317	4,128	0	825	9.92
Customer Services	302	0	0	283	19	0	104	36.75
Commercial Services	18	0	0	18	0	0	0	0.00
Total Expenditure - General	114,321	31,125	7,449	93,633	69,876	19,167	29,578	31.59

Table 6 – Summary of the 2020/21 General Fund Capital Programme, by scheme status	Project Status	Approved Budget			Projected Outturn			CY Spend (Sep-20)	% Spend against CY Forecast
		2020/21	2021/22	2022/23	2020/21	2021/22	2022/23		
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	
	<i>Not yet started</i>	18	0	0	18	0	0	0	
	<i>Work commenced</i>	9,271	0	0	9,270	0	0	5,117	
	<i>Scheme completed</i>	18	0	0	15	0	0	14	
	<i>Demand led</i>	2,168	0	0	1,768	400	0	154	
Total: Childrens Service		11,475	0	0	11,071	400	0	5,285	47.74
	<i>Not yet started</i>	69	0	0	69	0	0	0	
	<i>Work commenced</i>	559	0	0	559	0	0	4	
	<i>Scheme completed</i>	108	0	0	103	0	0	103	
	<i>On hold</i>	1,920	0	0	872	1,049	0	474	
	<i>Demand led</i>	1,716	380	35	1,716	380	35	24	
	<i>Feasibility Stage</i>	533	0	0	533	0	0	160	
Total: Adults; Housing and Health		4,905	380	35	3,852	1,429	35	765	19.86
	<i>Not yet started</i>	21	0	0	21	0	0	0	
	<i>Out to tender</i>	2,930	0	0	2,930	0	0	-7	
	<i>Work commenced</i>	11,334	2,758	2,050	11,334	2,757	2,050	2,302	
	<i>Scheme completed</i>	485	0	0	476	0	0	9	
	<i>Completed retention o/s</i>	19	0	0	19	0	0	0	
	<i>On hold</i>	5,125	970	200	1,450	3,485	400	429	
	<i>Demand led</i>	1,511	200	0	1,416	296	0	261	
Total: Environment, Highways & Counter Fraud		21,425	3,928	2,250	17,646	6,538	2,450	2,994	16.97
	<i>Not yet started</i>	73	190	0	23	240	0	0	
	<i>Design stage</i>	4,733	1,823	0	2,511	4,046	0	467	
	<i>Contract formation</i>	131	0	0	131	0	0	0	
	<i>Work commenced</i>	33,708	11,391	5,084	33,420	34,462	13,116	16,732	
	<i>Scheme completed</i>	129	0	0	129	0	0	100	
	<i>Completed retention o/s</i>	161	0	0	161	0	0	10	
	<i>On hold</i>	7,520	6,158	0	1,600	11,315	762	624	
	<i>Demand led</i>	4,210	0	0	2,126	2,084	0	89	
	<i>Feasibility Stage</i>	815	0	0	815	0	0	15	
Total: Place		51,480	19,562	5,084	40,916	52,147	13,878	18,037	44.08

Table 6 – Summary of the 2020/21 General Fund Capital Programme, by scheme status	Project Status	Approved Budget			Projected Outturn			CY Spend (Sep-20)	% Spend against CY Forecast
		2020/21	2021/22	2022/23	2020/21	2021/22	2022/23		
	<i>Not yet started</i>	1,913	465	50	1,890	488	50	0	
	<i>Design stage</i>	230	0	0	30	200	0	0	
	<i>Out to tender</i>	37	0	0	37	0	0	0	
	<i>Work commenced</i>	7,848	120	30	7,848	120	30	1,437	
	<i>Scheme completed</i>	184	1,000	0	136	1,000	0	23	
	<i>Completed retention o/s</i>	125	0	0	125	0	0	17	
	<i>On hold</i>	3,888	2,724	0	534	3,354	2,724	0	
	<i>Demand led</i>	938	44	0	929	53	0	88	
	<i>Scheme Removed</i>	10	0	0	0	0	0	0	
Total: Finance, Governance and Property		15,173	4,353	80	11,529	5,215	2,804	1,565	13.57
	<i>Work commenced</i>	8,875	2,903	0	8,081	3,698	0	859	
	<i>Scheme completed</i>	15	0	0	0	0	0	0	
	<i>Demand led</i>	630	0	0	236	430	0	-34	
	<i>Scheme Removed</i>	22	0	0	0	0	0	0	
Total: HR, OD and Transformation		9,542	2,903	0	8,317	4,128	0	825	9.92
	<i>Work commenced</i>	277	0	0	278	0	0	99	
	<i>On hold</i>	25	0	0	5	19	0	5	
Total: Customer Services		302	0	0	283	19	0	104	36.75
	<i>Work commenced</i>	18	0	0	18	0	0	0	
Total: Commercial Services		18	0	0	18	0	0	0	0.00
Total Expenditure - General Fund		114,320	31,126	7,449	93,632	69,876	19,167	29,575	31.59

Table 7 – Summary of the 2020/21 Housing Revenue Account Capital Programme	Approved Budget			Projected Outturn			CY Spend (Sep-20)	% Spend against CY Forecast
	2020/21	2021/22	2022/23	2020/21	2021/22	2022/23		
Adults, Health and Housing	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
Provider Services	6,651	2,014	155	6,651	2,014	155	1,361	
Better Care	23,041	0	0	23,041	0	0	3,291	
Total Expenditure - HRA	29,692	2,014	155	29,692	2,014	155	4,652	15.67

Table 8 – Summary of the 2020/21 Housing Revenue Account Capital Programme, by scheme status	Project Status	Approved Budget			Projected Outturn			CY Spend (Sep-20)	% Spend against CY Forecast
		2020/21	2021/22	2022/23	2020/21	2021/22	2022/23		
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	
	<i>Design stage</i>	12	0	0	12	0	0	12	
	<i>Work commenced</i>	29,303	1,890	155	29,303	1,890	155	4,328	
	<i>Completed retention o/s</i>	377	124	0	377	124	0	312	
Total Adults, Health and Housing - HRA		29,692	2,014	155	29,692	2,014	155	4,652	15.67

GENERAL FUND SCHEMES

Appendix 3

Table 9 - Scheme Reprofileing	Reprofileing £000's	Reason
Riverside Business Centre (R0730)	(4,276)	On hold pending further discussions.
Thameside Theatre Refurbishment	(2,650)	Thameside works currently on hold, pending future Cabinet decision.
Purfleet Land Assembly Development Agreement (R0501)	(1,989)	Land assembly is demand led. Re-profileing to match anticipated spend.
Tilbury Integrated Medical Centre (R0913)	(1,218)	This relates to the reprofileing of the budget specific to the design phase of the project only.
The Reception (National College Building CCI) (R0750)	(1,194)	On hold pending further discussions.
Leisure Centre Works (L0410)	(1,081)	Spend on hold pending a wider asset review.
Community Hubs (T3100)	(1,029)	Spend on hold pending a wider asset review.

9 December 2020	ITEM: 12 Decision: 110539
Cabinet	
Environmental Health Jurisdiction : DP World Distribution Park	
Wards and communities affected: All	Key Decision: Key
Report of: Councillor Rob Gledhill, Portfolio Holder for Public Protection and Anti-Social Behaviour	
Accountable Assistant Director: Leigh Nicolson – Assistant Director Planning, Transport and Public Protection.	
Accountable Director: Andy Millard –Director of Place	
This report is Public	

Executive Summary

The Corporation of London have jurisdiction for Environmental Health in ports along the river Thames under a Port Health Order. Within Thurrock they exercise this jurisdiction in the Port of Tilbury and the DP World Port at London Gateway.

This jurisdiction applies within the docks only. Within these areas the Corporation provide a comprehensive Environmental Health service, a large part of which is the inspection of food entering the UK from overseas.

The Corporation have requested that their jurisdiction for Environmental Health matters at London Gateway be extended beyond the immediate area of the dock to include the Distribution Park currently being developed, as indicated on the attached map (appendix 1).

The purpose of this report is to provide details of this proposal and its implications for Thurrock Council and seek a decision from Cabinet on this matter.

1. Recommendation(s)

- 1.1 **Cabinet authorise the Director of Place, in conjunction with the Head of Legal and Portfolio Holder for Public Protection and Anti-Social Behaviour, to enter into an agreement, on behalf of Thurrock Council, with the Corporation of London to transfer jurisdiction for Environmental Health Matters pertaining to food law enforcement within**

the DP World Distribution Park from Thurrock Council to the Corporation of London.

2. Introduction and Background

- 2.1 The City of London Corporation is the Port Health Authority for the district of the Port of London (LPHA). The jurisdiction is set out in the London Port Health Authority Order 1965 and covers all of the tidal Thames. The area for which LPHA is responsible includes the new London Gateway Port as well as the Port of Tilbury.
- 2.2 The LPHA is responsible for enforcing legal requirements relating to food safety and food standards for all food and animal feed that is imported through the ports within London Port Health Authority area. This includes:
- Operation of the Border Control Posts at London Gateway Port and Tilbury.
 - Monitoring for illegal food or animal feed imports at any of the Ports within the Borough
 - Carrying out documentary, identity and physical checks on imported consignments of products of animal origin and products not of animal origin
 - Making checks of fish catch certificates to ensure compliance with regulations concerning Illegal, unreported and unregulated fishing

As part of their duties the LPHA undertake Environmental Health duties in the area of the port, including those relating to food controls, pollution control, disease control, pest control and controls on the hygiene standards aboard vessels entering the port.

- 2.3 The Corporation have requested that their jurisdiction for Environmental Health matters at London Gateway be extended beyond the immediate area of the dock to include the Distribution Park currently being developed, as indicated on the attached map (appendix 1).

3. Issues, Options and Analysis of Options

- 3.1 Officers from Thurrock Council's Public Protection Service are responsible for enforcement of the same or equivalent legislation to that enforced by the LPHA as it applies to operations outside of the currently defined LPHA area. This currently includes the London Gateway Distribution Park.
- 3.2 London Gateway Distribution Park will give rise to an increasingly large amount of activity from food and feed importation and the LPHA are structured and resourced to accommodate the necessary regulation of this activity.
- 3.3 The area covered by the Distribution Park is approximately one square mile. It is anticipated that this will be densely occupied by logistics companies with a fast turnover of goods, including perishable food items. The volume of warehousing together with the quick throughput of goods means that vast

quantities of food in numerous consignments are likely to pass through the Distribution Park annually.

- 3.4 The operations at the Port and the adjacent Distribution Park will run outside of office hours and potentially during weekends. The turnaround times required for food certification work for exporters, who could accrue storage and possibly demurrage charges mean that in order to avoid severe disruption and cost to such businesses a rapid response to requests for certification and inspection of goods will be needed. This will require staff working shifts to be based onsite or near site for extended periods of the week. The cost of staffing this work, together with resourcing works on the other aspects of Environmental Health work to be covered will entail an estimated need for over £200k in the Services staffing budget. This will provide three staff members to cover a shift pattern with additional hours for sickness and annual leave cover. It may also be necessary to secure welfare facilities and accommodation at or near the site for these staff entailing additional costs.
- 3.5 The staff required to undertake this type of work have to be qualified Environmental Health Officers who have significant and current experience in food safety work to comply with the Food Law Code of Practice. There are not many qualified staff available and this could lead to difficulty in recruitment.
- 3.6 Two options exist to address the increasing activity at the port and in its adjacent distribution centre:
- Upscale the Environmental Health Provision at Thurrock Council to accommodate the increased workload generated by the increasing activity at the Port and Distribution Park, with an estimated additional revenue cost of over £200k per annum.
 - Transfer jurisdiction for Environmental Health regulation in the Distribution Park to the LPHA.

4. Reasons for Recommendation

- 4.1 The transfer of jurisdiction for Environmental Health matters pertaining to food law enforcement within the Distribution Park will avoid significant impending budget pressure that will otherwise arise, as a result of the increased demand for regulation work in the Distribution Park.
- 4.2 The transfer of jurisdiction for Environmental Health matters pertaining to food law enforcement within the Distribution Park will allow the LPHA with an onsite dedicated provision to provide a more joined up service for importers and exporters, avoiding the need for businesses to deal with both LPHA and Thurrock as regulators for essentially the same activity where for example food commodities move from the Port to the Distribution Park and back.

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

5.1 LPHA and was taken to Cleaner, Greener, Safety Overview and Scrutiny Committee on 3 December 2020.

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

6.1 Avoidance of budget growth pressure in Public Protection associated with increased demand for regulation from the Distribution Park will leave more resources available to address the Council's priorities.

7. Implications

7.1 Financial

Implications verified by: **Laura Last**
Management Accountant

There are no direct financial implications arising from the recommendations in this report. Financial implications may subsequently arise dependant on the outcome of discussions with the LPHA regarding the provision of regulation within the Distribution Park. There is a potential for an increase in the costs attributable to the operation of the Council's Public Protection functions of over £200k if agreement cannot be reached with the Corporation of London to undertake this work.

7.2 Legal

Implications verified by: **Ian Hunt**
Assistant Director Law & Governance,
Monitoring Officer

There are no direct legal implications arising from the recommendations in this report. Financial implications may subsequently arise dependant on the outcome of discussions with the LPHA regarding the provision of regulation within the Distribution Park.

7.3 Diversity and Equality

Implications verified by: **Natalie Smith**
Strategic Lead – Community Development & Equalities

There are no direct diversity or equality implications arising from the recommendations in this report. Such implications may subsequently arise dependant on the outcome of discussions with the LPHA regarding the provision of regulation within the Distribution Park. In the event that significant implications arise a full equality and diversity assessment will be undertaken.

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

None

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

- London Port Health Food Safety Enforcement Plan 2016-17

9. **Appendices to the report**

- Appendix 1 - Map of London Gateway Distribution Park

Report Author:

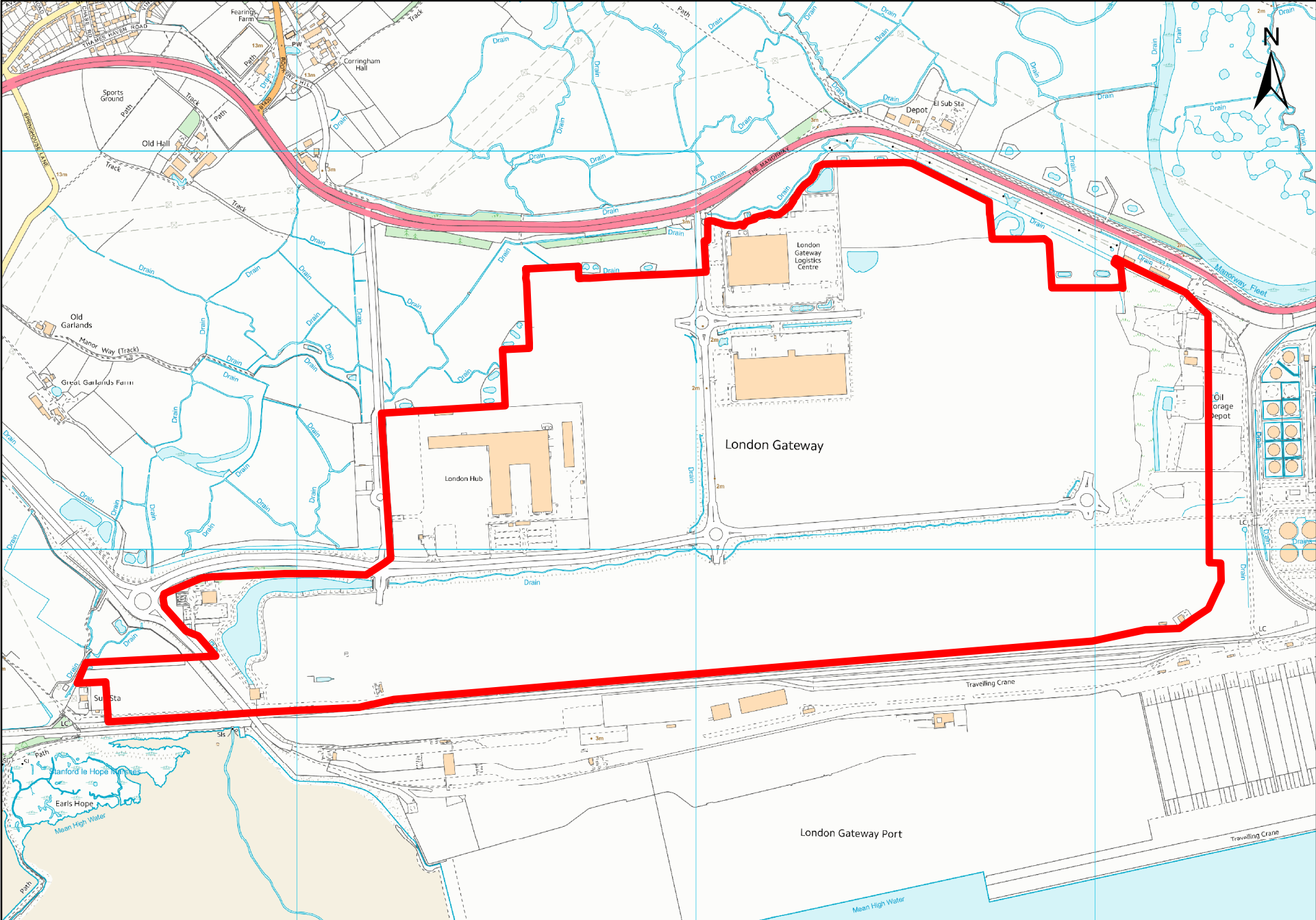
Gavin Dennett

Strategic Lead - Public Protection

Planning, Transport and Public Protection Service

This page is intentionally left blank

DP World Logistics Park



This page is intentionally left blank

9 December 2020	ITEM: 13 Decision: 110540
Cabinet	
Housing Development Delivery Approach	
Wards and communities affected: All	Key Decision: Key
Report of: Councillor Mark Coxshall, Portfolio Holder for Regeneration and Strategic Planning and 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

The Council has chosen to pause and reflect on our current housing approach, in order to review the strengths and weaknesses of the TRL model and the Council's wider approach to housing delivery, especially in light of the covid pandemic and resulting economic crisis. Following extensive work, this paper sets out the forward position.

The emerging Local Plan identifies a need for around 32,000 new homes in Thurrock by 2038.

The Council have previously agreed its own ambitious targets for housebuilding as a contribution to this target, both through the Housing Revenue Account (HRA) and through Thurrock Regeneration Limited (TRL). The previously agreed targets are to build 500 affordable HRA homes between 2019 to 2029 and 1000 homes for sale and rent by TRL by 2023

On 15 January 2020, Cabinet agreed a process and criteria by which Council owned sites are selected for redevelopment for residential purposes. A further report to Cabinet in February 2020 outlined a list of sites that were agreed to be considered for residential development by the Council (through the Housing Revenue Account (HRA)) or by the Council's wholly owned company, Thurrock Regeneration Limited (TRL).

This report explores various approaches to increase the Council's capacity to deliver housing development schemes and to assist in the wider regeneration of the

Borough.

1. Recommendation(s)

It is recommended that Cabinet:

- 1.1 Agree to adopt a mixed approach to Housing Development Delivery, in order to improve the Council's capacity to increase its delivery rate.**
- 1.2 Note that potential schemes will be brought forward for approval in line with the Council's constitution in due course.**

2. Introduction and Background

- 2.1 The emerging Local Plan identifies a need for around 32,000 new homes in Thurrock by 2038.
- 2.2 The Council have previously agreed its own ambitious targets for housebuilding as a contribution to this target, both through the Housing Revenue Account (HRA) and through Thurrock Regeneration Limited (TRL). The previously agreed targets are to build:
 - 500 affordable HRA homes between 2019 to 2029
 - 1000 homes for sale and rent by TRL by 2023
- 2.3 On 29 October 2019 and 15 January 2020 respectively, Housing Overview and Scrutiny and Cabinet established the process and criteria by which Council owned sites are to be identified as potential housing development sites.
- 2.4 Further reports to Housing Overview and Scrutiny and to Cabinet in February 2020 agreed a long list of 20 sites, with an estimated delivery target of around 900 homes to address the Council's Housing Development targets.
- 2.5 Since then, the list has been reviewed and amended and regularly reported to Housing Overview and Scrutiny, the most recent being in November 2020. The November list comprised 15 sites (with an estimated delivery of around 700 housing units).
- 2.6 Further work has been carried out to consider additional sites that could be developed, as well as considering different development approaches to help increase the Council's capacity and capability to deliver against its specified delivery targets.

3. Issues, Options and Analysis of Options

Review of current available sites for development

- 3.1 The Council committed to its delivery targets in February 2018. Progress since then has seen 29 new homes delivered on the former TOPS Club site (now “Alma Court”). A further site (Claudian Way) has commenced handover with all units expected to be complete in December 2020, providing a further 53 homes. A third site (Calcutta Road), with 35 units, is also due to be handed over in August 2021. The handover of all three sites has been delayed due to the recent Coronavirus pandemic.
- 3.2 Two other sites have the potential to be close to starting development, namely Belmont Road and the Culver Centre. The Belmont Road site is owned by TRL and planning permission has been granted for 80 homes. Delivery has been delayed due to concerns over access to the site for construction traffic. However this matter is subject to a pre-commencement condition attached to the planning permission which means that any concerns can be addressed through the discharge of the condition.
- 3.3 The Culver Centre site has been through two public consultations, resulting in a significantly amended proposal which better reflect the desires of the local community. The site is expected to deliver up to 175 homes. The site has also received approval from the Secretary of State to allow for its non-educational use. The scheme will shortly be brought forward for planning approval. The expectation was for TRL to start development on this site in 2021 however a decision on the most appropriate way to deliver the site remains under consideration.
- 3.4 Progress on seven other sites (three garage in-fill sites, three car parks and the site of an existing large HRA dwelling) has also restarted, following a pause on public consultation due to the Coronavirus pandemic. The sites are now starting to make progress with site and ground investigations, in advance of going out for public consultation. These sites are:- Crammerville Street, Broxburn Drive, Vigerons Way (all garage in-fill sites) and Darnley Road, Thames Road and Argent Street (all car park sites). Furthermore, the site at Loewen Road (redevelopment of existing housing) has also gone out for public consultation.
- 3.5 To increase the housing numbers, a further pipeline of sites is being prepared from a review of the Council’s surplus assets and housing stock. From an initial assessment, these sites could be expected to deliver up to a total of 200 further homes subject to further preliminary investigations and will be reported to Housing Overview and Scrutiny Committee in due course in line with the agreed engagement process.

Increasing the Council’s capacity to deliver

- 3.6 The Council’s Housing Development team is small (6.6 FTE, including 1.6 FTE seconded to TRL). The recent introduction of a Commissioned Partner model has brought in additional capacity. However, if the Council wants to deliver at an increased pace, and recover the time lost to the Coronavirus pandemic, then a wider approach to delivery needs to be considered.

- 3.7 The following sections of the report explore various other options that could help to increase the capacity and ability of the Council to deliver housing development at a faster pace than is possible with existing limited resources and approaches.

Housing Revenue Account (HRA)

- 3.8 As set out in para 3.1, the Council has recently brought forward three HRA sites that have either just been delivered or are close to hand over – TOPS Club/Alma Court, Claudian Way and Calcutta Road. The delivery of these sites has been well received, with broad Member and community support and are clearly, by definition, all affordable.
- 3.9 Four of the sites on the current Housing Development Options List are on Housing Revenue Account (HRA) land, including the three garage in-fill sites mentioned above in para 3.4. Other sites being considered for development potential are also on HRA land and include redundant garage sites, other brownfield land and in-fill development.
- 3.10 35% Affordable Housing would also be expected from TRL's development sites (planned to be Belmont Road and Culver Centre) in line with existing planning policy. These dwellings could be purchased by the Council and let within the HRA, making use of retained RTB receipts and prudential borrowing within the HRA.

Private Sector

- 3.11 The Council is already working with the private sector to bring forward sites and larger housing programmes across the Borough, in a variety of ways.
- 3.12 This has included developers proposing sites for the Council to purchase for development as part of a wider private sector led proposals and separately the purchase of dwellings constructed as affordable housing where a developer is required to do so under S106 Planning Agreements. Other approaches been where a private developer has proposed 'package deals' of land and construction of new homes in a single approach.
- 3.13 Following the Council's approach to engaging with land owners and developers through the Design Charrette process that is supporting development of the new Local Plan, approaches have also been received from the private sector on collaborative approaches to bring forward new larger scale developments alongside the Council.
- 3.14 The Council also uses its Planning powers to negotiate with the private sector developers, using S106 planning powers to ensure that Affordable housing is brought forward on private sector-led sites, where viable.

TRL

- 3.15 To date, TRL has delivered one housing scheme (St Chads), providing 128 homes (including 26 affordable homes). TRL owns the site at Belmont Road, having purchased the site from the Council. TRL is also planned as the deliverer of the Culver Centre scheme, although the Culver Centre site is still owned by the Council.
- 3.16 TRL was developed as a vehicle to complement the Housing Revenue Account (HRA), targeting sites that had remained dormant for many years and that the private sector was reluctant to develop, as well as providing a vehicle to deliver affordable homes.
- 3.17 This was reiterated in the Council's decision of 20th November 2017, to agree to the sale of the Belmont Road site to TRL. The report commented that "TRL will support the Council's place shaping agenda and will help deliver a range of housing tenures and other projects. By enabling TRL to develop quality housing on land that it owns the Council will provide an alternative route to private sector led regeneration which may otherwise be constrained by market conditions. Such housing will contribute to improving, and creating great places where community pride, good health and wellbeing and economic prosperity will thrive".
- 3.18 There is now an imperative to move matters forward by appointing a new Director/Directors and refreshing the approach to housing options and delivery in the borough. TRL had a Board of Directors which was comprised of 3 Council officers and 1 external party (from Homes England). All Directors have recently resigned from the Board, principally due a conflict of interest with their own Council roles.
- 3.19 However, going forwards, there is a need to strengthen the board in light of the changing and ever more complex market conditions, created by the global pandemic. To this end, consideration needs to be given the creating an expanded Board. A report to this effect will be made the Shareholders (the Council's General Services Committee) in the near future.

Joint Venture Partnerships

- 3.20 The Council could also consider entering into a Joint Venture (JV) with another partner, such as a major house builder, or a major fund investor. This option has been successfully developed and implemented by other Local Authorities.
- 3.21 Exploratory discussions have been undertaken with private sector led organisations. Other opportunities have also been explored to develop a JV with Homes England, which would bring the benefits of substantial resource, expertise and access to funding. The process of finding a suitable JV partner, and finalising the legal negotiations can, however, be lengthy and time-consuming and would clearly necessitate profit share.

- 3.22 The Council is also in contact with other Housing Associations across the Borough, mainly in an advisory capacity, enabling the Housing Associations to deliver Affordable Housing and providing support over the Planning process and applying for grants. There is limited delivery activity through this route at the moment, although there are potential opportunities for more joint working.

Mixed Approach to Delivery

- 3.23 This report is recommending that the Council should choose to follow a mixed approach to delivery, rather than just relying on existing approaches. Adopting a range of delivery methods will enable the Council to address a more flexible approach to delivery in the housing development market.
- 3.24 The mixed delivery approach could include new approaches to housing development as referred to above. These include:
- Continued direct delivery on Council owned sites
 - Street purchase of existing private sector stock
 - Purchasing new homes through S106 opportunities
 - Purchase of existing private sector land or completed units
 - Continued TRL development on appropriate sites
 - Joint Ventures or collaboration with the private sector
- 3.25 The mixed approach described above is illustrative, but should deliver significant numbers of new homes across a range of tenures including affordable housing.
- 3.26 It is also recommended that a further review of the Council's own assets to highlight other sites for disposal or for housing development should be supplemented by engaging with industry experts to undertake a more strategic review to explore approaches to increase the opportunities for the Council to deliver new houses for our residents.
- 3.27 Given the Council's ambition for housing delivery and the wide range of potential delivery options outlined in this report, all sites for disposal will be agreed with Cabinet in respect of the intended nature of release (TRL or otherwise). Going forward, the delivery of the Housing Development Programme will continue to be scrutinised by Housing O&S and Cabinet.

4. Summary

- 4.1 The above options to improve the capacity of the Council to increase the rate of delivery of housing development schemes are not mutually exclusive. Adopting a wider range of options, in a flexible manner, would enhance delivery rates, the Council's contribution towards its own targets and contribute to the wider housing needs and regeneration of the Borough.

5. Consultation

5.1 Housing Overview & Scrutiny Committee, 17 November 2020.

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

6.1 The proposed approach to the development of new housing aligns closely 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 in which residents can take pride.

7. Implications

7.1 Financial

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

The delivery of a housing programme will contribute to the wider objectives of the Council.

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 within or outside the Housing Revenue Account.

Any proposed projects will need to be subject to a financial assessment undertaken to ensure they represent 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**
Deputy Head of Law and Deputy Monitoring Officer

This report which sets out a proposed range of approaches for development of residential accommodation both on Council and privately owned land. There are no direct legal implications from this report alone. However 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: **Roxanne Scanlon**

Community Engagement and Project Monitoring Officer

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 approaches to housing delivery 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 any 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)

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

David Moore

Interim Assistant Director – Place Delivery

Place

9 December 2020	ITEM: 14
Cabinet	
Sheltered Housing Decommissioning – Alexandra Road/Dunlop Road	
Wards and communities affected: Tilbury Riverside and Thurrock Park	Key Decision: No
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	
This report is Public	

Executive Summary

This report sets out the proposals for the future of the Alexandra Court Sheltered Housing complex in Tilbury, comprised of 36 properties at Alexandra Road and four properties at Dunlop Road.

The report outlines the options which were considered relating to accessibility to the communal blocks at this complex, as well as the opportunities which are available through one of the Council’s current new build schemes at Calcutta Road, Tilbury.

1. Recommendations

That Cabinet:

- 1.1. Approve the proposal to decommission the Sheltered Housing properties at Alexandra Road and Dunlop Road in Tilbury; and**
- 1.2. Notes and comments on the proposal to implement a local lettings plan for the new housing development for older people at Calcutta Road which gives priority to tenants affected by the above proposed decommissioning.**

2. Introduction and Background

- 2.1 In March 2019 a report was produced which considered the condition of communal entrance points in the Sheltered Housing complexes across the council’s housing stock. This review included the 36 properties at Alexandra Road and the four properties at Dunlop Road, which collectively form the ‘Alexandra Court’ Sheltered Housing complex in the Tilbury Riverside and

Thurrock Park ward.

Residents are being supported to live independently in Sheltered Housing properties for longer and later in life than they may have been able to historically. Whilst this is positive, as people age and their mobility reduces they may face additional challenges due to the condition of the communal access points for their homes, which subsequently impacts upon their quality of life and independence.

- 2.2 The reviews which were carried out assessed the level of accessibility for each block and communal entrance point in the context of the *Equality Act 2010* as well as against the ideal standards as set out in the *Building Regulations 2010 Part M: Access to and use of Buildings; Volume 1: Dwellings; M4(2) Category 2: Accessible and adaptable dwellings*.

In some cases, where dwelling or communal area accessibility is identified as being below the standard which the council is aiming to achieve across all its Sheltered Housing complexes, the work to rectify the issue is relatively straight-forward. In other instances there are significant constraints which hamper the identified remedial work, and this is the case at Alexandra Court.

- 2.3 Approximately 400 metres from the Alexandra Court Sheltered Housing complex, construction is currently underway for a new development of 35 council-owned flats for older residents at Calcutta Road. The development, which will be called Beaconsfield Place, will have 31 one-bedroom flats and 4 two-bedroom duplex flats, and these are due to be completed in Summer 2021.

This development will have indoors communal spaces, private communal gardens for residents, ample parking and mobility scooter storage. The support of a sheltered housing officer will be provided at this new development.

3. Issues, Options and Analysis of Options

- 3.1 The assessment of the access to the blocks at the Alexandra Court Sheltered Housing complex indicated that they do not currently meet the accessibility standards which the council is aiming to achieve. The options which have been considered include:

- A. Undertaking the identified work to bring the blocks in line with the standard.
- B. Maintaining the current level of block accessibility below the required standard and retain the complex as a Sheltered Housing scheme.
- C. Decommissioning this Sheltered Housing complex as it is unfit for the future.

The scale of the suggested work which would be needed to meet the required standards for access to the blocks at Alexandra Road and Dunlop Road would be extremely disruptive to residents by affecting the only entrances to each block, meaning that it would be highly likely that temporary decants would be required. With this in mind, and due to the space constraints at this site which significantly limit the viable options for the identified work to be carried out, it has been determined that it would not be feasible to undertake these external alterations.

- 3.2 It should be noted that even if the work to improve the external access to blocks were to be carried out, a number of other internal accessibility issues would still remain. The only way to access the first-floor flats at this complex is by stairs as there is no lift access. In addition to this, the age of construction combined with the internal layout of each block means that whilst access to the flats could be improved, each individual flat would be no more suitable for residents with limited mobility.
- 3.3 In light of the above assessment of the available options, it can be seen that option A is not feasible and that option B does not provide an appropriate solution for the future for this complex.

It is recommended that the Alexandra Court Sheltered Housing complex should be decommissioned in line with option C. Whilst this would cause a level of disruption to residents currently living within this Sheltered Housing complex as all residents living in these blocks would be required to move, there would be a comprehensive package of support available to help them to move to alternative accommodation suitable for their needs.

As part of the decommissioning process, the Council will no longer advertise or make permanent offers of accommodation for these properties as they become void. The Sheltered Housing service will also be withdrawn, however this will not happen whilst any Sheltered Housing tenant remains at the complex.

4 Reasons for Recommendation

- 4.1 The nearby construction of Beaconsfield Place, a development using HAPPI principles for older people's housing, provides an opportunity for residents at the Alexandra Court Sheltered Housing complex to move to a new home within their current community which is designed with accessibility requirements in mind.

A local lettings plan is proposed which will ensure that those tenants being decanted from the Alexandra Court Sheltered Housing complex are prioritised for the Beaconsfield Place development, should they wish to move there. A formal expression of interest period will be conducted in January 2021, however initial consultation with residents has already been carried out. Details of this appear in the consultation section of the report.

All residents will also be awarded the highest priority band on the council's housing register, which will allow them to consider moving to another Sheltered Housing complex or appropriate property elsewhere in Tilbury or across Thurrock.

As all residents would be required to permanently move from the Alexandra Road and Dunlop Road blocks, a 'home loss and disturbance' payment will be made to each affected household as stipulated by the *Home Loss Payments (Prescribed Amounts) (England) Regulations 2020*.

All residents will be fully supported with their future move by a dedicated officer who would provide assistance with key elements of moving home, such as:

- making a transfer application
- packing and removals
- assisting with the home loss and disturbance payment
- general moving requirements
- providing a smooth transition from one property to another

- 4.2 Once the recommendation to decommission the Alexandra Court Sheltered Housing complex has been agreed and residents start to move to other properties elsewhere in the borough, the number of void properties will increase at this complex. In the short-term, once all properties in a given block become empty, consideration can be given to utilising these as temporary accommodation for homeless households.

In the longer term, decommissioning this complex allows the entire site to be considered as a redevelopment opportunity to provide new council-owned family-sized homes for the borough.

5 Consultation (including Overview and Scrutiny, if applicable)

- 5.1 Consultation and engagement activity has already been carried out with residents at the Alexandra Court Sheltered Housing complex as well as with ward members and the Portfolio Holder for Housing.

A letter was hand-delivered to all residents on 28 September 2020 which outlined the proposals for decommissioning the complex as well as the options which would be available to each household for the future.

Included within the letter was a pre-arranged socially distanced appointment for the residents and their next of kin or carer to meet with the Sheltered Housing Officer at Alexandra Court, if they wished, in order to discuss these proposals in more detail and ask any initial questions which they may have had.

- 5.2 The below table demonstrates the engagement methods which have been chosen by tenants at this complex.

Engagement Method	Count
Attended appointment	14
Attended appointment with next of kin	5
Telephone call	13
Telephone call with next of kin	4
No appointment or telephone call	2

- 5.3 Feedback from residents has been supportive of the proposals. As part of this period of engagement and consultation, initial feedback was collected with regards to interest in moving to the Beaconsfield Place development as well as moving to any other Sheltered Housing complex in the borough. The tables below outline the feedback received in this regard.

Interest in Beaconsfield Place?	Count
Yes	27
No	8
Unsure	3

Other area preference	Count
Chadwell St Mary	3
Corringham	1
Grays	3
South Ockendon	1
Tilbury	15
Unsure	2
No preference shared	14

In addition to understanding the preferences of each resident towards a preferred location to move to, the Sheltered Housing Officer has worked with residents to collate any health or medical issues which need to be considered alongside any other comments or preferences which had been expressed.

- 5.4 These proposals were presented to Housing Overview and Scrutiny Committee on 17 November 2020 in order to seek members' views on the potential decommissioning of this site. The proposals were well received.

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

- 6.1 The community impact of these proposals has been managed and mitigated through thorough comprehensive support and engagement with those who will be affected by the change. The specific needs of each individual household are being considered and addressed on a case-by-case basis.

The longer term redevelopment aspirations for this site supports the Council's 'Place' priority as well as the intentions to provide up to 500 new council homes.

7 Implications

7.1 Financial

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

The proposal in this report to decommission this sheltered housing complex will have financial implications due to the potential for rent loss whilst properties remain void and through the home loss and disturbance payments which will need to be made. This will be managed as part of the 2020/21 budget position.

The properties will remain part of the Council's assets, and further consideration will be given as to how best utilise them in the future

Bearing this in mind, the proposal also removes the necessity for the Council to undertake a significant amount of work to improve the external access of these blocks which may only have limited benefit.

The proposal also provides an opportunity to reduce the financial impact of temporary accommodation placements in the private rental sector by utilising decommissioned properties for this purpose, therefore also reducing the potential lost rental income at this complex.

7.2 Legal

Implications verified by: **Tim Hallam**

Deputy Head of Law and Deputy Monitoring Officer

This report proposes a recommendation to decommission a sheltered housing complex and seek alternative accommodation for the current tenants in order to best meet their needs. The proposals have been considered against relevant legislative and regulatory documentation as outlined within this report.

7.3 Diversity and Equality

Implications verified by: **Roxanne Scanlon**
Community Engagement and Project Monitoring Officer

Whilst a number of residents would be impacted by the recommended proposal within this report, the consultation and engagement activity which has already been carried out and the offer of personalised support which will be provided going forward evidences that consideration has been given to the individual needs of each household, such as age and any disabilities.

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

Not applicable

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):

9 Appendices to the report

- N/A

Report Author:

Ryan Farmer

Housing Strategy & Quality Manager

Business Improvement - Housing

This page is intentionally left blank

9 December 2020	ITEM: 15
Cabinet	
Independent Review of the Local Safeguarding Children’s Partnership (LSCP)	
Wards and communities affected: All	Key Decision: Non Key
Report of: Councillor James Halden, Portfolio Holder - Adult and Children’s Social Care	
Accountable Assistant Director: Joe Tynan, Assistant Director Children’s Social Care & Early Help	
Accountable Director: Sheila Murphy , Corporate Director of Children’s Services	
This report is: Public	

Executive Summary

Thurrock children’s partnership is focused on reviewing effectiveness to ensure we learn and strive for the very best for children. This is evidenced in commissioning an independent expert to come into the partnership to conduct an open and full review, and then publically publishing the recommendations to take us forward as a partnership.

The Children and Social Work Act 2017 and Working Together 2018 dissolved the requirement for Local Safeguarding Children’s Boards (LSCB). The three Strategic Partners, determined under the Children and Social Work Act 2017, comprise Thurrock Council, Essex Police and Thurrock Clinical Commissioning Group (CCG). Thurrock’s new arrangements as the LSCP, came into effect on the 7 May 2019.

The agreement of the LSCP is to have a rotating Chair from the three statutory partners, initially with Health (2019/20), the Council (Corporate Director of Children’s Services) has taken on the Chair role from April 2020.

The attached report at appendix one, is the report of the independent review undertaken of the LSCP during August 2020. The report is presented to Cabinet to ensure Members have an opportunity to comment on the activities of the LSCP and to review the recommendations made to the LSCP.

1. Recommendation(s)

- 1.1 **Cabinet to comment on the independent review of the LSCP and support acting upon the recommendations of the independent review.**

1.2 Cabinet to support the establishment of an Independent Chair to help further the partnerships work and provide the critical friend function to all partners.

1.3 Cabinet requests a year's review to ensure that the partnership has the capacity to proactively review relevant cases of concern, and not just formal SCR's/LPR's.

2. Introduction and Background

2.1 The LSCP was formed following legislation in 2017 (Social Work Act 2017) and guidance in 2018 (Working Together to Safeguard Children 2018), to dissolve the previous Local Children's Safeguarding Board's. Local partnerships were given the opportunity to create new safeguarding partnerships. The legislation created three strategic partners, being the police, health and the council.

2.2 The three Strategic Partners, determined under the Children and Social Work Act 2017, comprise Thurrock Council, Essex Police and Thurrock Clinical Commissioning Group (CCG). The three strategic partners worked through 2018/19 to develop the new arrangements required by the Children and Social Work Act 2017. Thurrock's new arrangements as the LSCP, came into effect on the 7th May 2019.

2.3 The new LSCP set up terms of reference and governance for the new partnership. The agreement of the LSCP was to have a rotating Chair from the three statutory partners, instead of the independent chair role operated by the Local Safeguarding Children's Board. However, in order to provide independence and external oversight to the LSCP arrangements, the governance document set out the requirement to have an annual peer review or independent review of the partnership arrangements.

2.4 An independent review of the LSCP was commissioned in June 2020, as the LSCP had been operating for a year and this was in line with the governance arrangements. The independent review considered how effectively the LSCP arrangements are working for children and families as well as for practitioners, and how well the safeguarding partners are providing strong leadership across the partnership. The review also identified any gaps in the partnership working and recommend actions to be taken to ensure the partnership is working as effectively as possible. This independent review acted as a constructive critical friend, in order to promote reflection to drive continuous improvement within the Partnership.

3. Issues, Options and Analysis of Options

3.1 The independent review was asked to consider the following issues for the LSCP and to provide recommendations for the LSCP to consider:

- To review the current structure of the LSCP; is it fit for purpose any suggested improvements?
 - To review the work on Managed Reviews and Learning Practice Reviews; how effective are they? Are they timely and if not, suggestions to bring them back in line with 6 months required in Working Together (2018). Are lessons learned from the Reviews, do they enhance practice in the Partnership?
 - How to secure independent overview of the partnership; to propose options for independent scrutiny of the LSCP.
 - Review of the current working groups for effectiveness and outcomes.
 - To review the current funding arrangements of the LSCP and to propose alternative funding models.
 - In reviewing the partnership are any gaps identified in partnership working. To suggest ways that the partnership can close any identified gaps.
 - To highlight any good examples of performance of the LSCP.
 - How will we know we are being effective?
- 3.2 The independent review addressed the questions posed by the LSCP, and these can be read in the full report at Appendix One. Recommendations are delivered throughout the report, to provide ease to identify relevance of the recommendations. There is a composite list of the 26 recommendations at section 21 of the report.
- 3.3 The majority of the recommendations are operational in nature and the Management Executive Board of the LSCP, will have oversight of the action plan arising from this independent review.
- 3.4 Some of the key recommendations from the independent review include;
- Though there was evidence of respectful challenge between the three key partners and holding each other to account, this would be further strengthened by the recruitment of an independent chair and/ or an independent scrutineer. The role of the Independent Chair/Scrutineer would provide independent scrutiny of any partner.
 - Health and police gradually increase their contribution over the next two years, to ensure equity of funding across the three statutory partners.
 - Consider different models to involve frontline staff /schools, for example learning hubs.
 - Agree a multiagency dataset based on priority areas, plus regular reporting on safeguarding proxy indicators with analysis.
 - Agree an Audit schedule - re-audit some areas on an annual basis for evidence of impact on priority areas.
 - Develop more immediate models of practice review; to prevent reviews not being contained within statutory timescales.
- 3.5 The independent reviewer stated that; 'Working Together 2018 requires there to be independent scrutiny in order to provide assurance in judging the effectiveness of multi-agency arrangements to safeguard and promote the

welfare of all children in a local area, including arrangements to identify and review serious child safeguarding cases. I can confirm that the Multi-agency Safeguarding Arrangements for Thurrock Safeguarding Children Partnership are compliant with Working Together 2018. The arrangements ensure children in Thurrock are safeguarded and their welfare promoted.'

4. Reason for Recommendation

- 4.1 The LSCP commissioned an independent review of its work, on behalf of the Partnership. The review has been completed and there are a number of recommendations arising from the review (see appendix one). Cabinet have clear and accountable governance and responsibility to review reports relating to safeguarding of children across the partnership.

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

- 5.1 Children's Overview and Scrutiny Committee.

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

- 6.1 This report contributes to the following corporate priorities:

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

7. Implications

7.1 Financial:

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

The LSCP is funded by the three statutory partners and small contributions from other members of the partnership.

7.2 Legal:

Implications verified by: **Judith Knight**
Interim Deputy Head of Legal (Social Care & Education)

The Children and Social Work Act 2017 and Working Together 2018 dissolved the requirement for Local Safeguarding Children's Boards (LSCB). The three Strategic Partners, determined under the Children and Social Work Act 2017, comprise Thurrock Council, Essex Police and Thurrock Clinical

Commissioning Group (CCG). Thurrock's new arrangements as the LSCP, came into effect on the 7 May 2019.

The 2017 Act requires that the arrangements made by the LSCP must include arrangements for scrutiny by an independent person of the effectiveness of the arrangements.

7.3 **Diversity and Equality**

Implications verified by:

Becky Lee

**Team Manager – Community
Development and Equalities**

Supporting our children and young people who are disadvantaged is a key strategic priority for Thurrock Council. The Partnership promotes practice to achieve equality, inclusion and diversity, and will carry out its duties in accordance with the Equality Act 2010 and related Codes of Practice and Anti-discriminatory policy. All Partners are signed up to these principles.

7.4 **Other implications (where significant) – 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**

9.1 Appendix 1 - Independent Review of Thurrock's Local Safeguarding Children's Partnership; August 2020

Report Author:

Sheila Murphy

Corporate Director of Children's Services

Chair of the LSCP

This page is intentionally left blank

Independent Review of Thurrock's Local Safeguarding Children Partnership

Nicky Pace

Independent scrutineer

August 2020



Independent review of the Thurrock Local Safeguarding Children Partnership (LSCP)..... 3

1. **Context** 3
2. **Purpose of the Review** 3
3. **Assurance**..... 4
4. **Process/methodology of review** 4
5. **Strategic planning /implementation/ agency engagement** 5
6. **Subgroups** 5
7. **Threshold document**..... 6
8. **Wider partnership**..... 6
9. **Priority areas**..... 7
10. **Learning hubs** 7
11. **Recommendations (1)** 8
12. **Quality assurance/ data and audit** 8
13. **Recommendations (2)** 9
14. **Budget** 10
15. **Recommendations (3)** 13
16. **Scrutiny** 13
17. **Recommendation (4)** 14
18. **Child Practice Reviews** 15
19. **Recommendations (5)** 16
20. **Multi agency training / engagement** 16
21. **Recommendations (6)** 16
22. **Composite recommendations** 17
23. **Appendix 1** 19



Independent review of the Thurrock Local Safeguarding Children Partnership (LSCP)

1. Context

The Children and Social Work Act 2017 and Working Together 2018 dissolved the requirement for Local Safeguarding Children's Boards (LSCB).

The three Strategic Partners, determined under the Children and Social Work Act 2017, comprise Thurrock Council, Essex Police and Thurrock Clinical Commissioning Group (CCG).

A Strategic Group of the three Partners was set up in November 2017 and worked on developing the new arrangements during 2018. The new arrangements are referred to as Thurrock Local Safeguarding Childrens Partnership (LSCP). Thurrock's new arrangements as the LSCP came into effect on the 7th May 2019.

The agreement of the LSCP is to have a rotating Chair from the three statutory partners, initially with Health, children's social care have taken on the Chair role from April 2020. In order to provide independence and external oversight to the LSCP arrangements, the governance document set out the requirement to have an annual peer review or independent review of the partnership arrangements.

2. Purpose of the Review

The LCSP has been operational for a year and requires an independent review to provide assurance in judging the effectiveness of the multi-agency arrangements to safeguard and promote the welfare of children, including arrangements to identify and review in a timely way serious child safeguarding cases.

This independent review will act as a constructive critical friend and will promote reflection to drive continuous improvement within the Partnership.

The independent review will consider how effectively the LSCP arrangements are working for children and families as well as for practitioners, and how well the safeguarding partners are providing strong leadership across the Partnership. The review will also identify any gaps in the Partnership working and recommend actions to be taken to ensure the Partnership is working as effectively as possible.

Scope and timescales for the Review

- To review the current structure of the LSCP; is it fit for purpose any suggested improvements?
- To review the work on Managed Reviews and Learning Practice Reviews; how effective are they? Are they timely and if not, suggestions to bring them back in line

with 6 months required in Working Together (2018). Are lessons learned from the Reviews, do they enhance practice in the Partnership?

- How to secure independent overview of the partnership; to propose options for independent scrutiny of the LSCP
- Review of the current working groups for effectiveness and outcomes
- To review the current funding arrangements of the LSCP and to propose alternative funding models
- In reviewing the partnership are any gaps identified in partnership working. To suggest ways that the partnership can close any identified gaps
- To highlight any good examples of performance of the LSCP
- How will we know we are being effective

The report will be presented to the Strategic Group of the LSCP and to the Management Executive Board of the LSCP.

3. Assurance

Working Together 2018 requires there to be independent scrutiny in order to provide assurance in judging the effectiveness of multi-agency arrangements to safeguard and promote the welfare of all children in a local area, including arrangements to identify and review serious child safeguarding cases. I can confirm that the Multi-agency Safeguarding Arrangements for Thurrock Safeguarding Children Partnership are compliant with Working Together 2018. The arrangements ensure children in Thurrock are safeguarded and their welfare promoted.

4. Process/methodology of review

The review methodology was developed and undertaken as a tool for understanding strengths and areas for improvement in the way the Thurrock Local Safeguarding Children Partnership works together to safeguard and promote the welfare of children in their area. To undertake this review a list of documents and policies from the Partnership was provided. I also have had the opportunity to meet with a range of partners /practitioners, individually and in focus group, to ascertain a range of views from partner agencies on the impact of the new Partnership arrangements (see appendix 1)

The focus of the review and questioning in the meetings was based on some key areas:

- The three core partner leads are actively involved in strategic planning and implementation
- The wider safeguarding partners (including relevant agencies) are actively involved in safeguarding children
- Children, young people, and families are aware of and involved with plans for safeguarding children
- Appropriate quality assurance procedures are in place for data collection, audit and information sharing



- There is a process for identifying and investigating learning from local and national case reviews
- There is an active program of multiagency safeguarding children training

(Six Steps for Independent Scrutiny: Safeguarding children arrangements. Institute of Applied Social Research, University of Bedfordshire)

I would like to thank the LSCP Business Unit and in particular Toni Archer for supplying the documents requested and setting up the meetings with key individuals. I would also like to thank all the staff who have taken part, for their thoughtful and frank evaluation of the current partnership, ideas and suggestions for improvements.

5. Strategic planning /implementation/ agency engagement

The three key Partners, determined under the Children and Social Work Act 2017 and Working Together 2018, comprise Thurrock Council, Essex Police and Thurrock Clinical Commissioning Group (CCG). After consultation, following the legislative changes, a Partnership Plan was developed and Thurrock's Local Safeguarding Children Partnership (LSCP) went live with their new arrangements on 7th May 2019. The Plan was comprehensive and is underpinned by a constitution which clarifies the working of the new Partnership arrangements. The three key partners are committed, engaged, and understand their responsibilities under the new arrangements. All three safeguarding Partners have equal and joint responsibility for the local safeguarding arrangements. In situations that require a clear, single point of leadership, all three safeguarding partners have agreed under their local arrangements who will take the lead on issues that arise. It was agreed initially that the partnership would not appoint an independent chair or scrutineer but review the arrangements through peer and independent review / scrutiny. The partners agreed to have a rolling chairing arrangement, the first year being undertaken by the health representative and subsequently by the DCS representing the Council.

The current Strategic group is made up of the three key partners at a senior strategic level, without deputise or any operational or designate level attendance. This group makes some key decisions which impact on the wider Partnership and may be assisted with a slightly wider membership, which with some major agency changes likely in future, may assist with continuity and informed decision making.

6. Subgroups

The subgroups of the previous Board arrangements were reviewed as part of the development of the new Partnership and a new structure of subgroups was put in place. In reality partners felt this had not reduced the number of meetings radically. It introduced a structure whereby the Learning and Practice Review group would oversee the work of the Individual Practice Review Groups(coordinating individual case practice reviews) the Audit Group and any Task and Finish work groups set up for specific issues. I am not aware of any of the latter being held. This created a high workload for this particular group and meant in reality receiving 'reports back' rather than being able to challenge and provide a quality assurance function. I have not seen a copy of the revised Learning and Practice Framework which should underpin these new arrangements.

It was reported by agencies that the MACE group was still in development but had made significant recent progress to track and monitor exploited young people at both tactical and strategic level. It had good links with the pan Essex – SET arrangements. It is noted that this was an area of development from the latest OFSTED inspection.

I noted that there was a separate multi agency MASH steering group. In many areas this would have its governance through the LSCP.

There was a strong sense of partnerships between agencies, good co-operation and working relationships at strategic and operation level noted throughout the review, however there had been historical tensions between agencies. There was good engagement of relevant agencies including schools and of note CRC, which is not universal. Subgroups were well attended with the right representation at the right level. Schools and agencies spoke highly of the support and information available through the LSCP Business team and use that practitioners made of the LSCP website, which was felt to have accessible and relevant information. However, there is no formal structure about involving and ensuring that frontline practitioners/schools know and understand the work of the partnership and can offer a feedback loop between the strategic and operational levels (see below). There has been considerable positive work undertaken during the COVID-19 pandemic which has put all services under significant pressure, but the strength of the partnership and working together has supported these new ways of working and the coordinated responses to children and families in Thurrock . The virtual nature of meetings and training has shown great participation and engagement.

7. Threshold document

There has been a recently revised Threshold document shared with agencies through the Partnership. This document had only been launched in July 2020, so I was not able to ascertain agencies view on its implementation and their understanding of threshold. Therefore, I was not able to review the effectiveness of information sharing or evidence how the partnership are monitoring multi-agency decision-making. I was however informed that the MASH steering group would monitor this and would regularly audit cases to test this. Agencies cited examples of being able to challenge and escalate concerns within MASH if they had concerns about cases. However, it was unclear whether the LSCP regularly receive information on this and what the Governance arrangements were for this group.

8. Wider partnership

There was positive wider engagement with the Southend, Essex and Thurrock (SET) arrangements which pulled together a number of functions across the pan Essex footprint, including developing Safeguarding procedures, CSE and Child Death arrangements. The SET Strategic Partners have met fortnightly during COVID to coordinate approached and progress joint working across borders and learn from each other. This has worked particularly well.

There are probably more opportunities that could be afforded with these arrangements , which could also have a positive financial impact , as well as helping those agencies covering more than one authority area e.g. joint training , shared learning from case practice reviews and joint campaigns/ development of policies/ strategies.



9. Priority areas

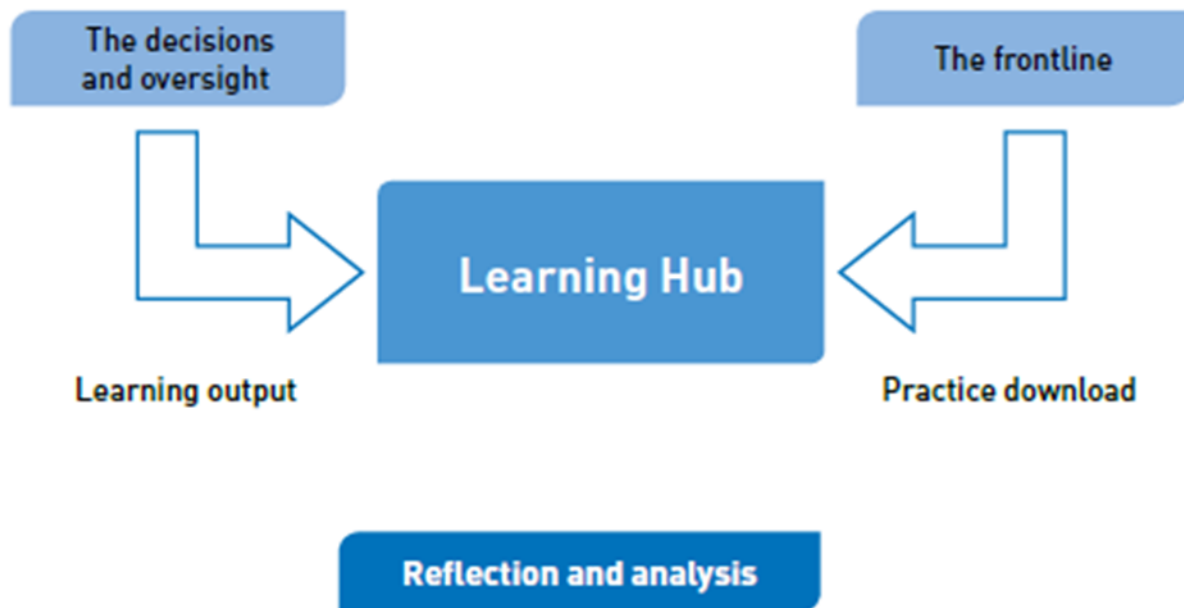
'Safeguarding partners should put in place arrangements to monitor and challenge the quality of agencies' work in relation to children's safety and welfare. These arrangements should enable partners to identify and understand the reasons for and root causes of systemic strengths and weaknesses of local practice. Strategic decisions about local system changes should be driven by this intelligence. It is for single agencies and the safeguarding partners to decide which areas of practice should have a priority focus and why.' (Working Together 2018)

Has the Partnership identified clear improvement priorities and are these incorporated into a plan to improve outcomes? How well are these understood and measured by the Partnership, practitioners and understood by the community? There is a delivery plan put together by the Business unit, but it was unclear how actions were agreed. The Partnership needs to strengthen its communication of the priorities. There is a mechanism within the Sub-Groups to agree actions within the Delivery Plan, however, there was a delay in progressing these exacerbated by COVID and the due to the absence of a core member of the Team, which has delayed the communication of the priorities to the across the wider partnership . Recruitment to this role has now been successfully completed. Additionally, COVID has delayed the communication of the priorities.

Another area for consideration was how effectively the LSCP worked alongside other partnerships, for example the Safeguarding Adults Board, Community Safety Partnership and the Health and Wellbeing Board? Were there shared prioritise for Thurrock across these partnerships and how well do the Partnerships work together to deliver these priority areas and avoid duplication. It was reported that these Partnerships generally work well together but this was based on personality and professional relationships, not on any written agreement or necessarily shared prioritise. In the LSCP constitution it does mention developing a protocol between Partnerships, but I was not able to see an example of this. It would also help to reduce duplication around decision making for case reviews when there is overlap e.g. SARs/ LCSPR/DHRs.

10. Learning hubs

There are no reported formal mechanisms to ensure a feedback loop with frontline staff. As part of the Early Adopter work, several authorities developed Learning hubs which were designed as an important two-way feedback loop between front line practitioners and the Strategic Board to ensuring learning on priority local safeguarding issues. These were shared and acted on at all levels in a timely way, as outlined in the diagram below. This has proved an effective method of involving and getting feedback from frontline staff across agencies on thematic issues - a similar model has been used to engage schools through 'twilight sessions.'



11. Recommendations (1)

- Consider deputies on Strategic Group to bring strategic /operational leads together
- MASH steering group subgroup - governance through LSCP
- Shared and agreed priorities across Partnerships for Thurrock
- Protocol to reduce duplication and streamline processes across partnership groups e.g. SARs/ LCSPR/DHRs
- Develop wider role of SET
- Consider different models to involve frontline staff /schools eg learning hubs

12. Quality assurance/ data and audit

'Thurrock LSCP has a unique statutory role & a clear responsibility to undertake a scrutiny, quality assurance & challenge role in respect of how agencies individually and collectively promote the welfare & safety of children living in Thurrock.'

'The Safeguarding Partners are accountable & responsible for ensuring the new Thurrock LSCP safeguarding arrangements are effective.'

How can the Partnership know how effective the partners are working together to safeguard children and how do you measure the impact of the Partnership?

The Partnership needs to be clear on its priority areas and set clear delivery targets that can be measured. There are also some clear safeguarding proxy measures/ performance indicators that could be supplied by agencies, which allows the Partnership to both challenge practice but can also provide assurance. Children's services have this information, as do



Public Health who collect safeguarding data across the health economy. Police may not be able to break down their data to be Thurrock specific, but it is important that this information is provided with analysis, otherwise how do you know how effectively the Partnership is working but also if there is improvement or deterioration?

Work has been undertaken to strengthen the multi-agency audit process, but it still remains weak and based on auditing a small number of cases on a regular basis. I appreciate the capacity of agencies to undertake this important role is limited, but it is essential to understanding how effectively agencies work together to safeguard children. It was not clear where the learning from these audits are presented/cascaded or how this learning was embedded in frontline practice.

Consideration needs to be given to the Audit Group receiving single agency audits from Partner agencies, which have been undertaken on safeguarding areas of work. Some suggestions for improvements in this area - consider developing different types of audit mechanisms, quality conversations etc. For example – how do you know frontline practitioners know and understand a newly implemented policy or strategy – consideration should be given to using questionnaires of staff using Survey Monkey to ascertain their knowledge and confidence in using. Consider deep dives on specific subjects similar to that undertaken by Public health, this could be incorporated in the work of the scrutineer to undertake these reviews on particular topics agreed by the Partnership. Finally, the Partnership could consider a more interactive process for s11/ S175 which could be run alternating with the current strategic process. This would give greater insight of frontline staff's understanding of their safeguarding responsibilities and whether these are understood.

There also needs to be a mechanism in place to ensure that the learning and the recommendations from SCRs and case practice reviews have been fully implemented and embedded into practice, without robust audits you cannot evidence that this is the case. There should also be an agreed audit schedule which should regularly include re-audits of priority areas or to evidence improvements, if audit has found particular areas of concern.

Where possible children and young people and their families should be involved in multi-agency audits to ensure that there is feedback from service users. Audits should also involve frontline practitioner to improve their learning.

As there is no independent scrutineer role within the partnership, there needs to be effective , respectful challenge from partners of each other's performance, but there needs to be the mechanisms and processes in place so that the three key Partners have the necessary evidence to inform this challenge.

13. Recommendations (2)

- **Revise Learning and Improvement Framework**
- **Agree a multiagency dataset based on priority areas, plus regular reporting on safeguarding proxy indicators with analysis**
- **Develop different audit models– consider different types e.g. questionnaires following implementation of new policies/ processes, deep dives, quality conversations, single agency safeguarding audits, scrutiny topics**
- **Review process S11/ s175 – online , strategic and operational /alternating**

- **Agree an Audit schedule -re-audit some areas on annual basis for evidence of impact on priority areas**
- **Ensure children and young people, families and practitioners involved in audit**

14. Budget

'The safeguarding partners should agree the level of funding secured from each partner, which should be equitable and proportionate, and with each relevant agency, to support the local arrangements to safeguard and promote the welfare of children in their area. The funding should be transparent to children and families in the area and sufficient to cover all elements of the arrangements.' (Working Together 2018)

According to the Annual report (2018/19) the whole of the budget for the Board was spent last year, allowing no contingency fund for following years. I attach below the breakdown of the budget for this year.

2020/21 LSCP Contributions	
Local Authority	177,444.00
Police	17,777.00
CAFCASS	550.00
NPS	1,206.21
CRC	4,750.00
Thurrock CCG	17,777.00
NELFT	5,000.00
BTUH	5,000.00
EPUT	5,000.00
	234,504.21

Work was completed by the Association of Independent chairs in 2016 and in Eastern Region in 2018 looking at comparator Partnership contributions, commissioned Independent Chair's time and remuneration, income generation, and size and function of Business units supporting Partnerships. It also looked at population size. This is now several years out of date but acts as a comparison for size and variance. It also shows differences in the three key agencies contribution and other relevant agencies. This exercise is currently being repeated across the Eastern region. You will note from the graphs that Thurrock's Children's services contribution is above average for the region and health's below average. However, you need to take into account that Trusts, and other health agencies also contribute to the budget, which is not always the case in other Partnerships.

Thurrock has started to charge a standard rate for training, which generated an income of £14,868.75 last year, against expenditure of £15,000, which was not reported in this exercise.

There is no contribution from schools apart from charging for the Walk online production.



Total funding	Statutory partner (health, police & LA only)	other agencies (probation, CRC, Cafcass, DCs)	total income from Board partners	training income	Other income	grand totals
Bedfordshire	£189,203	£2,228	£191,431		£9,000	£200,431
Cambridgeshire	£203,456	£1,762	£205,218	£6,000		£211,218
Central Bedfordshire	£156,858	£2,229	£159,088		£22,210	£181,298
Essex	£346,018	£22,567	£368,585	£11,208		£379,793
Hertfordshire	£319,794	£7,450	£327,244	£9,000		£336,244
Luton	£252,971	£3,868	£256,839	£0	£6,900	£263,739
Norfolk	£250,340	£39,550	£289,890	£95,000	£10,000	£394,890
Peterborough	£156,215	£1,762	£157,977	£3,000		£160,977
Southend	£80,040	£4,888	£84,928	£5,000	£14,000	£103,928
Suffolk	£171,365	£40,150	£211,515	£0	£0	£211,515
Thurrock	£148,000	£10,050	£158,050	£0	£0	£158,050
AVERAGES	£206,751	£12,409	£219,160	£14,356	£8,873	£236,553

Local Authority	Population MYE-2016 [ONS]	LSCB budget 2016/17	LSCB budget per head of population £
Bedford	168,751	225,056	1.33
Cambridgeshire	651,940	255,374	0.39
Central Bedfordshire	278,937	241,765	0.87
Essex	1,455,340	389,443	0.27
Hertfordshire	1,176,720	331,724	0.28
Luton	216,791	237,220	1.09
Norfolk	892,870	363,635	0.41
Peterborough	197,095	172,710	0.88
Southend-on-Sea	179,799	108,449	0.60
Suffolk	745,274	205,821	0.28
Thurrock	167,025	120,641	0.72

ALL PARTNER CONTRIBUTIONS	Local Authority		Health		Police		other agencies (probation, CRC, Cafcass, DCs)		TOTALS
	£	%	£	%	£	%	£	%	
Bedford Borough	£108,240	56.5%	£62,663	32.7%	£18,300	9.6%	£2,228	1.2%	£191,431
Cambridgeshire	£111,530	54.3%	£43,458	21.2%	£48,468	23.6%	£1,762	0.9%	£205,218
Central Bedfordshire	£82,037	51.6%	£54,830	34.5%	£19,992	12.6%	£2,229	1.4%	£159,088
Essex	£213,166	57.8%	£66,426	18.0%	£66,426	18.0%	£22,567	6.1%	£368,585
Hertfordshire	£198,694	60.7%	£104,300	31.9%	£16,800	5.1%	£7,450	2.3%	£327,244
Luton	£141,544	55.1%	£87,068	33.9%	£24,359	9.5%	£3,868	1.5%	£256,839
Norfolk	£121,108	41.8%	£80,621	27.8%	£48,611	16.8%	£39,550	13.6%	£289,890
Peterborough	£74,911	47.4%	£45,420	28.8%	£35,884	22.7%	£1,762	1.1%	£157,977
Southend	£43,065	50.7%	£22,620	26.6%	£14,355	16.9%	£4,888	5.8%	£84,928
Suffolk	£100,865	47.7%	£47,000	22.2%	£23,500	11.1%	£40,150	19.0%	£211,515
Thurrock	£108,000	68.3%	£25,000	15.8%	£15,000	9.5%	£10,050	6.4%	£158,050
AVERAGES	£118,469	54.1%	£58,128	26.7%	£30,154	14.1%	£12,409	5.4%	£219,160

UNITARY LOCAL AUTHORITIES - ALL PARTNER CONTRIBUTIONS	Local Authority		Health		Police		other agencies (probation, CRC, Cafcass, DCs)		TOTALS
	£	%	£	%	£	%	£	%	
Bedford Borough	£108,240	56.5%	£62,663	32.7%	£18,300	9.6%	£2,228	1.2%	£191,431
Central Bedfordshire	£82,037	51.6%	£54,830	34.5%	£19,992	12.6%	£2,229	1.4%	£159,088
Luton	£141,544	55.1%	£87,068	33.9%	£24,359	9.5%	£3,868	1.5%	£256,839
Peterborough	£74,911	47.4%	£45,420	28.8%	£35,884	22.7%	£1,762	1.1%	£157,977
Southend	£43,065	50.7%	£22,620	26.6%	£14,355	16.9%	£4,888	5.8%	£84,928
Thurrock	£108,000	68.3%	£25,000	15.8%	£15,000	9.5%	£10,050	6.4%	£158,050
AVERAGES	£92,966	54.9%	£49,600	28.7%	£21,315	13.5%	£4,171	2.9%	£168,052

The major costs of the Partnership last year were staffing costs. The current unit costs were £120,835.00, with a further £20,000 for the Independent Chair and contributions to the Child Death review (CDR) process of 11,102.48. This function is the responsibility of health and the Local Authority and no longer sits with the LSCP. Clearly there will be some savings this year as there has not been any costs for an Independent Chair and delay in recruiting to the Business manager post. The size of the Business unit is relatively large compared to other Partnership Business units, when you also include the CDR post. There are five members of staff, LSCP Business Team Manager, LSCP Project Officer, Learning and Practice Review Co-Ordinator, LSCP Business Support Office and a part time (22.5) LSCP Training Co-Coordinator. Some areas have combined their Business units with the Adults Safeguarding Board in order to make efficiency savings. I would suggest a review of the functions of the team as it seems relatively well staffed compared to other similar sized areas. I understand this was due to be undertaken during 2019 but has not been progressed.



Nearly £20,000 was spent on SCRs last year. A contingency budget does need to be set aside to cover costs of any future LSCPR, but alternative, cheaper models may be able to be progressed when appropriate.

15. Recommendations (3)

- **Agree budget needed including contingency for LCSPR**
- **Consider bid to the Schools' Forum for contribution towards partnership**
- **Health and police gradually increase their contribution over next two years to ensure equity of funding**
- **Review functions of business unit**
- **Training – consider developing across SET sharing costs**

16. Scrutiny

The Children and Social Work Act, 2017, and the DfE guidance Working Together to Safeguard Children: A guide to interagency working to safeguard and promote the welfare of children, 2018 requires the multi-agency arrangements to be independently scrutinized. The guidance commits five paragraphs to explaining how scrutiny could take place (DfE, 2018: Paragraphs 31 to 35 condensed below). It notes that:

'The role of independent scrutiny is to provide assurance in judging the effectiveness of multi-agency arrangements to safeguard and promote the welfare of all children in a local area, including arrangements to identify and review serious child safeguarding cases. This independent scrutiny will be part of a wider system which includes the independent inspectorates' single assessment of the individual safeguarding partners and the Joint Targeted Area Inspections. Whilst the decision on how best to implement a robust system of independent scrutiny is to be made locally, safeguarding partners should ensure that the scrutiny is objective, acts as a constructive critical friend and promotes reflection to drive continuous improvement. The independent scrutineer should consider how effectively the arrangements are working for children and families as well as for practitioners, and how well the safeguarding partners are providing strong leadership and agree with the safeguarding partners how this will be reported. The published arrangements should set out the plans for independent scrutiny; how the arrangements will be reviewed; and how any recommendations will be taken forward. This might include, for example, the process and timescales for ongoing review of the arrangements. Safeguarding partners should also agree arrangements for independent scrutiny of the report they must publish at least once a year.'

The National Childrens Bureau (NCB) have published lessons from Early Adopters which showed wide variation in how scrutiny is taking place, with some areas:

- employing one independent scrutineer for their local area safeguarding children partnership
- planning to appoint more than one scrutineer, with responsibility for different aspects of the multi-agency partnership arrangements
- sharing one independent scrutineer with other local area safeguarding partnerships
- creating service-user informed approach to independent scrutiny, with family led multi-agency auditing and local reviews

- instigating peer review processes with neighbouring partnerships: peers scrutinizing each other
- creating a system of internal peer reviews within the area covered by the partnership arrangements
- buying in 'national experts' to scrutinize particular aspects of the partnership arrangements, safeguarding plan and implementation
- combining scrutiny of children and adult safeguarding through a governance and assurance model that provides a whole family response, combining a strategic approach to safeguarding partnership arrangements across children and adult safeguarding agendas
- focusing independent scrutiny on partnership priorities
- giving scrutineers specifically targeted responsibility to resolve conflict as the final arbiter of the escalation processes and for dispute resolution (should it be necessary) between the safeguarding leads. (See Bennett et al, 2018:)

From a review of all published Partnership Plans, 58% had retained an independent chair, 42% had other chairing arrangements usually with the Chairing rotating between 3 statutory partners; 65% of Partnerships had some form of Independent scrutineer role, some were externally recruited, many were former LSCB chairs, with the Independent chair's role to include the scrutiny role; 33% had mixed scrutiny arrangements including external reviewers, peer review, LGA, multi-agency audit and young scrutineers; 2% intended using a pool of scrutineers.

In Thurrock I understand that there was a plan for a multi systems approach to be taken for the independent scrutiny of the effectiveness of the new arrangements. It was suggested that this would comprise of a number of functions which would include independent scrutiny through 'peer reviews, audits, individual scrutineers and ensuring the voice of children, young people and families is heard throughout the process'. The feedback from the review indicated that some individuals felt the previous Independent Chair was not 'independent enough' as he was a previous DCS in Thurrock. Some staff had used the previous Business Manager as the 'independent' link. The role of the Business unit located, and line managed within the LA, but paid for out of partnership funds needs to be clearly defined. It is a partnership resource not a Children's services one and should serve all partners equally.

Most partners spoken to felt that there should be an Independent person within the Partnership arrangements. This was clearly articulated by the Lead member, who felt that while the Partnership was currently chaired by the DCS it could blur responsibility. He was not held to account for the delivery of safeguarding in the council, as had occurred with previous Independent Chairs. This had been felt most keenly when a recent SCR was published as there was no-one who could speak independently of the Council as the previous LSCB Chair did. The role of the Independent person is also crucial as the final arbiter of a dispute resolution and for escalation of concerns.

17. Recommendation (4)

Though there was evidence of respectful challenge between the three key partners and holding each other to account, this would be further strengthened by the recruitment of an independent chair and/ or an independent scrutineer. The role of the Independent



Chair/Scrutineer would provide independent scrutiny of any partner. Thurrock LSCP to consider adding additional independence into their multi-agency safeguarding arrangements by the appointment of an Independent Chair and Scrutineer.

18. Child Practice Reviews

‘Safeguarding partners are responsible for overseeing the review of serious child safeguarding cases which, in their view, raise issues of importance in relation to their area.’

‘Safeguarding partners must make arrangements to:

- identify serious child safeguarding cases which raise issues of importance in relation to the area*
- commission and oversee the review of those cases, where they consider it appropriate for a review to be undertaken*

The purpose of a local child safeguarding practice review is to identify any improvements that should be made locally to safeguard and promote the welfare of children (both collectively and individually). This means that learning must be at the heart of all reviews and should seek to prevent or reduce the risk of recurrence of similar incidents.’ (Working Together 2018)

Under the new processes for undertaking learning in relation to safeguarding incidents in Working Together 2018, currently there is no agreed Notification process to the National Panel which articulated multi agency involvement and information sharing. Not all cases which need notification will necessarily be known to the Local Authority, therefore all agencies should be aware of the process and need to inform of relevant cases that meet the criteria. It is good practice for all three partner agencies to be part of the decision making around notification. Once a case has been notified, there is a requirement to hold a Rapid Review. All agencies reported timely Rapid Reviews with good notice given by the Business unit to pull together information. This was an important to note as agencies highlighted that this was not universal across Essex. As LSCPs are no longer undertaking SCRs but local child safeguarding practice review (LCSPR) there continues to be flexibility in the types of reviews that are undertaken. The National Panel is clear in its guidance that all learning reviews should be ‘timely and proportionate’, the important aspect is extracting the learning and acting on this to address change in the system. It is important to develop more speedy forms of learning review, following an appreciative enquiry model, where more immediate learning can be drawn, and recommendations developed.

I understood that learning events were held for staff after SCRs were published to promote learning, however this may only reach a limited amount of staff. How is learning embedded and organisational memory best achieved? Some suggestions to do this would be to use a short video with key learning points which can be presented at every team meeting across all agencies, shared learning from LCSPRs across SET and adding short infographics on LCSPR into all induction packs of new staff .

All recommendations and agencies actions arising from SCRs and LCSPR should be tracked to completion by the LSCP and regularly subjected to multi agency audit to ensure that changes to practice /guidance and any training etc has made the necessary impact.

19. Recommendations (5)

- **Develop more immediate models of practice review/ appreciative enquiry**
- **Embedded in system/ video / induction packs**
- **Explore learning across SET**
- **Monitoring recommendations and agencies actions /audit outcomes and actions local child safeguarding practice review**

20. Multi agency training / engagement

The review briefly touched on engagement with the community as this was not specifically covered in the Terms of Reference. I understood that the LSCP Business unit attended community events such as fetes/shows and promoted the Partnership through use of goody bags with promotional material. The Partnership had tried unsuccessfully in the past to recruit lay members as currently there are no lay members on the LSCP. There are several Partnerships who have positively used Lay members to promote the voice of the community within their arrangements. I was also not aware of any representation from Faith groups. I understood that there has been successful outreach to increase the representation/voice of BAME community from the LSCP in the past and suggest this is repeated to promote understanding of safeguarding.

I understand the Walk on line training rolled out to schools and engaging with children and young people on online exploitation and widened to include wider contextualised safeguarding awareness, has been very successful, but the child's voice was not evident in other areas of the LSCP's work. This needs to be strengthened by using existing participation events, school questionnaires and ensuring children are involved in areas of work of the Partnership such as audit. Feedback to children also needs to be part of this process.

Multi agency training was viewed as a strength by partners – it was reported to be responsive and of good quality. Following the review of the Board arrangements by OFSTED in 2016, one of the recommendations was monitoring of training and there is now evidence of good evaluation of the training. I understand that a minimal charge has been made for this training which helps delivery – maybe more could be done to join up virtual training across the SET or developing more in-house trainers to further reduce cost and make this sustainable.

21. Recommendations (6)

- **Use existing structures – schools' group, young people's council to promote engagement with C&YP**
- **Questionnaires – 'you said, we did'**
- **Recruit community voice as lay member**
- **Specific work on faith groups/ community outreach**



22. Composite recommendations

1	Consider deputies on Strategic Group to bring strategic/operation leads together
2	MASH steering group subgroup - governance through LSCP
3	Shared and agreed priorities across Partnerships for Thurrock
4	Protocol to reduce duplication and streamline processes across partnership groups e.g. SARs/ LCSPR/DHRs
5	Develop wider role of SET
6	Consider different models to involve frontline staff /schools eg learning hubs
7	Revise Learning and Improvement Framework
8	Agree a multiagency dataset based on priority areas, plus regular reporting on safeguarding proxy indicators with analysis
9	Develop different audit models– consider different types e.g. Questionnaires following implementation of new policies/ processes, deep dives, quality conversations, single agency safeguarding audits, scrutiny topics
10	Review process S11/ s175 – online, strategic and operational /alternating
11	Agree an Audit schedule -re-audit some areas on annual basis for evidence of impact on priority areas
12	Ensure children and young people, families and practitioners involved in audit
13	Agree budget needed including contingency for LCSPR
14	Consider bid to schools forum for contribution towards partnership
15	Health and police gradually increase their contribution over next two years to ensure equity of funding
16	Review functions of business unit
17	Training – consider developing across SET sharing costs
18	Thurrock LSCP to consider the appointment of an Independent Chair and Scrutineer
19	Develop more immediate models of practice review
20	Embedded in system/ video / induction packs
21	Monitoring recommendations and agencies actions /audit outcomes and actions



22	Explore learning across SET
23	Use existing structures – schools group, young people’s council to promote engagement with C&YP
24	Questionnaires – ‘you said, we did’
25	Recruit community voice as lay member
26	Specific work on faith groups/ community outreach



23. Appendix 1

Thurrock Independent Scrutiny Review

- Meetings
 - Strategic Partners
 - Meeting with the Portfolio Holder
 - Chairs of the Sub-Groups
 - Focus Group
 - Meeting with members of the LSCP Business Team
- List of documents requested for review

	Documentation Required
1	Previous minutes of meetings of Partnership
2	Structure Chart of new safeguarding arrangements including sub-groups
3	Copy of Partnership plan
4	Last Annual Report
5	Business/Delivery Plan
6	Thurrock's LSCP constitution
7	Published SCR/practice learning reviews.
8	Action plans addressing recommendations from above
9	Last two quarters multi-agency performance data received by Partnership – not received
10	Multi-agency audits undertaken including recommendations and action plans (last 12 months)
11	Evidence of S11/157/175 audits, separate recommendations of engagement recommendations and actions arising
12.	Evidence of challenge/areas of scrutiny
13.	Evidence of partnership's engagement with service users
14.	Details of Safeguarding Partnership threshold criteria
15.	Evaluation of multi-agency safeguarding training and the partnership training strategy (
16.	Budget / partner contributions
17.	Business unit
18.	Learning and improvement framework – not supplied

This page is intentionally left blank

9 December 2020	ITEM: 16 Decision: 110542
Cabinet	
Purfleet Centre Regeneration	
Wards and communities affected: West Thurrock and South Stifford	Key Decision: Key
Report of: Councillor Coxshall, Portfolio Holder for Regeneration and Strategic Planning	
Accountable Assistant Director: David Moore, Interim Assistant Director, Place Delivery	
Accountable Director: Andy Millard, Corporate Director, Place	
This report is Public, apart from Appendix 1 and Appendix 2 which are exempt due to 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: 15 September 2020	

Executive Summary

Through a series of reports over recent years, Cabinet has been updated on the progress of this high profile scheme that is being delivered in conjunction with the Council's development partner Purfleet Centre Regeneration Limited (PCRL). The project will deliver more than up to 2,850 new homes around a new town centre and vastly improved community infrastructure.

The significant amount of infrastructure included in the scheme has attracted £75.1m in grant funding from the Ministry of Housing, Communities and Local Government's Housing Infrastructure Fund (MHCLG HIF). Thurrock Council is the grant recipient for the scheme but PCRL have been instrumental in supporting the Council in the efforts required to secure the funding. To accept the funding the Council must enter into a Grant Determination Agreement (GDA) with Homes England. The key terms of this agreement are described in Appendix 1 and it is requested that Cabinet delegates approval to enter into this agreement once all terms have been finalised.

HIF is essential to scheme delivery. The announcement that HIF had been secured prompted a further detailed review of the delivery strategy, programme and viability model to ensure that the project could comply with the delivery requirements attached to HIF as grant conditions. This review also considered whether the controls and processes in the Development Agreement (the DA) were fit for purpose and were capable of managing the inclusion of HIF in the scheme.

This report and Appendix 2 describes some proposed changes to the DA that are necessary to ensure that the Council can maintain its contractual obligations under the HIF Grant Determination Agreement and/or to support the delivery of the scheme. The report does not seek approval for PCRL to start on site, the mechanisms for these next steps towards delivery are outlined in section 3. The report does however, confirm that the s.151 Officer is satisfied that Best Consideration is sufficiently evidenced for the Council to commit its land to the scheme.

As per previous reporting, the terms of the DA are commercially sensitive - the appendix outlining the proposed variations is therefore exempt from publication.

Following approval of these variations the Council will document and enter into a deed of variation to amend the existing DA.

The scheme has been in development for a long period but the requested approvals contained within this report, in conjunction with the Best Consideration (value for money) sign off from the s.151 officer, are a huge step towards the delivery stage and support PCRL's aspirations to start works on site in the coming months.

1. Recommendation(s)

1.1. Cabinet are asked to:

- a) Note the progress of the scheme in recent months and, in particular, the positive Best Consideration sign off and the success of the HIF application in securing £75.1m of Central Government investment into the Borough;**
- b) Note the key terms of the HIF Grant Determination Agreement and delegate authority to the Director of Place, in consultation with the s.151 Officer and Portfolio holder for Regeneration and Strategic Planning to negotiate final terms and enter into the Grant Determination Agreement with Homes England;**
- c) Approve the proposed variations described in Appendix 2 and delegate authority to the Director of Place, in consultation with the s.151 Officer and Portfolio holder for Regeneration and Strategic Planning to agree any final terms and document and enter into a Deed of Variation to formally amend the Development Agreement in line with these proposals.**

2. Introduction and Background

- 2.1. Purfleet Centre is the largest regeneration programme which the Council is directly responsible for delivering. Following completion of a competitive

dialogue process, the Council entered into a Development Agreement (DA) with the selected development partner Purfleet Centre Regeneration Ltd (PCRL) in 2016. The DA sets out the role and contributions of each partner in delivering the scheme.

- 2.2. In 2017, MHCLG and Homes England (HE) announced a nation-wide Housing Infrastructure Fund to support the cost of infrastructure required to unlock the delivery of new homes. Local authorities were invited to submit Expressions of Interest for grants of up to £250m noting that funds would be allocated on a competitive basis.
- 2.3. Thurrock Council submitted an Expression of Interest for the Purfleet scheme in September 2017, the project was shortlisted for the co-development phase and submitted a full business case in December 2018. The announcement that the scheme had been successful in securing funding came in March 2020.
- 2.4. The Council is working closely with Homes England to negotiate the terms of a HIF Grant Determination Agreement that will formally secure and manage the HIF funding. The key terms of this agreement, demonstrating what is still under discussion with Homes England, are included at Appendix 1 (exempt). The Council will be the grant recipient for this funding and will only draw it down when viability and value for money to the Council has been confirmed to the satisfaction of the s.151 Officer (further details in section 3.8 below). This sign off has been secured for Phase 1a but will be reconfirmed at each future approval point.
- 2.5. The intention is to input the funding into the current contractual arrangement in place with PCRL. This arrangement is governed by a Development Agreement. To ensure the current DA and the provisions in the Grant Determination Agreement with Homes England are aligned some changes need to be made to the DA. These are described in section 3 and Appendix 2 (exempt). A further funding agreement between the Council and PCRL will also be required to govern this transfer and to ensure that all risks and obligations contained within the Grant Determination Agreement are passed to PCRL (see section 3.4 below).
- 2.6. PCRL and the Council have jointly reviewed the delivery strategy for the scheme and the control and approval mechanisms included in the DA. To ensure that the scheme can progress whilst protecting the interests of all parties a number of amendments to the DA are proposed. These amendments are described in section three and Appendix 2 (exempt).
- 2.7. The announcement on HIF joins other positive milestones for the project including:
 - Securing outline planning consent for the whole masterplan area.
 - Securing full planning consent for the first 61 homes.
 - Completing key land acquisitions to support phase 1 of the scheme.
 - Completing the appropriations process for Phase 1a of the scheme.

- Agreeing an outline brief and commencing stakeholder consultation on both the Integrated Medical Centre (IMC) and the new Primary School.
- Confirmation from the s.151 Officer that the requirement of Best Consideration has been met.

3. Issues, Options and Analysis of Options

Housing Infrastructure Fund

- 3.1. As part of the HIF contracting process, Homes England provided the Council with a number of pre and post contract conditions and a draft Grant Determination Agreement. HE expect all pre contract conditions to be discharged and the Council to be in a position to enter into the Grant Determination Agreement by the end of December 2020.
- 3.2. The Council has worked with its professional advisors and PCRL to provide the required information to satisfy those conditions. Most of the conditions related to a transfer of information to ensure that Homes England understood the project and the relevant controls that are in place via the DA, as well as updating them on progress with the scheme in the period between submitting the application and the funding being announced.
- 3.3. However, some of the conditions required new information to be collated or new controls to the way the project financing is structured. As public funding is coming into the scheme HE requires, where scheme receipts allow, HIF funding to be recovered to the Council and recycled into future housing developments. This has increased the Council's share of any future profits and will require a change to the DA to ensure this is a contractual commitment.
- 3.4. Thurrock Council will be the grant recipient for HIF. Subject to final s.151 Officer sign off as referenced previously, the intention is to put this funding into the PCRL scheme and a legal agreement is being documented to ensure that any change to the liability or risk profile of the Council as a result of accepting HIF is passed to PCRL. This agreement will make PCRL legally responsible for delivery of the funded outputs and will ensure that if HE seek to claw back any HIF amounts due to an event of default under the GDA the Council will have legal protection in place to recover this funding from PCRL.

Promoting Scheme Delivery

- 3.5. The DA was negotiated with PCRL at the end of the competitive dialogue process and was signed in 2016. It has served to govern the project through its early milestones including the granting of outline planning consent for the entire masterplan area.
- 3.6. Since the announcement of a HIF award, substantial work has been undertaken to optimise the design, phasing and delivery strategy for the scheme. The DA was written without the benefit of this detailed knowledge

and, with the requirement to complete a deed of variation to enable HIF to be inputted in the scheme, it is a sensible point in time to look at other variations that would ensure that the DA aligns with the optimal delivery strategy and actively supports scheme delivery whilst still protecting the interests of the Council. A number of proposed variations are therefore described in Appendix 2 (exempt).

Future approval mechanism

3.7. As referenced earlier, this report does not give PCRL approval to start development works on site. Approval under the DA is conditional on PCRL meeting seven Phase Pre-Development Conditions that are designed to give the Council confidence that at the point of approval the phase of works being proposed are:

- Consented (phase planning condition) and (planning agreement condition)
- In alignment with the approved Concept Scheme, have agreed timelines and the delivery approach is understood (phase proposal condition)
- On land which is in the Council's ownership and available for development (site assembly condition)
- Deliverable from a financial point of view (financial appraisal condition for phase 1, viability condition or all other phases)
- Not affected (cost or time) by ground conditions capable of being understood by survey work (site survey condition)
- Fully funded/financed with appropriate evidence of funds provided to the Council (funding condition)

It should be noted that PCRL are allowed to do a range of survey and enabling works under licence in advance of these conditions being satisfied.

3.8. Satisfying the conditions above will make the DA 'unconditional' on that particular phase and allow PCRL to draw down the Council land for that phase by way of a building lease. Currently, whilst PCRL are well advanced in preparing the documentation required to seek the final approvals and take the DA to an unconditional status on Phase 1, the Council has not yet given approval to the full set of Phase Pre-Development Conditions.

3.9. In addition to the DA mechanisms, the Council has a legal obligation to ensure that the principle of 'best consideration' is also applied. This final approval is confirmation from the s.151 Officer that the use of public funds (in this case committing the Council's land) represents value for money for the public sector set against the forecasted financial returns and the outputs (housing and infrastructure) being delivered by the scheme. The s.151 Officer has confirmed that on the information presented to date best consideration is achieved for Phase 1a. As this project is a long term development, the best consideration analysis will be reviewed at each point where the Council commits its land to the scheme.

Risk Management

- 3.10. Significant work has been dedicated to understanding the likely financial output of the scheme. PCRL have provided a financial model that is supported by evidence from external consultants. On behalf of the Council CBRE have challenged the inputs and assumptions that are included in the model and have prepared a version that they feel reflects an achievable position for the scheme.
- 3.11. Whilst the model currently doesn't suggest a break even position in terms of financial return, sensitivity analysis shows that inputs (such as house price HIF funded elements of the scheme with the Council's contribution being limited to the value of the land drawn down by the scheme and the capital contribution to the school. The DA does allow the Council, at its absolute discretion, to become a funder to the scheme should it feel that this is a viable investment opportunity that will provide a beneficial return.
- 3.12. The proposal to give approvals on a sub phase basis tightens the contractual controls with the Council releasing land in smaller parcels and being able to consider the performance of PCRL on previous sub phases before allowing further land to be drawn down. In addition, learning lessons from the A13 project, the Council's Major Project Board will have clear and regular oversight of scheme performance.

Summary

- 3.13. In summary house price growth does not have to increase significantly for the real life situation to outperform the model and deliver a recovery of the Council's land value and capital contribution. Furthermore, the scheme is delivering wider benefits such as c.£245m of infrastructure (including the Purfleet Integrated Medical Centre and the closure of the level crossing) and the delivery of up to 2,850 homes on a brownfield site. The total benefit to Thurrock and the Council is therefore much wider than the pure financial return.
- 3.14. Any liability that the Council has for cost overruns on the HIF funded infrastructure is passed to PCRL by way of a legal agreement that runs back-to-back with the HIF GDA. Responsibility for cost overruns on the HIF funded and developer funded works legally rests with the developer. For clarity, the following needs to occur in order for the Council to accept HIF and input it into the Purfleet Centre scheme:

Acceptance of HIF

- Cabinet Approval to accept HIF.
- GDA with Homes England entered into by the Council.

Input of HIF into DA

- Cabinet approval to amend the DA.
- Deed of Variation executed.

- PCRL and the Council enter into a supplementary agreement to govern the input of HIF into the PCRL scheme.
- PCRL satisfy all remaining conditions - DA becomes unconditional.
- Claim and appropriate evidence submitted to HE and funding drawn down by the Council.
- Not until then would funding be transferred to PCRL.

4. Reasons for Recommendation

- 4.1. The HIF grant will greatly assist the delivery of the project but in order to enter the delivery phase the Council needs to enter into the Grant Determination Agreement with Homes England.
- 4.2. The inclusion of HIF requires some amendments to the DA in order to ensure that the Council and PCRL can comply with the terms of the GDA. Furthermore, the maturity of the scheme and the detailed work undertaken following the announcement of HIF award warrants a review of the DA to ensure that it supports scheme delivery and that the controls it includes are relevant to the current scheme position.
- 4.3. The inclusion of HIF and the changes to the DA are key to the S151 sign off on both Best Consideration and Financial Viability.

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

- 5.1. Progress in securing the delivery of the Purfleet Centre project has been reported to Cabinet and Overview and Scrutiny Committee on a number of occasions most recently to Planning, Transport and Regeneration Overview and Scrutiny Committee on 8th December 2020. Due to the close proximity of the meetings feedback will be reported to Cabinet verbally.
- 5.2. General progress has been reported regularly to the Purfleet Community Forum and PCRL continue to maintain the ourpurfleet.com website to keep the wider community updated on progress. PCRL have also re-instigated the Purfleet Community Design panel (as a virtual group during Covid-19 restrictions).

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

- 6.1. Purfleet Centre is referenced in the Council's Economic Development and Regeneration Strategies and the Local Plan. The receipt of HIF will make a significant contribution to achieving the Council's vision for Purfleet and will be of great benefit in bringing the programme forward.

7. Implications

7.1. Financial

Implications verified by:

Sean Clark

**Corporate Director of Finance, Property
and Governance**

The DA has clear mechanisms and thresholds for assessing financial viability. The changes expected by Homes England aim to facilitate the recovery of public funding back to the public sector for reuse in other housing schemes. If successful this will provide a positive benefit to the Council in delivering its wider housing aspirations. Funding will only be recovered where returns allow so the overall viability of the Purfleet scheme will remain intact.

The S151 Officer has considered financial viability, best consideration and any risks relating to the HIF agreement with Homes England. Best consideration/value for money sign off has been secured for the first decision point (Phase 1a). A full financial assessment will be undertaken at future decision points within the DA ensuring that viability and value for money to the Council is confirmed again before further Council owned land is committed. Value for money will consider financial and infrastructure benefits as well as contributions to the Council's housing targets. Risks have also been managed down within the HIF agreement with Homes England.

7.2. Legal

Implications verified by:

Tim Hallam

**Deputy Head of Law and Deputy
Monitoring Officer**

The main legal implications specifically relevant to this report are summarised in the main body of the report. Eversheds Sutherland have advised on all aspects of the DA to date. The principal external lawyer advising the Council on the DA has now moved from Eversheds Sutherland to Gowlings WLG and to ensure there is consistency of advice and approach the contract has been moved to Gowlings. Changes to the clauses of the DA have been reviewed assessed by Gowlings and will also require review verified by internal legal for compliance with the Council's own protocols including its procurement rules.

7.3. Diversity and Equality

Implications verified by:

Becky Lee

**Team Manager – Community
Development and Equalities**

The Development Proposals for this phase of the Project support long-term achievement of the Council's equality objectives and specifically those associated with residents' access to services in addition to supporting

community integration and cohesion. Through construction to delivery, employment opportunities will be introduced along with the provision of new community facilities and a diverse mixture of housing types in Purfleet.

The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- advance equality of opportunity between people from different groups
- foster good relations between people from different groups.

The broad purpose of this duty is to integrate considerations of equality into day business and keep them under review in decision making, the design of policies and the delivery of services.

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

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

- March 2020 – Cabinet – Purfleet Centre Regeneration
<https://democracy.thurrock.gov.uk/ieListDocuments.aspx?CIId=129&MIId=5584#AI11402>
- November 2018 - PTR O&S – Briefing: Purfleet Centre Update
<https://democracy.thurrock.gov.uk/ieListDocuments.aspx?CIId=170&MIId=5464&Ver=4>
- March 2018 – Cabinet – Purfleet Centre Update
<https://democracy.thurrock.gov.uk/ieListDocuments.aspx?CIId=129&MIId=5212&Ver=4>
- January 2018 – PTR O&S - Purfleet Centre Update
<https://democracy.thurrock.gov.uk/ieListDocuments.aspx?CIId=170&MIId=5197&Ver=4>
- October 2015 – Cabinet – Purfleet Centre: Award of Contract
<https://democracy.thurrock.gov.uk/ieListDocuments.aspx?CIId=129&MIId=2566#AI3285>

9. **Appendices to the report**

- Appendix 1 – Key terms of the HIF Grant Determination Agreement (Exempt)
- Appendix 2 – Heads of Terms for Proposed Variations to the Development Agreement (Exempt)

Report Author:

Rebecca Ellsmore

Strategic Lead - Regeneration

Regeneration

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

9 December 2020	ITEM: 17 Decision: 110543
Cabinet	
Purchase and Development of Land in Tilbury	
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 Part Exempt – Appendices A and B are exempt under Schedule 12A of the LGA 1973 para 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information) and para 5 (Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings).	
Date of notice given of exempt or confidential report: 27 October 2020	

Executive Summary

This report concerns the potential purchase and redevelopment of land identified in Exempt Appendix A for residential development. The resulting new homes constructed would be held within the Housing Revenue Account (HRA) and be available for rent in line with the Council’s allocation policies.

This proposal, in summary, involves a private sector developer purchasing land, obtaining planning permission and then selling it onto the Council alongside an agreement to build 27 apartments for the HRA. This report seeks approval to enter into an agreement for the purchase of land and construction of affordable homes for rent at this site.

1. Recommendation(s)

It is recommended that Cabinet:

- 1.1 Approve the acquisition and development of land identified in Appendix A.**
- 1.2 Delegate authority to the Director of Place and Director of Adults, Health and Housing in consultation with the Cabinet Member for Housing to**

commence negotiations and seek to agree final terms for the acquisition of the site and construction of dwellings and to enter into any such agreements necessary to conclude the acquisition and terms of construction.

2. Introduction and Background

- 2.1 The Council has a strong commitment to the delivery of new affordable housing and has previously agreed a target to develop up to 500 affordable homes through the Housing Revenue Account (HRA) between 2019 and 2029.
- 2.2 This report seeks approval for purchase of land and agreement for construction of 27 new affordable housing apartments in Tilbury for rent within the HRA in line with the Council's allocations policies.
- 2.3 The cost of the project, together with the associated financial and legal requirements for the scheme to proceed, are set out in exempt Appendix B.

3. Issues, Options and Analysis of Options

- 3.1 The land identified in exempt Appendix A has been vacant for approximately 15 years and is currently in a poor condition. The property is detrimental to the public realm in Tilbury and contributes significantly to perceptions of a poor street scene. The opportunity to redevelop for affordable housing would support the Council's overall ambitions in place shaping, and enhancing the existing street scene and contribute the Council's housing delivery targets.
- 3.2 A private sector constructor has brought forward an opportunity to redevelop this site, with the aim of delivering 27 dwellings as affordable housing for rent by the Council.
- 3.3 Proposed construction and land purchase costs have been benchmarked by the Council's appointed specialist against similar projects. The final details of the proposed design and the project cost are dependent on a future planning application that will be brought forward by the private sector developer. This report therefore recommends delegated authority be given to relevant Officers and the Portfolio Holder for Housing to conclude negotiations. Purchase of the land would be subject to a number of conditions precedent, including the grant of planning permission.
- 3.4 The proposal is to construct 27 apartments for Council rent. The design proposed is of high quality to match other Council new build projects and will feature high quality materials, achieve high sustainability and energy conservation standards, and will have an active frontage to bring visual interest and promote place making in Tilbury. The quality of the internal fit out proposed would recognise the Council's on-going repairing liability and ensure components such as kitchens and bathrooms are not only of a high quality and durable, but that any necessary spares and replacements can be readily

sourced. Positive pre-application meetings have taken place with the Council's Planning Service.

- 3.5 The funding for the project would seek to use capital receipts held by the Council under Section 11 (6) of the Local Government Act, known as the "Right to Buy" retention agreement, with prudential borrowing within the HRA. No general fund borrowing is required. This approach makes use of the receipts from sale of Council houses under the Right to Buy legislation which would have to be paid to the Treasury together with interest if not used within three years of receipt.
- 3.6 It should be noted that in the event that new Council tenants exercised their right to buy, the Council's investment is protected in that the 'cost floor' rule applies such that a resident's discount on purchase price is limited during the first 15 years after construction. In this way, the tenant's purchase price cannot fall below the cost of construction even after discount.

Housing Demand and Delivery

- 3.7 The mix of units proposed is 21 no. 1 bed and 6 no. 2 bed duplex apartments. The Council's housing service has recently agreed a target mix for new build housing development as shown below and the proposed mix is considered suitable in that location and contributes towards meeting targets across the whole programme.

Units Size	1 bed	2 bed	3 bed	4 bed
Target Mix	30%	48%	20%	2%

- 3.8 The proposed timeline for delivery is:

- Conditional Contract exchanged Winter 2020/1
- Planning approval Spring 2021
- Completion of land purchase by Council Summer 2021
- Start on Site Autumn 2021
- Completion Winter 2022/23

Development cost comparisons

- 3.9 Development cost includes the costs of construction, preliminary contractor costs, contractor's overheads and profits, design fees and contingencies. The costs of development are influenced by factors such as local ground conditions and local labour costs, and vary from site to site, and town to town.
- 3.10 Generally, private sector schemes tend to have lower development costs than Council-led developments, but correspondingly, Council-led developments tend to demonstrate more living space and better quality units (to reduce long-term maintenance and repair costs).

3.11 The development cost per unit proposed for this site in Tilbury is £294k, with an average cost per sq ft of £296. A comparison with other similar Council housing construction projects either currently on site or at cost planning in the feasibility stage shows that these costs are lower than the average cost per unit (£303k per unit) and broadly in line with the average cost per sq ft (£283).

	Type	Cost per unit	Cost per ft ²
Vigerons Way	Houses	£ 341,233	£ 360
River View	Flats	£ 313,992	£ 260
Loewen Road	Houses	£ 322,013	£ 272
Calcutta Road	Flats	£ 284,227	£ 225
Thames Road	Flats	£ 366,926	£ 321
Tops Club	Flats	£ 254,865	£ 215
Claudian Way	Houses & Flats	£ 252,097	£ 316
This Tilbury site	Flats	£ 294,401	£ 296
Average costs		£ 303,719	£ 283

4. Reasons for Recommendation

4.1 The key reasons for the recommendations are that the proposal:

- Contributes to the demand for affordable housing and delivery of the Council's housing targets
- Potential to quickly spend RTB receipts avoiding the requirement to make interest payments to the Treasury
- Would contribute significantly to place-making and regeneration of a key location
- Can bring forward redevelopment at pace.

5. Consultation

5.1 None

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

6.1 The proposed development of this run down site for affordable housing aligns closely 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 in which residents can take pride. It would also directly contribute to the Council's housing delivery targets.

7. Implications

7.1 Financial

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

The delivery of housing through the HRA will contribute to the wider objectives of the Council.

The proposed build costs are set out in the report and these have been considered with reference to similar Council schemes. There has also been reference to local market housing prices which confirms these build costs include a premium associated with the need to address specific ground and title issues associated with the site. The premium also reflects a higher specification to support the reduction of lifecycle maintenance costs which will need to be met within HRA resources. These costs also need to be considered alongside the wider strategic regeneration aspirations for the area.

The costs will be developed further should the project proceed and corporate finance will continue to assess the overall scheme costs in the context of the aims of the project to ensure it demonstrates value for money.

The costs associated with this proposal are proposed to be funded from Retained Right to Buy Receipts together with prudential borrowing. The funding and associated maintenance costs can be managed within the HRA offset against rental income at Local Housing Allowance levels over the lives of the properties.

Specific considerations should also be given to the legal position set out in respect of the defective title and the proposed procurement approach before determining whether to commit the required funding to the scheme.

As with all HRA properties these flats would fall within the Right to Buy scheme. The purchase price under the current regulations would be limited to a minimum of the build costs for the first 15 years after coming into use. From this point onwards a discount level will apply as set out within existing regulations up to a current maximum of £84,200.

7.2 Legal

Implications verified by: **Tim Hallam**
Deputy Head of Law and Deputy Monitoring Officer

Bevan Brittan have advised on all aspects of the proposal to date. If approved the detail of any final contract for the purchase of land and dwellings will also require verification by internal legal for compliance with the Councils own protocols including its procurement rules.

7.3 Diversity and Equality

Implications verified by: **Roxanne Scanlon**
**Community Engagement and Project
Monitoring Officer**

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 or positive.

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

None

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

- None

9. Appendices to the report

- Appendix A – Site Plan and photographs of existing and Computer Generated Images of the Proposal (exempt from publication)
- Appendix B – Financial and Project information (exempt from publication)

Report Author

David Moore

Interim Assistant Director – Place Delivery

Place

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank