

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 **7 July 2021**

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

There is very limited space for press and public to physically attend this meeting due to social distancing requirements. We advise anyone wishing to physically attend to book a seat in advance via direct-democracy@thurrock.gov.uk to ensure a place.

Arrangements have been made for the press and public to watch the meeting live via the Council's online webcast channel: www.thurrock.gov.uk/webcast

Membership:

Councillors Robert Gledhill (Chair), Shane Hebb (Deputy Chair), Mark Coxshall, Jack Duffin, Deborah Huelin, Andrew Jefferies, Barry Johnson, Ben Maney, Allen Mayes and Luke Spillman

Agenda

Open to Public and Press

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To approve as a correct record the minutes of Cabinet held on 9 June 2021.	
3 Items of Urgent Business	
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4 Declaration of Interests	
5 Statements by the Leader	

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Exclusion of the Public and Press

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.

- | | | |
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Queries regarding this Agenda or notification of apologies:

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

Agenda published on: **29 June 2021**

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Information for members of the public and councillors

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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.

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DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

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

Helpful Reminders for Members

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

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

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



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

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

Disclosable Pecuniary Interests shall include your interests or those of:

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

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

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

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

Pecuniary

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

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

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

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

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

Non- pecuniary

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



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

Our Vision and Priorities for Thurrock

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

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

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

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

Minutes of the Meeting of the Cabinet held on 9 June 2021 at 7.00 pm

The deadline for call-ins is Monday 21 June 2021 at 5.00pm

Present: Councillors Robert Gledhill (Leader), Shane Hebb (Deputy Leader), Mark Coxshall, Jack Duffin, Deborah Huelin, Andrew Jefferies, Barry Johnson, Allen Mayes and Luke Spillman

Apologies: Councillor Ben Maney

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 webcast channel.

1. Minutes

The minutes of the Cabinet meeting held on 10 March 2021 were approved as a correct record.

2. Items of Urgent Business

There were no items of urgent business.

3. Declaration of Interests

There were no interests declared.

4. Statements by the Leader

The Leader began his statement by welcoming everyone to the first Cabinet meeting of the 2021/22 municipal year. He stated that this was the first meeting since March, and the first face-to-face meeting since 2020. He explained that due to the Forward Plan, the first municipal Cabinet meeting was typically shorter than others, but felt that the coming year would be exciting, with many new projects planned and underway.

The Leader then explained that in the last two weeks new play equipment had launched in two of the borough's parks thanks to the Towns Fund scheme. He explained that new equipment had been unveiled at Grays Beach Riverside Park thanks to £750,000 from the Grays Town Fund Board, which meant that younger residents could now enjoy a new ship and castle, and the parkour outdoor sports, health and fitness area. He added that a new splash pad area,

which had been funded by the Council, was also due to open this summer. He highlighted that residents in Tilbury could also enjoy a new outdoor gym, parkour equipment and running track at Daisy Field Park, which was one of many projects across the town to be boosted by fast-tracked funding from the Tilbury Towns Fund Board. He felt that these projects would continue to regenerate Tilbury and Grays, as the government and Council to invest in Thurrock.

The Leader stated that there were also numerous other projects underway across the borough, which included the new planning permission application to convert the old State Cinema in Grays into a pub. He stated that the plans had now been submitted, and felt that the re-development would open and preserve an iconic building in Grays, whilst creating a new hospitality venue. He explained that work was also progressing on the Civic Offices, with the majority of outside cladding now complete. He felt that this project would stimulate growth and redevelopment in Grays, whilst creating a new landmark and town centre housing. The Leader added that new bus stops were also being installed throughout the borough due to an investment of £1.2million, to try and encourage residents to utilise public transport. He stated that the smaller bus stops had now been installed, and the larger, electronic bus stops would be installed soon. The Leader explained that work was also progressing on the Manorway, with one side of the road completed and work underway on the west-bound carriageway. He described how this work would create a quieter road surface for HGVs and other traffic utilising the road for DP World London Gateway. The Leader stated that plans were also moving ahead on the Thames Freeport project, after a successful ASELA-backed bid, with Thurrock Council acting as the lead authority supporting the development of the Outline Business Case. He stated that the Freeport would create more than 25,000 new jobs, and would develop 1,700 acres of land with technologically advanced green business.

The Leader moved on and stated that central government would be making an announcement regarding the lockdown roadmap next week, and highlighted that everybody could play their part in preventing the spread of the virus. He urged residents to get twice-weekly COVID tests, which would help ensure lockdown restrictions are lifted as soon as possible, and keep families, friends, and communities in Thurrock safe. He explained that COVID numbers in Thurrock were currently low, with only 8.6 people per 100,000 testing positive last week, meaning Thurrock had one of the lowest COVID rates in the country. He added that the Delta variant, which had originated in India, was spreading across several areas of the country, and could pose a threat as it was far more transmissible than other strains. He stated that there had been a small number of Delta variant cases in Thurrock, and the Council were working hard to ensure it did not take hold and spread. He explained that the Council were carefully monitoring cases to ensure that testing took place to identify the Delta variant, and that advice was given to those who tested positive, as well as finding and advising their potential contacts. He summarised and stated that 30 residents had tested positive this week, with 3,923 PCR tests carried out; and a 7 day positive rate of 17.2. He stated that Thurrock was currently ranked 120 out of 149 local authorities in terms of

COVID rates, and 139,019 vaccines had been administered: 86,700 first doses and 52,319 second doses.

5. Briefings on Policy, Budget and Other Issues

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

6. Petitions submitted by Members of the Public

No petitions had been submitted by members of the public.

7. Questions from Non-Executive Members

No questions had been submitted by Non-Executive Members.

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

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

9. Appointments to Outside Bodies, Statutory and Other Panels

The Leader introduced the report and stated that it was a statutory duty for Cabinet to nominate Members to sit on outside bodies, and the majority would be as written in Appendix 1. He named some changes which included:

1. Anglian (Eastern) Regional Flood and Coastal Committee – Councillor Collins
2. Essex Pension Advisory Board – Councillor Duffin
3. Opportunity South Essex – Councillor Coxshall
4. SELEP Strategic Board – Councillor Coxshall
5. SELEP Accountability Board – Councillor Coxshall
6. Thurrock Arts Council – Councillor Watson
7. Thurrock Sports Council – Councillor Jeffries
8. ASELA – Councillor Coxshall

RESOLVED: That Cabinet:

1. Approved the nominations to Outside Bodies, Statutory and Other Panels.

10. End of Year (Month 12) Corporate Performance Report 2020/21

Councillor Duffin introduced the report and stated that it presented the annual Key Performance Indicator (KPI) results for 2020/21, and showed the impact that COVID-19 had had on some services, as well as service achievements. He explained that the report had been to the Corporate Overview and Scrutiny Committee yesterday and feedback had shown Members wished to see more

information for some KPIs. He thanked Councillor Huelin for her work as Portfolio Holder last year, and Councillor Gerrish for his hard work as Chair of Corporate Overview and Scrutiny last year.

Councillor Duffin highlighted page 34 of the agenda and stated that since March 2020, 4000 potholes had been filled in, 700 of those in March 2021. He understood that residents could get frustrated, but urged residents to continue reporting potholes online, as this ensured they could be inspected and fixed quicker. He also congratulated the education department, as Thurrock had seen a 5% increase in residents receiving their first place school preference. He also thanked residents for donating approximately two thousand Christmas presents to the borough's Looked After Children, as he felt this would have made a huge difference to their festive period. He then thanked central government for their continued support to borough residents, for example with the furlough scheme throughout the pandemic, as well as for the Tilbury and Grays Town Fund Boards. He summarised and stated that the past year had been challenging due to COVID-19, but service delivery had continued and positive signs could be seen throughout the report.

Councillor Hebb echoed Councillor Duffin's comments and thanked Councillor Gerrish for his hard work as Chair of the Corporate Overview and Scrutiny Committee. He felt Councillor Gerrish had left a good legacy, particularly with his work on the scrutiny review. He explained that as part of the scrutiny review, he had attended last night's meeting of the Corporate Overview and Scrutiny Committee to discuss the Work Programme. He highlighted the KPI on page 42 of the agenda relating to collection rates for council tax. He stated that this had only decreased by 1% since the start of the pandemic, and felt this was testament to resident's who continued to strive to pay their bills in difficult times. He added this figure was also helped by the government's furlough and support schemes, which had ensured people continued to get paid when their place of work had been closed. He also highlighted the work of the revenue and collection's department who operated a scheme of compassionate collections, in partnership with the Citizens Advice Bureau. He stated that he would therefore work with the Corporate Overview and Scrutiny Committee on a piece of work regarding compassionate collections to ensure the system continued to benefit resident's, and to listen to any suggestions or feedback from the scrutiny committee to improve the service. He felt that although this KPI had not met its target, it was a pleasing outturn as it showed residents had been supported, and with the ongoing Corporate Overview and Scrutiny work, they would continue to be supported in future.

Councillor Huelin thanked Thurrock's staff and senior officers for their hard work throughout the pandemic, as she felt they had ensured KPIs remained high even during a difficult year. She also thanked the voluntary sector for their support to the Council during COVID and hoped that the flexibility and trust shown throughout the pandemic would continue. Councillor Spillman thanked all outgoing housing officers, including Roger Harris and Carol Hinvest for their hard work throughout the pandemic, as well as the outgoing Housing Portfolio Holder, Councillor Barry Johnson. He stated that during the pandemic, 100% of reported rough sleepers had been housed, and felt the

housing team should be proud of this figure. He stated that the Housing Overview and Scrutiny Committee were also pleased with this statistic. Councillor Coxshall also congratulated all local businesses that survived and flourished throughout the pandemic. He stated that although 1000 Thurrock jobs had been lost because of COVID-19, businesses had proven they were resilient and would continue to grow once the pandemic was over.

The Leader again thanked officers and residents for their hard work and support throughout the pandemic, and felt everyone had been resilient and tried their best. He stated that COVID-19 had almost been an overnight situation for council officers, as they had made the switch to home-based working, and felt this had been managed well. He then highlighted page 34 of the agenda, and felt that officers and residents should be proud of the list of achievements. He stated that 4000 potholes filled in 2020/21 was a good achievement, and although Thurrock was not pothole free, it was now better than it was last year. He added that a 5% increase in parents receiving their first place preference school was also good, but could still be improved upon.

The Leader also thanked Councillor Gerrish for his hard work as Chair of Corporate Overview and Scrutiny, and wished the new Chair well in her current role. He then highlighted page 41 of the agenda and the KPI relating to payment of Fixed Penalty Notices (FPN). He stated that the target had been 70%, and only 49% of FPNs had been paid on time. He explained that he would speak to officers to ensure the payment rate was increased, whilst still remaining sympathetic and compassionate. He urged residents to not drop litter, cigarette butts, or fly-tip to avoid receiving FPNs. Councillor Hebb added that this KPI had also been discussed during last night's Corporate Overview and Scrutiny Committee meeting, and felt that there had been unanimity in the approach to this KPI.

RESOLVED: That Cabinet:

1. Noted and commented upon the performance of the key corporate performance indicators, in particular those areas which were off target and the impact of COVID-19.

2. Identified any areas which required additional consideration during 2021/22.

The meeting finished at 7.26 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

7 July 2021		ITEM: 10
		Decision: 110566
Cabinet		
Lower Thames Crossing Task Force Update Report		
Wards and communities affected: All	Key Decision: Key	
Report of: Councillor Fraser Massey, Chair of the LTC Task Force		
Accountable Assistant Director: Dr Colin Black, Interim Assistant Director Regeneration and Place Delivery		
Accountable Director: Sean Clark, Corporate Director Resources and Place Delivery		
This report is Public		

Executive Summary

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

1. Recommendation(s):

1.1 That Cabinet notes the work of the Task Force.

2. Introduction and Background

2.1 The Lower Thames Crossing Task Force has met on a monthly basis since September 2017. Cabinet received a previous update on 11 November 2020.

2.2 The Council remains opposed in principle to any new crossing in Thurrock and the task force has consistently sought to hold Highways England to account. A new team at Highways England has meant that in recent months there has been a greater level of information sharing and improved collaboration between the parties

2.3 Highways England conducted a statutory consultation on the scheme which ended on 20 December 2018 and two subsequent consultations in 2020. Details of the Task Force's discussions following the consultations to date are detailed below.

2.4 Highways England submitted its Development Consent Order (DCO) application in October and the Council submitted an adequacy of consultation (AoC) response at the request of the Planning Inspectorate and submitted a joint AoC with Gravesham Borough Council and the London Borough of Havering, which were instrumental in the subsequent

actions of the Planning Inspectorate and in Highways England's decision. As a consequence of these issues raised with the application and consultation, Highways England took the decision to withdraw its application in November 2020.

- 2.5 Since that time, Highways England has been amending its proposals, adding further mitigation, preparing new documentation, liaising openly with stakeholders (including Thurrock Council) in a far-more transparent and accommodating manner, involving many technical meetings.

3. Task Force meetings

- 3.1 All Task Force meetings are audio recorded and available on the Thurrock Council website. Since the impacts of Covid-19 the meetings have been held as either hybrid or virtual meetings on Microsoft Teams.

- 3.2 Full minutes of the meetings are also available on the website. Below is a summary of the discussions at each meeting:

February

- 3.3 Highways England officers gave a presentation and answered questions on landscape design, green infrastructure and walkers', cyclists' and horse-riders' (WCH) proposals.
- 3.4 A Summary Paper of the Energy White Paper was presented and questions were answered. Finally, a verbal summary was given of progress with the Mitigation/Legacy Benefits (the Hatch Report) and questions were answered and a review of the work programme undertaken.

March

- 3.5 Three Technical Papers were presented – an Environmental Impacts Assessment Update, Health Impacts Update and CO2 Emissions and many technical questions were answered. Finally, a verbal summary was given of progress with the Mitigation/Legacy Benefits (the Hatch Report) and questions were answered

4. Reasons for Recommendation

- 4.1 In line with the Terms of Reference the LTC Task Force will update Cabinet.

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

- 5.1 Lower Thames Crossing Task Force.

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

- 6.1 None

7. Implications

- 7.1 **Financial**

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

There are no direct financial implications arising from this report.

7.2 **Legal**

Implications verified by: **Tim Hallam**
Deputy Head of Legal & Deputy Monitoring Officer

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

7.3 **Diversity and Equality**

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

There are no diversity implications arising from this report.

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

None

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

- None

9. **Appendices to the report**

- None

Report Author:

Dr Colin Black

Interim Assistant Director Regeneration and Place Delivery

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7 July 2021	ITEM: 11 Decision: 110567
Cabinet	
2020/21 Financial Outturn Report	
Wards and communities affected: All	Key Decision: No
Report of: Councillor Shane Hebb, Deputy Leader and Cabinet Member for Finance	
Accountable Assistant Director: Jonathan Wilson, Assistant Director of Finance	
Accountable Director: Sean Clark, Corporate Director of Resources and Place Delivery	
This report is Public	

Executive Summary

The 2020/21 financial year required the Council to deliver front line services alongside responsive measures to address the impact of the Covid-19 pandemic. This is reflected in the financial outturn of the Council which reflects the use of core funding alongside emergency funding provided to address the pressures arising from the pandemic. The Covid-19 grant funding from Central Government has been fully utilised to ensure the financial impact of the pandemic has not adversely affected individual service positions.

In summary, for the financial year 2020/21, expenditure has largely been achieved within the overall budget envelope for the general fund and an increase in balances to the HRA. Where Covid-19 pressures were identified through the regular budget monitoring process mitigations included:

- General Covid-19 grant allocations from central government;
- Income losses offset by the income compensation scheme;
- Hospital Discharge Initiative reimbursements from Thurrock CCG and NHS England;
- Use of the Job retention scheme grant (furlough); Reducing levels of expenditure elsewhere within the service;
- Savings achieved through the pause to all non-essential recruitment;
- Utilisation of the previously-budgeted surplus; and
- Increases in some revenue streams (particularly related to the Fraud Investigation Team’s external contracts).

Children's Services also continued to manage high levels of demand for placements, in particular those young people placed as sibling groups with independent fostering agencies.

While the in-year impacts of the pandemic have been managed through the support mechanisms available there remains concern over the medium to longer term impacts of the pandemic – particularly in respect of the robustness of both local tax sources and commercial revenues and the possibility of significant additional financial pressures relating to children's social care, adult social care and homelessness. There is some further support from central government in place for 2021/22 and the balance between this funding and the anticipated additional pressures continues to be monitored.

Over the course of the 2020/21 financial year, the Council maintained the General Fund Balance at £11.000m. The Housing Revenue Account Balance has been maintained at £2.175m.

Members should note that these balances remain the most important reserves a Council holds as they are set aside for unplanned impacts on the budget which are now being felt through the ongoing impact of the pandemic. There are some additional reserves which provide further financial resilience and support the forecast outturn for 2021/22. The wider central government funding review of local government in response to Covid-19 for 2021/22 remains under assessment.

At the Council meeting in February 2021, Council agreed to reduce borrowing windows by £350m and to desist from further investment activity. Whilst the overall portfolio continued to perform and earn interest receivable, and in spite of an international, once-in-a-century crisis, Members should by now recognise that by not taking out new investments, or replacing maturing investments, there will be a year on year reduction going forward in net receivable income available to support front line services, and to provide services above the statutory minimum, and the headspace to reform services at a more considered pace.

This report provides a summary of the financial outturn for 2020/21 for the General Fund and the Housing Revenue Account. A summary of the capital and treasury management outturn positions are also included.

1. Recommendations

That the Cabinet:

- 1.1 Note that the General Fund net expenditure has been met within the overall budget envelope and the General Fund Balance has been maintained at £11.000m;**
- 1.2 Note that the balance on the Housing Revenue Account Reserve has been maintained at £2.175m; and**

1.3 Note that there was a total of £92.195m in capital expenditure and some of the key projects have been set out in section 5.

2. Introduction and Background

2.1 Members received financial reports throughout the year and the quarter 3 report showed that the Council planned to deliver a breakeven position.

2.2 This includes the application of the Covid-19 support grant to the value of £14.242m which addressed specific pressures relating to the pandemic and supported the delivery of the overall breakeven position on the general fund. Income losses were addressed via the income compensation scheme to the value of £1.07m. Other specific grants have been applied to activities within the scope of the grant conditions such as Test and Trace and the Control Outbreak Management Fund which continue to support the public health response to the pandemic in the forthcoming year.

2.3 The table below summarises the outturn position in line with financial reporting requirements, including the movement in reserves, and the prior year position to allow year on year comparison. This excludes Covid funding that is available to support expenditure in 2021/22.

2.4 The financial accounts are not due to be published until 31 July 2021 and hence there maybe final changes to the position presented. These are expected to be non-material and the final position will be published on the website by 31 July and are then subject to external audit.

Net expenditure chargeable to the GF and HRA balances

31-Mar-20	Directorate	31-Mar-21
£'000		£'000
43,086	Adults, Housing and Health	44,805
41,021	Children's Services	40,954
769	Commercial Services	602
-2,952	Corporate Costs	-4,983
22,724	Environment and Highways	24,177
18,144	Finance, Governance & Property*	13,049
3,927	HR, OD and Transformation	3,796
3,665	Place	2,942
347	Schools	0
2,985	Strategy, Communications & Customer Services**	2,554
133,716	General Fund Total	127,898
5,521	Housing Revenue Account	-2,589
-142,241	Other Income and Expenditure	-128,070
-3,004	(Surplus) / Deficit	-2,761
-35,217	Opening General Fund and HRA Balance at 31 March	-38,221
-3,004	Add surplus on General Fund and HRA Balance in Year	-2,761
-38,221	Closing General Fund and HRA Balance at 31 March	-40,982

- 2.5 The table above shows the opening and closing usable reserves of the Council. It must be stressed that a number of reserves are held for specific purposes (usually called “earmarked” reserves) and also include those relating to maintained schools end of year balances. It should also be noted that reserves that are not held for specific purposes, such as the General Fund Balance, can provide a one-time form of mitigation and not replace budget deficits on an on-going basis.

2.6 The table below sets out the Council's reserves by category:

31-Mar-20 £'000	Reserve Category	31-Mar-21 £'000
-11,000	General Fund Balance	-11,000
-5,852	HRA Related	-8,441
949	Education and Schools	1,151
-463	Adults, Community and Health	-4,250
-10,421	Other Earmarked Reserves	-9,426
-5,272	Transformation Reserve	-4,016
-6,162	Financial Resilience Reserve	-5,000
-38,221	TOTAL	-40,982

2.7 Notes to the reserves:

- Education and Schools – This includes individual schools' balances and Dedicated Schools Grant (DSG) which are ring-fenced for specific use. The movement on this reserve reflects the outturn DSG position;
- Adults, Community and Health – This includes carry forward funding from the Public Health Grant and the Better Care Fund – these are also ring-fenced for specific use;
- Grants carried forward – ring-fenced grant allocations for specific use in accordance with grant conditions;
- Other earmarked reserves – This captures all other earmarked reserves including ring-fenced accounts such as building control and planning;
- Transformation Reserve – This includes the surplus funding and balances set aside to enable specific transformation projects and manage the funding and delivery of these between financial periods;
- Financial Resilience Reserve – This reserve was primarily established to manage any funding implications associated with the fair funding review, transition into the new system of business rates retention and investment reserves. This reserve enables wider financial resilience to offset any wider impacts which may emerge;
- The General Fund Balance – the balance has been maintained to protect the Council from unmitigated budget pressures; and
- HRA Related – a balance of £2.175m to protect the council from unmitigated budget pressures. The remaining balance represent the capital reserves supporting existing Council programmes.

3. Front Line Service Commentary

3.1 Adults, Housing & Health

Delivered under budget

The department were able to manage service pressures (which were not as a result of the Covid-19 pandemic) within the overall service budget allocations. These costs relate to the running of front line social care and safeguarding activities.

There remained pressure within the Commissioning & Service Delivery function due to a delay in the planned implementation of service changes as a result of the response required to deal with the Covid-19 pandemic. This impacted on the associated planned cost savings.

Funds held within the pooled Better Care Fund further supported the directorate in their efforts to stabilise the domiciliary and residential care market but this area remains a high risk with providers experiencing ongoing issues with recruitment and retention of staff. Additional resilience funding was provided from the core Covid-19 funding in 2020/21.

Support to care homes to implement Covid-secure working practices was funded through the Infection Control Grant and further supported by the core Covid-19 from central government.

As noted government grant funding was allocated to community care providers in the form of financial resilience payments. This enabled providers to respond to increased levels of demand, implementation of measures to address the increased risk arising from Covid-19, higher levels of staff sickness and absenteeism and the overall volatility within the marketplace.

To reduce pressure on acute services during the height of the pandemic, the Government made changes to hospital discharge requirements and agreed to fully fund the cost of the associated new or extended health and social care support packages over agreed timescales. This funding was claimed through Thurrock Clinical Commissioning Group from NHS England and therefore further reduced pressures on existing social care budgets.

3.2 Housing General Fund

Delivered within budget

The initial response to Covid-19 required Local Authorities to take measures to address rough sleeping and homelessness. This required additional accommodation to be purchased locally and was funded through the Covid-19 funding.

Furthermore the Coronavirus Act 2020 provided protection to social and private tenants during the pandemic by delaying when landlords could evict tenants and by increasing the notice periods required before seeking possession of a residential property.

The ban on bailiff enforcement included mortgage repossessions. No action to enforce repossession should commence until at least 1 June 2021 unless the homeowner agrees to a voluntary repossession.

These measures, alongside the funding, enabled the service were able to contain costs within their existing resources. The concern remains that when the measures in place are removed there may be a significant increase in the demand for rough sleeping and homelessness services.

3.3 Children's Services

Delivered under budget

Covid-19 restricted the placements market in-year with limited settings and movement available. The service experienced an increased demand for sibling group placements which required young people to be matched with foster carers supplied by external agencies. As in previous years there was significant pressure on this budget and the profiling of placements remained the key issue (limited capacity within our in-house service and the need for more expensive externally provided placements).

There remains significant financial risk in 2021/22 particularly in light of the impacts of Covid-19 on children in the borough. There is the potential for significant increased demand for services as Covid-19 restrictions are removed. This continues to be monitored.

The service have successfully recruited when social workers leave even through the difficulties presented by the pandemic. However, there remains a reliance on agency personnel across the social work teams.

The Learning & Universal Outcomes service restricted non-essential spend, held posts vacant and claimed funding through the Job Retention Scheme to offset pressures within the wider directorate.

A number of educational services were significantly impacted by the national restrictions (e.g. Grangewaters Outdoor Education Centre and Nurseries) the associated loss of income for these functions were mitigated by the Income Compensation scheme and associated reductions in expenditure.

3.4 Environment and Highways

Delivered under budget

Despite the logistical challenges posed by the Central Government restrictions in response to the pandemic, the directorate continued to deliver key front line services to the borough throughout the financial year. Street cleansing and essential grounds maintenance functions were carried out, occasionally at reduced frequencies.

Waste services dealt with increased demand due to the 'stay at home' guidance and these additional costs were appropriately allocated against the additional government funding. Fluctuations within the waste disposal contracts were mitigated by the control of costs elsewhere within the service.

A mild winter and the use of the Thurrock-based weather station allowed for more accurate local forecasting and a lower need for gritting services to be charged against the winter maintenance budget.

Additional income was generated from the external works secured by the Fraud Investigation Team with MHCLG to review the financial support that was awarded to local businesses during the lockdown period.

Wider losses of fees and charges income was mitigated through a combination of reduced expenditure elsewhere within the service and the use of the income compensation scheme which prevented an adverse impact on the core budget position.

3.5 Finance, Governance & Property

Delivered under budget

Significant levels of resource were redirected to responding to the pandemic and administering the allocation of funding to local businesses through a number of schemes across the whole financial year.

The directorate offset service pressures arising from Covid-19 through use of core funding to address specific impacts and managing core service budgets in response to the pandemic. This included the management of vacant posts.

The Corporate Landlord function was able to utilise appropriate capital funding for works where appropriate. In addition many operational assets were utilised to significantly lower levels in 2020/21 while wider planned works were paused pending a wider reassessment of Council assets. This meant inherent cost pressures could be managed within existing budgets. Furthermore, despite initial concerns over the impact of Covid-19, income generated from commercial property remained resilient.

Careful management of staff within the Revenues & Benefits Team enabled the delivery of the budget within this area. Grant funding supported the

administration of the Covid-19 support to businesses and ensured there was no adverse impact on the service position.

Where appropriate ICT licences are capitalised and additional costs incurred as a result of the move towards agile working were funded through the Covid-19 support grant, this included software upgrades, hardware purchases and additional staff capacity.

3.6 HR, OD & Transformation

Delivered under budget

Non-essential spend was tightly controlled across the directorate; a number of learning and development events were moved to online platforms whilst still delivering a diverse programme of courses (including additional wellbeing support to staff throughout the pandemic). Staff training funded through the apprentice levy was maximised therefore reducing the level of spend allocated against the central training budget.

Staff vacancies were managed across the service to reduce the budgetary impact in 2020/21.

The costs associated with the continued development of Oracle Cloud were capitalised and other transformation linked costs were funded from capital where appropriate.

3.7 Place

Balanced within budget

The directorate was significantly impacted by loss of income following the restrictive measures placed on public movement throughout the borough and the closure of services such as the Thameside Theatre. The income compensation scheme, job retention scheme (furlough) and a reduction in expenditure across the service areas mitigated these pressures.

Where appropriate staff time specific to delivering regeneration projects was charged against the relevant capital budgets. Additional staffing resource required to support the wider Place delivery service was funded through vacant post slippage and a tight control over costs.

All project work budgets and non-essential spend were reviewed in-year to ensure the directorate were able to absorb pressures within their allocated resources.

3.8 Strategy, Communications & Customer Services

Delivered under budget

All vacancies were reviewed to ensure that only essential recruitment took place during the year and all non-essential spend halted across the directorate.

Due to the national restrictions as a result of the COVID pandemic, the Civic Offices were closed to the public and therefore the face-to-face customer services function was delivered remotely. Residents were able to continue to access services online and contact the council by telephone through the contact centre and email. Face-to-face staff were redeployed to support with the increased volume of calls and more complex enquiries.

The Registrars service had significant restrictions placed on them throughout the year which affected their income recovery levels particularly in relation to wedding ceremonies, however, corresponding reductions in expenditure and the income compensation scheme mitigated this.

3.9 Dedicated Schools Grant (DSG)

Delivered within budget

Nationally, all local authorities and the education system have struggled to meet the additional demand for payments in support of children with Education Health and Care plans (EHCP); for out of borough placements, independent special school residential placements and for special educational needs and disabilities (SEND) top up payments.

The high needs block remained a significant issue for Thurrock, with the number of EHCP's increasing by 9%, in 2020/21. This has required both additional top up funding to be paid to Schools and Academies and an increase in demand for specialist placements.

The DSG has a carried forward deficit of £1.883m. This is a decrease of £0.095m from 2019/20. Discussions continue with the ESFA and the Schools Forum on options available to reduce demand for EHCP's and to increase Thurrock's Local Offer. A meeting is scheduled with ESFA in July to discuss Thurrock's DSG Management Plan.

3.10 Other Income and Expenditure

The overall breakeven position reflects a pause to the investment strategy, including investment income relating to the subsidiary company - Thurrock Regeneration Ltd. Members should by now recognise that with the council no longer taking out new investments, or replacing maturing investments, there will be a year on year reduction going forward in net income available to support front line services and to provide services above the statutory minimum, and the headspace to reform services at a more considered pace.

The investment approach contributed a net income of £23.7m in 2020/21 and in total has contributed £116.7m since implementation in 2016/17 and continues to support the delivery of Council priorities.

The Council also undertook action to stabilise cashflow in-year in light of increased demands arising from the response to the pandemic and react to the reduction in funding from other local authorities and funding bodies. The Council refinanced capital investment through increased fixed term borrowing in 2020/21 which was at a higher interest rate than borrowing previously available in the local authority market thus reducing the net income still further. It is expected that, in 2021/22, a further proportion of the Council's overall debt will also be refinanced.

3.11 Housing Revenue Account

Delivered within Budget

The HRA was successful in delivering the overall financial outturn within budget, and manage the level of general reserves in line with the HRA business plan. While across the service expenditure was contained within budget, there were some pressures within the Rent and Income service as a result of under recovery of affordable rents due to delays in the expected completions of new build properties.

In addition, there was a requirement to increase bad debt provision arising from an increase in rent arrears of current tenants impacted by the pandemic, as well as the ongoing roll out of Universal Credit and reduction of direct Housing Benefit payments. This situation will continue to be monitored closely as the longer term impacts of the pandemic become clear. These pressures were mitigated by underspends on the Repairs and Maintenance budgets, staff vacancies which were managed throughout the year, legal fees and project costs delayed by the pandemic.

It is essential going forward that the HRA continues to manage income streams in order to sustain the levels of service provided, and to meet the further demands arising as a result of changes in legislation and stock maintenance requirements.

4. Capital Programme

- 4.1 Total capital expenditure for 2020/21 amounted to £92.195m. A summary of this expenditure analysed by service, is set out below along with the associated sources of financing.

Directorate	Budget	Total Spend	Variance
	£m	£m	£m
Adults, Housing and Health	3.255	1.923	(1.332)
Children's Services	11.635	9.247	(2.388)
Environment and Highways	13.031	8.400	(4.631)
Finance, Governance and Property	8.006	4.963	(3.043)
Housing Revenue Account	19.492	18.933	(0.559)
HR, OD & Transformation	6.843	5.419	(1.424)
Strategy, Communications & Customer Services	0.249	0.156	(0.093)
Place	44.826	43.154	(1.672)
Total	107.337	92.195	(15.142)

Source of Finance	Budget	Total Spend	Variance
	£m	£m	£m
Prudential Borrowing	33.084	21.600	(11.484)
Usable Capital Receipts	0.082	0.071	(0.011)
Earmarked Usable Capital Receipts	4.898	4.780	(0.118)
Major Repairs Reserve	10.378	10.540	0.162
Grants	18.384	14.208	(4.176)
Other Grants	37.025	37.898	0.873
Developers Contributions	3.415	2.684	(0.731)
Housing Zones Funding	0.071	0.414	0.343
Total	107.337	92.195	(15,142)

4.2 The capital outturn position includes expenditure supporting the delivery of the following major projects in 2020/21:

Highways Infrastructure:

A combined total of £45.8m spent has been spent on:

- Highways improvements including major drainage and bridge construction costs for the widening of the A13 between the Orsett Cock and Manorway interchanges;
- Works to the Stanford le Hope rail interchange;
- Road safety works to Lodge Lane, Grays;
- Highways improvements to Stonehouse Lane; and
- Dock Road Tilbury remedial works.

The widening of the A13 continues to face significant cost pressures and was impacted by Covid-19 in the early stage of the pandemic. Progress in the early part of 2021 has been positive and the project is expected to be delivered by the end of the 2021/22 financial year. The project costs remain under close assessment and the Council continues to work with SELEP and wider partners to seek financial support for additional costs incurred.

The Stanford le Hope rail interchange project plan has been subject to a review to develop an improved solution with greater accessibility; made possible by the acquisition of land adjacent to the site. A revised design and updated cost forecast will be brought forward in 2021/22.

Housing:

HRA new build schemes to the value of £5.7m have been delivered in the financial year. This included the completion of the Claudian Way (Heathlyn Close) development and the further development of the Calcutta Road site.

£13.3m has been spent on the continued transformation of council homes, which includes the replacement of kitchens, bathrooms, electrics, boilers, windows and roofs.

Other Services

- £7.2m has been spent on Schools including improvements as part of the St Clere's school expansion, additional classrooms at Harris and Benyon Academies and nursery provision at Corringham Academy;
 - £1.1m was spent on Headstart housing, purchasing properties to add to the housing stock and enable the reduction of homelessness in the borough; and
 - £0.9m spend on environmental improvements including works to Grays Beach Riverside Park, improvements to burial grounds and open spaces.
- 4.3 As at 31 March 2021, the Council had authorised expenditure in future years of £15.1m. In addition a further £208m had been previously authorised for use in 2021/22 to 2023/24, giving a total future years' commitment of £223.1m.

This includes:

- £50.2m on East Facing access roads to the A13 from Lakeside;
- £2.6m on housing new build developments;
- £31.4m on widening of the A13;
- £12.6m on the Purfleet redevelopment;
- £7.1m on improvements to Stanford Le Hope rail/bus interchange;
- £10.3m on school expansions;
- £7.8m on a 21st Century Care Home;

- £23.1m on improvements to Grays South; and
- £1.8m School access improvement at Treetops Academy

5. Treasury Management

5.1 This section is prepared in accordance with the requirements of the CIPFA Prudential Code and presents details of treasury management activity for the year to 31 March 2021.

Borrowing

5.2 The Council's borrowing position as at 31 March 2021 is summarised in the table below:-

Source of Loan	£m
Long Term Market Loans	29.0
Long Term Market Loans re Investments	95.0
Long Term PWLB	535.9
Temporary Market Loans Re Investments	598.0
Other Temporary Market Loans	95.5
Total Debt	1,353.4
Total Investments	(1,054.0)
Total Net Indebtedness	299.4

5.3 The net indebtedness (borrowing less repayable investments) of the council is £299.4m, made up of £160.9m of PWLB long term debt relating to the HRA and £138.5m of long and short term debt relating to current/historic capital funding.

5.4 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. This remains under review.

5.5 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.

- 5.6 The council's PWLB debt portfolio currently consists of four elements: £160.9m of loans taken out with regards to the HRA settlement undertaken on 28 March 2012; £50m of loans at 1.89% taken out in March 2020 to assist with funding to support the response to the pandemic (£100m borrowed initially with £50m subsequently repaid); to replace temporary market debt, with a loan of £125m at 1.77% taken out in October 2020; and a further £200m taken out in January 2021 at 0.68% to also replace temporary market debt. All new PWLB loans have been taken out on a two year equal instalment principle (EIP) basis
- 5.7 Officers continue to assess the council's LOBO loans for any early repayment opportunities but the premia involved of approximately £29m and the high refinancing costs continue to make it unfavourable to undertake any rescheduling. Officers will continue to monitor the council's debt portfolio for any rescheduling opportunities.

Investments

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

Source of Investment	Balance at 31/3/21 £m
Overnight Cash Investments	20.0
Short Term Cash Investments (2 to 365 days)	1.0
Repayable Capital Investments	929.0
Fund Manager Investments- Repayable on demand	104.0
Total Investments	1,054.0

- 5.9 A proportion of the internally managed investments are held for very short time periods in order to meet day to day cash requirements.
- 5.10 The Council maintains its investment in the CCLA Property Fund and has only increased its capital/non-capital investments during the year in line with pre-agreed commitments only as previously reported to the Standards and Audit Committee. There are no further commitments and no further investments, new or replacements, will take place whilst guidance remains as it is.
- 5.11 No attempt was made to meet the budgeted target for new investment income for 2020/21 and, with the review of the role of Thurrock Regeneration Ltd. in housing delivery in a post-Covid world, contributes to the adverse budget versus outturn Treasury position for the financial year.

- 5.12 Internally held balances currently stand at £21m and are mainly held with Banks and Building Societies on a fixed term basis ranging from overnight to 3 months in duration.
- 5.13 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.

6. Reasons for Recommendation

- 6.1 The report presents the financial outturn position for 2020/21. The position will inform the preparation of the financial statements.

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

- 7.1 There has been no consultation on this report. The figures and positions set out are a matter of fact.

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

- 8.1 This report presents the financial outturn for 2020/21 which supported delivery of the council's priorities.

9. Implications

9.1 Financial

Implications verified by: **Jo Freeman**
Finance Manager

Council officers have a legal responsibility to ensure that the Council can contain spend within its available resources. Regular budget monitoring reports will continue to come to Cabinet and be considered by the Directors' Board and management teams in order to maintain effective controls on expenditure.

9.2 Legal

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

There are no direct legal implications arising from this report. This report provides an update and allows members to review the financial outturn in

2020/21.

9.3 **Diversity and Equality**

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

There are no specific diversity and equalities implications as a result of this report.

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

- NA

10. **Background papers used in preparing the report**

- N/A

11. **Appendices to the report**

- NA

Report Author

Jo Freeman

Finance Manager

Management Accounting

Corporate Finance

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7 July 2021	ITEM: 12 Decision 110568
Cabinet	
Asset Review & Disposals	
Wards and communities affected: All Wards	Key Decision: Key decision
Report of: Councillor Mark Coxshall, Cabinet Member for Regeneration, Strategic Planning and External Affairs	
Accountable Assistant Director: Michelle Thompson – Acting Assistant Director of Property	
Accountable Director: Sean Clark – Corporate Director of Resources and Place Delivery	
This report is public	

Executive Summary

This report sets out proposals for the disposal of property assets. It is government policy that local authorities should dispose of surplus and under-used land and property wherever possible.

The Council has fairly wide discretion to dispose of its assets (such as land or buildings) in any manner it wishes. When disposing of assets, the Council is subject to statutory provisions, in particular, to the overriding duty, under section 123 of the Local Government Act 1972, to obtain the best consideration that can be reasonably obtained for the disposal. This duty is subject to certain exceptions that are set out in the General Disposal Consent (England) 2003.

The way the Council manages its land/property assets can have a significant impact both on the quality of services delivered to the public and the local environment. Effective asset management is essential in bringing 'agility' to land and property assets so that the delivery of the Council's visions and objectives are realised in a sustainable manner, at the right time and on budget.

The assets reviewed represent a mix of locations, uses and a variation of those that could be short, medium or long term as well as being disposed of by private treaty, public auction or tender.

The Asset Review considers the business case for disposing of any assets that are no longer of any use to it and is unlikely to be in the future or which provides only a benefit that is proportionate to the opportunity cost of the capital tied up in

the asset. Each asset disposal is treated on its own merits and nothing in this report will bind the Council to a particular course of action in respect of a disposal.

The report also seeks Cabinet approval to declare a number of operational properties surplus to requirements and further reports will be brought back to Cabinet in the Autumn where applicable to discuss the future of the sites and any alternative delivery considerations.

1 Recommendations:

- 1.1 That Cabinet declare the operational properties in 6.6 surplus to requirements and receive a report back, where applicable, on the future of the sites and any alternative delivery consideration;**
- 1.2 That Cabinet approve the immediate release and declare surplus the properties as shown in Appendix 1; and**
- 1.3 Subject to the agreement to release the assets in Appendix 1, delegate authority of the disposal to the Corporate Director of Resources and Place Delivery in consultation with the Leader and the completion of a delegated authority decision report.**

2 Issues, Options and Analysis of Options

- 2.1 In considering any disposal the Asset Review would have considered the assets within Appendix 1 against the table and weightings confirmed in the Cabinet Report of 10 March 2021 which enables the Council to consider the rationale for Reuse, Retain or Release.
- 2.2 This report considers the options available for the properties listed in Appendix 1 which have been assessed as surplus or under-used assets.
- 2.3 A list of assets for potential release continues to be analysed and scrutinised by the Property Team, Planning, Services, property occupiers (where appropriate/applicable) and Members. Further scrutiny would result in the “release list” being evaluated and prioritised according to factors such as:
 - Cost of holding;
 - Potential value from disposal;
 - Ease of /or constraint on sale;
 - Site preparation considerations/de-risking and associated costs; and
 - Any wider economic or social benefit of retaining.

Once this has been assessed further disposals of assets maybe brought forward.

3 Option 1: Do nothing – Retain the assets, Business as usual, little need or opportunity for change identified

- 3.1 These assets have been assessed as needing to be retained to support

Council business in their existing position. However, this is not to say that no further work is required on these premises. They will continue to be maintained and in some instances will require improvement or refurbishment at some future stage. Furthermore, as the review process is established within the Council, their continuing use and occupation will be subject to periodic review and their status

4 Option 2: Reuse – For different services or more intensive or changed use

4.1 Many of the assets within this category are subject to ongoing review by the occupying service directorate and it is envisaged proposals will either come forward at the conclusion of those reviews (e.g. leisure, environmental) or through further discussion between the Service and Corporate Property.

5 Option 3 Release - Dispose of the site immediately or develop for housing

5.1 A review has been undertaken of the properties listed in Appendix 1 and where they are considered appropriate for development by the Council directly this is noted and further covered in the Housing Delivery Paper. Where not considered appropriate it is recommended that they are released.

5.2 A rationalisation programme to continue with the reviewing of assets, releasing those no longer required in a structured manner to realise capital and or support wider regeneration or housing via affordable housing requirements.

5.3 Release in some instances will free the Council from poor performing properties from a compliance, economic and statutory requirement.

6 Operational Assets

6.1 The cost savings and new revenue from rationalisation of the operational portfolio have been identified as an important contribution to the Council's budget arrangements and a target of £1m revenue savings included within the budget forecasts.

6.2 Property as a resource should act as a facilitator and enabler to the Council's service provision and an overarching review of the entire operational estate and initiatives that are being undertaken by several directorates and services will feed into this.

6.3 A number of workspace efficiencies have already been identified which contribute to the rationale of this project:

- Smarter Working - Desk Ratios & Decluttering – Decluttering will consolidate the work environment, provide break out areas and touch-down space and permit a new way of working. The Civic Offices are moving to a robust desk ratio as part of a smarter working policy which

will be adopted across the operational estate and will generate savings;

- Co-locations – Identify areas of commonality linked to their operational working practices where sharing of space and back office functions results in economies of scale;
- Hub Strategies/Interim Mini-Hubs – Identify clusters of services that would suit hub-working. Use existing space in offices to create mini-hubs for a phased delivery while we move towards creating the long term solution. The delivery of new hubs may be achieved through rebranding of existing facilities;
- Potential Development Opportunities – releasing surplus buildings and land as a result of rationalisation, for change of use, redevelopment and revenue generation;
- Alternative Delivery Models – A key functions for the Council are the provision of library facilities and sports and leisure facilities both of which form a considerable part of the operational footprint. With technological and industry advances, is there an alternative method of delivery? This does not simply mean closing facilities, but modernising the way in which these services are provided. Reviewing how services can be delivered differently;
- Flexibility – the changing business landscape requires flexible accommodation to support it; and
- Operational Drivers/Considerations.

6.4 The outputs expected are to include:

- Schedule of operational properties and service occupiers;
- Space utilisation - analysis of floor space and how it is occupied;
- Analysis of total occupational costs, per building and per service;
- Opportunities for hub creation in conjunction with new projects being delivered by the WCC Major Projects Team;
- Identify early wins in terms of opportunities for savings;
- Identify co-location opportunities; and
- Identify properties that could be made surplus and categorised for: a) Re-use by services – potential for hub working. b) Commercial letting or sale - proceeds to be recycled.

6.5 Cabinet are asked to consider whether the following assets are surplus to requirements.

- 6.6 Where Cabinet agree that they are surplus to requirements, further reports will be brought back in the Autumn to discuss the future of the sites and any alternative delivery considerations.
- 6.6.1 Bell House Day Care - This property comprises of two commercial shop units that have historically be used as part of the council's Day Care provision. The council is currently reviewing day care provision with a proposal to offer a more comprehensive and higher quality offer on a single site at Cromwell Road. Subject to further consultation and a Cabinet decision in September 2021 on this review, this facility could be released;
- 6.6.2 Corran Way Depot - The building houses a current meal delivery service that is under review and subject to a Cabinet decision in September 2021. The building is not fit for purpose and no longer economical for continued repairs. The building is earmarked for demolition and the site repurposed for development;
- 6.6.3 CO1 Civic Offices – On completion of the Civic Office extension, CO1 will be surplus to requirements and, as previously reported, is earmarked for housing. CO2 is being reviewed to identify the extent that sections can be offered up for commercial opportunities;
- 6.6.4 11A Corve Lane – This former children's home now demolished will provide a suitable site for development. The former building did not make full use of the footprint of the site and was not configurable without considerable cost implications for compliance rectification;
- 6.6.5 Grangewaters – The reprovision of this service is presently being explored and partnership arrangements within current assets considered;
- 6.6.6 Langdon Hill Wardens Cottage, One Tree Hill – The property is to be demolished and left as meadow land; the property is suffering from subsidence and severe structural problems rendering the property unfit for human habitation;
- 6.6.7 Multi Storey Car Park – the council leases spaces in the Grays Multi Storey Car Park at circa £85k per annum. With reducing numbers in the council offices through the agile working programme, there is no longer any need for the amount of spaces secured; this provision will end on 31st July 2021;
- 6.6.8 Richmond Road Campus – Thurrock Adult Community College is in the process of relocating; Stanley Lazell hall has been reprovisioned for the service and a relocation to SEC for some services also undertaken;
- 6.6.9 Riverside Youth Centre – The building is beyond economical repair and is not fit for purpose, provision of services have been relocated to Centenary House, Brennan Road and the Inspire building in Grays; Our new targeted operating model includes relocating our Youth Offending Service into Inspire which provides our Integrated Youth offer.

6.6.10 Stanley Lazell Hall, Dell Road – This building has been reprovisioned for the Thurrock Adult Community College;

6.6.11 Thameside - Current running costs of the building itself – all services within have separate budgets – are in excess of £0.5m and estimated capital costs to refurbish the theatre and carry out all necessary repairs to the building are circa £16m.

The library could move to the Civic Offices and it has already been agreed for the Registrars to relocate in Civic Office extension.

Arts, culture and heritage have an important part to play in place shaping. They also have an important role in supporting economic growth. Over the course of the next few months officers will plan and reposition cultural services and in particular our approach to cultural regeneration to better support the Council's place ambitions. This will include reviewing current cultural services provision and assessing their overall social and economic contribution to regeneration in Thurrock.

Working with partners the council will develop and agree a new shared vision and priorities to support cultural regeneration in Thurrock that is social, economic and physical over the long-term including exploring ways to maximise the power of culture and creativity to support the well-being of individuals and communities as part of an overall programme for economic growth that impacts positively on social change, tackles inequalities and promotes place shaping through creativity.

The Cultural Recovery Fund (CRF) monies were used to put in place measures to prepare the theatre to meet social distancing requirements as well as cleaning and general maintenance. Part of the fund is supporting work to reach new audiences and offer cultural services in a different way including with the purchase of streaming equipment and the small grants programme supporting activity in communities through local arts and cultural events that help build strong and well-connected communities and promote the services the theatre team is able to offer in venues, open spaces and community settings across Thurrock.

Over the course of the next 6 – 9 months officers will work with production companies, local groups, and borough wide facilities including valued community spaces and halls to promote arts and culture in venues across Thurrock. This will support the development of new cultural productions and events, including the use of the theatre's new streaming equipment and green screen to reach new audiences and support groups to maximise the benefit and impact of their work.

7 Reasons for Recommendation

7.1 The sites listed in Appendix 1 have been considered against the criteria above and within the context of the previously agreed decision process and they are considered as Option 1.

- 7.2 The assets recommended for disposal are in the freehold ownership of Thurrock Borough Council. The assets are not required for future service provision or regeneration initiatives and would therefore provide an opportunity for the Council to realise a capital receipt.
- 7.3 The capital receipts will support and assist towards any funding gaps in the MTFS.
- 7.4 The 3Rs programme has also considered operational buildings that are considered surplus and/or uneconomical to maintain and a number of operational buildings are included within this report.

8 Consultation (including Overview and Scrutiny, if applicable)

- 8.1 There has been consultation with services on the proposed assets in Appendix 1. Further reports on the operational assets will be considered by Corporate Overview and Scrutiny in September.

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

- 9.1 Assets that are not required for the delivery of council services directly will add benefit to the residents through alternative ownership be it for additional housing or a community facility.

10 Implications

10.1 Financial

Implications verified by: **Sean Clark**
**Corporate Director of
Resources and Place Delivery**

There are two distinct financial benefits from the disposal of surplus assets. Firstly, assets can incur running costs and so this creates a saving. Secondly, income received from disposal, a capital receipt, can be used to meet the costs of transformational activity and also pay for capital expenditure, thus avoiding the need for prudential borrowing and the associated revenue costs.

The disposals included within this paper will contribute towards the target set out within the budget papers for 2021/22.

Confirming that the Operational Assets included within this report are surplus to requirements will contribute towards the £1m target within the MTFS.

10.2 Legal

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

The Council is generally empowered to dispose of assets which are underperforming or surplus to requirements. Each asset will need to be checked to ensure its formal ownerships and appropriation enable general disposal with terms to be confirmed.

Some of the highlighted sites are regarded as Public Open Space and will be subject to formal public consultation before disposal.

A final analysis of the legal title and terms of disposal will be included in the final disposal decision report.

10.3 Diversity and Equality

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

The Asset Disposal Policy sets out considerations for bringing agility to land and property assets so that the delivery of the Council's goals and objectives are realised in a sustainable manner, at the right time and on budget. The policy itself will be the subject of a Community Equality Impact Assessment to mitigate the risk of negative impact on citizens and communities. Where community assets are identified for disposal, the process set out for the implementation of the CAT Policy and principles of the Collaborative Communities Framework will be applied, this includes the completion of CEIA's on a case by case basis, engagement with the voluntary and community sector, and an assessment of social value that includes support for Thurrock's recovery from COVID-19 and building resilience within communities and voluntary sector networks.

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

Assets are used for a range of purposes including direct service delivery, use by community groups and residents.

11 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 within the property and service sections.

12. **Appendices to the report**





Appendix 1 – Asset Review Properties Schedule 2

Report Author:

Michelle Thompson

Acting Assistant Director of Property

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Property	Town	Post Code		Title No	Size	Method of Disposal
Operational						
Chadwell Clinic, Ruskin Road	Chadwell St Mary	RM16		EX846876	0.180 Acres, 729 Sqm	Release for Housing Development
Langdon Hill Wardens Cottage, One Tree Hill Page 43	Corringham	SS17 9NH		EX737869		To be left as meadow land
Thurrock Adult Community College, Richmond Road	Grays	RM17 6DN		EX184371, EX818012, EX884584 (Scouts)	1,519 Acres, 6,148 Sqm	Release for Housing Development
Culver Centre, Daiglen Drive	South Ockendon	RM15 5RR		EX54343	5 Acres, 20,311 Sqm	Release for Housing Development

Meal on Wheels Depot, Corran Way	South Ockendon	RM15 6AP		EX334645	0.382 Acres, 1,547 Sqm	Release for Housing Development
11a Corve Lane	South Ockendon	RM15 6BA		EX172921	0.45 Acres, 1,849 Sqm	Release for Housing Development
Page 44 Riverside Youth Centre, Quebec Road	Tilbury	RM18 7RA		EX946666 / EX765813	0.329 Acres, 1,334 Sqm	Release for Housing Development
3R's						

169 Usk Road	Aveley	RM15 4ND		EX26224	0.093 Acres, 378 Sqm	Release
Cole Avenue	Chadwell St Mary	RM16 4JQ		EX783058	6.87 Acres, 27,837 Sqm	Release
Page 45 Marisco Hall, Brentwood Road	Chadwell St Mary	RM16 3AS		EX936004	0.041 Acres, 166 Sqm	Release
10 / 12 Cromwell Road	Grays	RM17 5HF		EX869244	0.060 Acres, 244 Sqm	Release

13 / 15 Clarence Road	Grays	RM17 6QA		EX856198	0.083 Acres, 338 Sqm	Release
130 Long Lane	Grays	RM16 2PR		EX857998	0.108 Acres, 436 Sqm	Release
Former Bus Drivers Facility, Crown Road	Grays	RM17 6LY		EX693671	30 Sqm	Release

Maidstone Road 6 Car Parking Spaces	Grays	RM17		EX868468	0.025 Acres, 103 Sqm	Release
Pier Lodge, Thames Road	Grays	RM17 6JP		EX181718	0.552 Acres, 2,235 Sqm	Release
Page 47 Warren Road	Grays	RM16 6BB		EX215240	3 Acres, 12,300 Sqm	Release
Warren Fishing Lakes, Wharf Road	Stanford Le Hope	SS17 0EG		EX411382	9 Acres, 36,422 Sqm	Release

Woodlands Pre School, Tank Hill Lane	Purfleet	RM15 1TA		EX866986	0.153 Acres, 621 Sqm	Release
Land off Tank Hill Road	Purfleet	RM15		EX787698	3.82 Acres, 15,543 Sqm	Release
Page 48 Gardener Cottage, Humber Avenue	South Ockendon	RM15 4QE		EX113814	0.295 Acres, 1,194 Sqm	Release
Quince Tree Day Nursery, Quince Tree Close	South Ockendon	RM15 6NN		EX864421	0.394 Acres, 1,597 Sqm	Release

Sorting Office, Derry Avenue	South Ockendon	RM15		EX25346	0.666 Acres, 2,696 Sqm	Release
Telephone Exchange, Darenth Lane	South Ockendon	RM15 5LH		EX25346	0.607 Acres, 2,457 Sqm	Release
The Raj Ockendon Restaurant, Derry Avenue Age 49	South Ockendon	RM15 5DX		EX400073	0.05 Acres, 212 SqM	Release
New Hall, The Sorrells	Stanford Le Hope	SS17 7ES		EX72640	0.200 Acres, 813 Sqm	Release
23 / 25 Springhouse Road	Stanford Le Hope	SS17 7QS		EX857386	0.029 Acres, 121 Sqm	Release

<p>Five Bells Land adjacent roundabout</p>	<p>Stanford Le Hope</p>	<p>SS17</p>		<p>EX486565</p>	<p>0.105 Acres, 427 Sqm</p>	<p>Release</p>
<p>Hume Avenue / Dock Road</p>	<p>Tilbury</p>	<p>RM18 8DX</p>		<p>EX852177</p>	<p>5.89 Acres, 23,631 Sqm</p>	<p>Release</p>
<p>Page 50 S0 Clements, London Road</p>	<p>West Thurrock</p>	<p>RM20 4AR</p>		<p>EX758424</p>	<p>0.205 Acres, 833 Sqm</p>	<p>Release</p>

7 July 2021		ITEM: 13 Decision: 110569
Cabinet		
2021/22 Capital Programme Update		
Wards and communities affected: All	Key Decision: No	
Report of: Councillor Shane Hebb, Deputy Leader and Cabinet Member for Finance		
Accountable Assistant Director: Jonathan Wilson, Assistant Director of Finance		
Accountable Director: Sean Clark, Corporate Director of Resource and Place Delivery		
This report is Public		

Executive Summary

The capital programme represents the sum of all capital budgets in respect of capital projects that are in progress and planned.

Total capital expenditure for 2020/21 amounted to £92.195m.

The underlying capital bids represents a high level assessment of the anticipated costs of each individual project at the point funding approval is sought. Depending on their nature, complexity and the timescale for delivery, capital projects can be subject to significant unforeseen challenges and hence financial risk.

The more significant and complex projects are subject to detailed monitoring to manage the project risks and to control the costs of delivery. Where additional risk is identified at an early stage of a project there is consideration of whether to further progress projects within the funding envelope available.

Covid-19 caused the Cabinet, and the Council, to reconsider capital priorities and the associated exposure to financial risk from the capital programme to the value of £19.3m being removed from the programme, and another £12.3m deferred whilst further assessments are made to ensure post-Covid realities are fully considered. This report sets out suggested actions to refocus the priorities of the capital programme within the overall funding envelope.

1. Recommendations

That the Cabinet:

- 1.1 Note the outturn position on the 2020/21 Capital Programme and the current Authorised Capital Expenditure between 2021/22 and 2022/23;**
- 1.2 Note the outcome of the review of the Capital Programme and the funding associated with projects that are not expected to progress;**
- 1.3 Approve the proposed capital virements to reallocate capital funding within the programme to Grays South and the Stanford-le-Hope Interchange; and**
- 1.4 Approve the proposal to address further financial risk within the existing capital programme.**

2. Introduction and Background

- 2.1 Members will be aware the capital programme represents the sum of all capital expenditure approved by Council in respect of capital projects that are in progress. Funding is added to the programme on a project by project basis as part of the annual budget setting. The capital programme is cumulative and, with some projects delivered over a time scale greater than one year, the funding at any point in time will include projects approved over several municipal years.
- 2.2 The capital bids represent a high level assessment of the anticipated costs of each individual projects at the point funding approval is sought. Depending on the nature and complexity of the project these initial assessments are then followed by a full scoping and feasibility assessments which confirms the final funding required for the project.
- 2.3 Depending on their nature and complexity capital projects can be subject to significant project and hence financial risk. While a reasonable allowance for this is made in the scoping of the projects there are many factors that can cause further financial risk to crystallise.
- 2.4 The more significant and complex projects are subject to a higher level of monitoring to manage the project risks and hence the financial risks. Where this identified additional risk is at an early stage of a project there is consideration of whether to further progress projects within the funding envelope available.
- 2.5 Covid-19 caused the Council to reconsider capital priorities and the associated exposure to financial risk from the capital programme.

3. Capital Programme

- 3.1 Total capital expenditure for 2020/21 amounted to £92.195m. A summary of this expenditure analysed by service, is set out below:

Directorate	Budget £m	Total Spend £m	Variance £m
Adults, Housing and Health	3.255	1.923	(1.332)
Children's Services	11.635	9.247	(2.388)
Environment and Highways	13.031	8.400	(4.631)
Finance, Governance and Property	8.006	4.963	(3.043)
Housing Revenue Account	19.492	18.933	(0.559)
HR, OD & Transformation	6.843	5.419	(1.424)
Strategy, Communications & Customer Services	0.249	0.156	(0.093)
Place	44.826	43.154	(1.672)
Total	107.337	92.195	(15.142)

- 3.2 The capital outturn detail is included in the financial outturn report on the agenda of this cabinet meeting. The underspend against budget arises from a combination of extended project timescales, the impact of the pandemic and the decision to pause progress on specific projects while the wider financial consequences of the pandemic were more fully understood.
- 3.3 Furthermore the Council has current authorised expenditure for use between 2021/22 and 2023/24 of £223.1m across the capital programme. The wider impact of Covid-19 on the financial sustainability of the Council has prompted a reassessment of the capital projects to ensure they continue to meet priorities and do not increase the level of financial risk faced by the Council.
- 3.4 This capital programme includes projects that, following further assessment, will not progress further. This is because they have been considered in terms of both the revised priorities of the Council and in the context of specific project and financial risks which have been identified and are not considered to support the wider objective of the financial sustainability of the Council. These projects have a combined value of £19.3m
- 3.5 There are further projects that are currently on hold within the capital programme following a reassessment of priority projects which enabled the deferral of the longer term revenue impacts of the schemes to support the financial sustainability of the Council. These projects have a combined value of £12.3m. Consequently there is a limited expectation the associated funding will be required in the short term. This was based on an assessment of capital priorities by Cabinet in response to the financial challenges faced by the Council in light of Covid-19.

3.6 Conversely within the current capital programme there are projects which remain a priority for the Council but have faced significant project challenges since the originally funding envelopes were agreed. Where this has been identified the wider scope of the projects have been reassessed to deliver the best schemes for residents, local business and wider stakeholders. This has taken significant time since the original funding envelopes were agreed and hence the underlying costs have been subject to inflationary pressures which have arisen while the full feasibility and scoping work to support the revised schemes has been completed. This develops a clear project scope and associated costing to deliver the schemes and confirms that the outline capital bids required additional funding. There are two specific priority projects in this position which are considered further below:

- Grays South – The current forecast budget was based on concept designs and has now been reassessed following receipt of the a detailed cost plan that reflects further design work and a better understanding of the proposed construction methodology from Network Rail which significantly increased. The projected costs of the infrastructure elements of the scheme have significantly increased. Subsequent challenge has reduced the forecast costs but, combined with the land assembly and adjacent public realm elements, the funding envelope will need to increase by a forecast £11m as set out in the report later on this agenda. This brings the overall budget envelope to £37.3m although further challenges to Network Rail will continue; and
- Stanford-le-Hope Interchange – The scheme has been subject to significant design change over the last 18 months following the assessment of the original design which identified significant project complications and financial risks. This was linked to a technical solution that sought to deliver the infrastructure requirements of the scheme on a relatively small land area, as opposed to building over the River Hope, and bringing the station footprint closer to neighbouring residential properties. Concerns over the proposed design and the associated costs alongside renewed availability of land adjacent to the car park, enabled a significant redesign of the scheme. As is common in larger developments, this redesign proposed two new and separate phases to the project split between the delivery of a replacement train station and a second phase covering the wider facilities including parking on the footprint to the north of London Road. Planning approval was sought for Phase 1 but this was postponed in February 2021 to enable visibility of the Phase 2 component. Work has continued which now considers the impact of Covid-19 on local transport use including further discussion on the final design with key stakeholders. Hence since project inception there has been a significant reassessment to deliver the best design solution for the project and ultimately for local residents and wider stakeholders. The costs associated with the scheme have increased as the process evolved alongside inflationary pressures and the wider impacts of Covid-19. The final scheme will be reconsidered by the Planning Committee in due course. The provisional assessment of the revised

budget requires the current envelope to be increased by £10m to deliver the scheme. This remains an estimate which is now linked to a final proposed design and will be market tested through the subsequent and rigorous procurement exercise. The additional funding will ultimately bring a much improved design with additional benefits to users of the station and the wider community in terms of access, increased parking for cars and cycles and better integration with local transport.

- 3.7 In light of the wider reassessment of the capital programme as set out above there is an opportunity to both reduce the overall projected cost of the programme over the next 3 years while refocussing current approved resources to two priority projects. These projects will ensure that two core pieces of infrastructure can be delivered for the benefit of the borough and link to the wider infrastructure investment from the Towns Fund and the Freeport.
- 3.8 It is therefore proposed to refocus the existing resources through budget virements to increase the priority project budgets by £21m and furthermore to hold funding from the wider projects on hold within the programme totalling £12m. This can then provide some further financial resilience in the programme as a whole and be considered further by Cabinet in due course. While the funding remains held the impact on revenue is deferred.

4. Reasons for Recommendation

- 4.1 The report presents the position on the capital programme as at 31 March 2021. The report proposes a reassessment of the current funding within the capital programme and recommends redirecting resource to two priority projects to ensure they are deliverable while also reducing the overall scope of the programme to improve financial sustainability.

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

- 5.1 The Planning, Transportation and Regeneration Overview and Scrutiny Committee has received regular updates on both schemes that have set out some of the challenges. The recommendations are to reallocate resources to deliver these priority schemes and remove non-priority projects.

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

- 6.1 This report sets out an approach to support the delivery of Council priority projects.

7. Implications

7.1 Financial

Implications verified by: **Jonathan Wilson**
Finance Manager

The financial implications are set out in the report.

7.2 **Legal**

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

There are no direct legal implications arising from this report. This report provides an update and allows members to review the financial outturn in 2019/20.

7.3 **Diversity and Equality**

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

There are no specific diversity and equalities implications as a result of this report.

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

- NA

8. **Background papers used in preparing the report**

- N/A

9. **Appendices to the report**

- NA

Report Author

Jonathan Wilson

AD - Finance

Resources and Place Delivery

7 July 2021		ITEM: 14
		Decision: 110570
Cabinet		
Medium Term Financial Strategy and Budget Proposals		
Wards and communities affected: All	Key Decision: Key	
Report of: Councillor Shane Hebb, Deputy Leader and Cabinet Member for Finance		
Accountable Assistant Director: Jonathan Wilson, AD Finance, Corporate Finance		
Accountable Director: Sean Clark, Corporate Director of Resources and Place Delivery		
This report is public		

Executive Summary

There have been a number of reports to Members over the last year, including to Cabinet, Corporate Overview and Scrutiny Committee and the budget report considered at Full Council in February 2021, which have set out the financial challenges that the Council faces through the ongoing and longer-term impacts of Covid-19 and from no longer following the previously agreed Investment approach.

The Medium Term Financial Forecasts included within this report sets out a gross budget gap of £21.8m in 2022/23 and £12.5m in 2023/24. Previously identified savings – included in the budget report in February 2021 – reduced this sum to circa £25m over the two years.

This report sets out a number of efficiencies, including those previously identified. These have been classified into: income generation; providing services differently; and operational efficiencies. There are a number of other efficiencies that require approval from Cabinet and these are set out in Appendix 1.

1. **Recommendations:**
 - 1.1. **That Cabinet note and comment on the financial forecasts included within this report;**
 - 1.2. **That Cabinet note the ongoing work of officers and receive a further report back in September; and**
 - 1.3. **That Cabinet recommend that the proposals set out in Appendix 1 be considered by the relevant Overview and Scrutiny Committee and be referred back to the Cabinet in September 2021.**

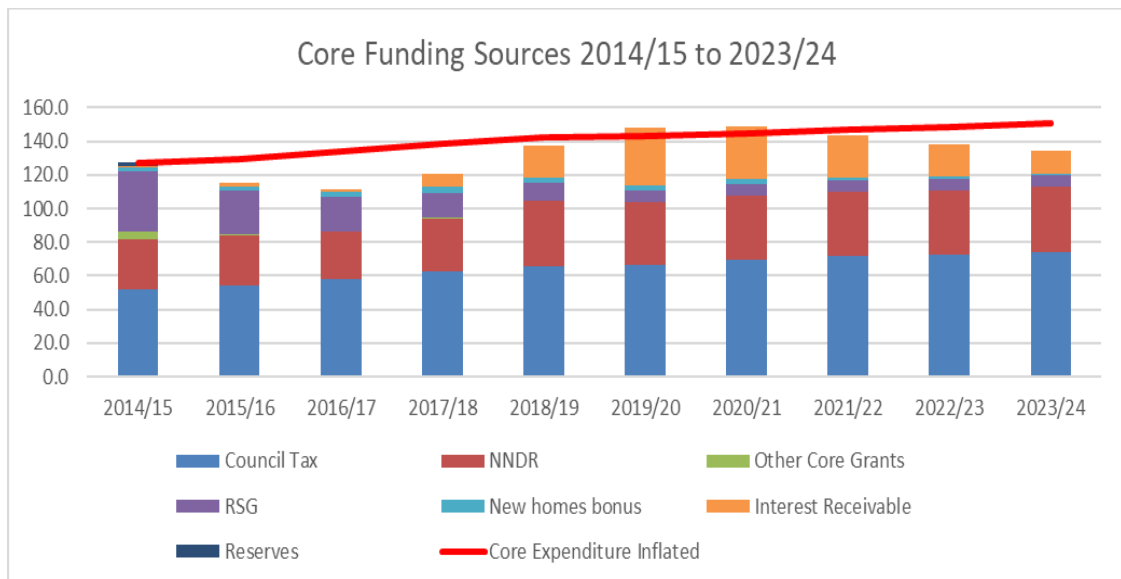
2. Thurrock Council's Financial Base

2.1. Officers have consistently reported that the Council operates off a low financial base in terms of core funding:

- The Council had the third lowest band D council tax compared with other unitary councils (only Windsor & Maidenhead and Isles of Scilly were lower; who themselves have a unique local financial context in terms of receivable income and spending requirements);
- The average band D council tax in Essex in 2020/21 was £1,503.10 compared with the Thurrock position of £1,332.81 (lowest in Essex);
- 70% of Thurrock properties are in bands A to C and so raise significantly less than a Band D level;
- The amount raised from Council Tax in 2020/21 was £69.2m compared with the nearest Unitary neighbour Southend of £84.8m; and
- In 2020/21 Thurrock projected to raise £120.1m of business rates but only allowed to retain £36.3m or 30% of the amount collected in the area.

2.2. Further perspective is provided by the CIPFA Resilience Index. One measure classifies the amount that Thurrock spends on Adult Social Care is a higher than average percentage of total budget (i.e. a risk) – despite national benchmarking reporting Thurrock Council as one of the lowest ASC spenders in the country and the total budget being low compared to others for the reasons set out in paragraph 2.1.

2.3. Council tax increases are limited every year and an annual increase of 1.99% is assumed, as is always the case in MTFS modelling. Increases to business rates are set by the government.



- 2.4. There are a number of discussions taking place within government that could impact on the council's core funding over the medium term but the timing of these as well as the impact are uncertain:
- 2.4.1. Comprehensive Spending Review – the extent is still not known in terms of the life of the CSR this year – in any case, the council will not know of any impact until December at the earliest;
- 2.4.2. Fair Funding Review – this largely relates to the share that any council receives of the funding available nationally – as such, there will be winners and losers. This is unlikely to be completed in this financial year;
- 2.4.3. Business Rates Retention – again, this is unlikely to take place in this financial year. Two main points:
- 2.4.3.1. An increase from the current 49% to either 75% or 100% is unlikely to increase the council's share of the business rates it retains owing to its status as a net contributor – this can be seen within paragraph 2.1 that shows Thurrock Council retains 30% against a headline of 49% retention; and
- 2.4.3.2. Any change to the business rates system could affect Thurrock Council funding from day one if, as now expected, a "baseline" reset would be required. Due to the growth within Thurrock over recent years it is more than likely that the amount currently retained would be reduced.

3. **MTFS Assumptions**

- 3.1. The MTFS is collated through a number of assumptions that then forms a net increase in the budget from one year to the next. Additional income or expenditure reductions are then required to meet this increase. Key changes over the next two years include:

	2022/23	2023/24	Total
Core Funding – assumes 2% council tax income and increased business rates per annum but then reduced by planned reductions to government grants such as New Homes Bonus	(335)	(1,381)	(1,716)
Pay Awards, increments and other inflation such as waste disposal contracts, utilities, fuel, etc	4,515	4,665	9,180
Treasury – phasing out of maturing investments, increased interest costs and increased MRP for capital works	7,221	4,948	12,169
Social Care and Other Growth	2,314	2,314	4,628
Covid Grant – removal of 2020/21 grant from base budget	4,853		4,853
Reserves/Capital Receipts – phasing out of temporary approach in 2021/22 budget	2,300	4,000	6,300

- 3.2. Over the next two years, the net increases are £21.8m for 2022/23 and £12.5m for 2023/24, a total of £34.3m.
- 3.3. As the Council has one of the lower budgets compared to other local authorities, services are, by definition, largely on the lower than average side in terms of net expenditure. Identifying savings to meet these pressures will continue to be challenging.
- 3.4. This position is not new to the Council where, over the last decade, MTFS deficits of £20m to £30m were common place and as recent as 2016
- 3.5. More recent years saw Members agree an investment approach that provided the ability to fund services above the statutory minimum and provide headroom for the council to reform services. However, for reasons previously reported, this is no longer an option.

Interest Payable v Interest Receivable



4. **Savings Proposals**

4.1. Officers have been working over recent months to identify ways of reducing net expenditure. These are set out in Appendices 1 and 2 and have been categorised as follows:

- Those that require Cabinet approval (Appendix 1);
- Those under operational responsibilities (Appendix 2):
 - Income generation;
 - Those that come from providing services differently;
 - Operational Efficiencies; and
 - Reductions to the General Fund Revenue budget of staffing/service reductions.

- 4.2. Whilst there are a number of savings set out within the appendices there are two categories, staffing and assets that require a more detailed narrative in this report.
- 4.3. As a large number of the council's budgets are at lower than average cost in comparison nationally, identifying savings of this magnitude are not as simple as identifying a handful of services to cut back or stop. As such, officers looked at the types of expenditure that the council incurs – these are known as the subjective budgets – and can cross a wide number of services.
- 4.4. The Council has 16 subjective budgets in excess of £1m, the largest being employee related. The next two cover adult's and children's social care placements, both very difficult to make significant reductions.
- 4.5. There are then a number of budgets where there can be limited impact: the Minimum Revenue Provision (the repayment of debt linked to the historic capital programme); interest costs on debt (long term debt interest linked to the capital programme and other interest relating to investments where a reduction in cost leads to a greater reduction in income); and the Concessionary Fares Scheme.
- 4.6. Others where there is some discretion include Home to School Transport (included in appendix 1) and the running cost of assets.
- 4.7. Salary costs related to service delivery:
 - 4.7.1. Cabinet will be aware that one aspect of balancing the 2021/22 budget was to target savings of £4m from vacant posts. The MTFs then assumed that the temporary saving would be turned into a permanent one through the deletion of, an average, 100 posts;
 - 4.7.2. As staff costs are by far the largest of the council's budgets, it is obvious that a higher target than £4m needs to be achieved when considering the budget gap of £34.3m. Officers are currently working on an assumption of reducing staff related costs by £10m for each of the next two years. At an average on-costed salary, this equates to a 500FTE reduction over the two years which represents circa 25% of the current workforce. The reduction of permanent positions will see a proportionately leaner management structure.
 - 4.7.3. Reductions of costs to the General Fund Revenue Account include the ability to charge the costs to other accounts, such as capital, be met through increased income or through a deletion of the post. Every effort will be made to reduce any impact on services and our residents through transformational changes but there will, undoubtedly, be impacts on services;
 - 4.7.4. Cabinet have asked senior officers to ensure that working practices are reformed to minimise impact as far as possible on front line services and the ability of back office teams to support services and project delivery. It is, however, understood that reducing permanent staffing numbers at this

level will have impacts on service delivery and will inform decisions about what business a council should / should not be performing.

4.7.5. Appendix 2 shows identified staffing reductions of £5.013m over the next two years and there is a further £1.5m through identifying current posts that are vacant that can be deleted. As such, there is still £13.5m and related impacts to identify.

4.8. Assets:

4.8.1. Proposals include a target of £1m to be achieved through a reduction of property related running expenses;

4.8.2. The Council holds three types of property related assets: operational, community and other. Other includes assets currently leased to tenants as well as assets surplus to requirements;

4.8.3. A number of these assets incur considerable annual running costs that include facility management and security, business rates, utility and insurance costs, and maintenance;

4.8.4. The majority of assets also carry the probable risk, or need, of requiring considerable capital investment with the related revenue cost that this will lead to;

4.8.5. The 3Rs programme of Retain, Re-use, Release is considering all of the council's assets in terms of need, service delivery, cost, capital expenditure requirements; and

4.8.6. A disposal programme identified the first assets for sale in March 2021 and further assets are being considered elsewhere on this agenda. Assets identified to date will provide a capital receipt and contribute towards expenditure reductions.

4.9. In summary, assuming that all of these are agreed and implemented, the financial position would be:

	2022/23	2023/24	Total
Gross Budget Pressure	21,826	12,513	34,339
Cabinet Decision (Appendix 1)	(3,340)	(596)	(3,936)
Income Generation	(1,360)	(522)	(1,882)
Provide Services Differently	(2,513)	(522)	(3,035)
Operational Efficiencies	(1,438)	(325)	(1,763)
Staff/Service reductions	(10,000)	(10,000)	(20,000)
Balance Still to Identify	3,175	548	3,723

4.10. The table above shows the original budget pressures reduced from £34.3m to £3.7m over the two-year period. However, Members should recognise that all of the identified savings will be challenging in themselves but there are also more challenging reductions in staffing/services and assets to identify.

5. **Reasons for Recommendation**

5.1. The Council has a statutory requirement to set a balanced budget annually. Action is required in a timely fashion when considering periods of consultation, where necessary, with staff, Overview and Scrutiny Committees and residents. A number of these proposals can be implemented under officer delegations, such as restructures and commercial income opportunities, but others will need to come back to Cabinet in September 2021 after relevant Overview and Scrutiny consideration.

6. **Consultation (including Overview and Scrutiny, if applicable)**

6.1. This report is based on consultation with the services, Directors' Board and portfolio holders. Proposals included within appendix 1 will be considered by the relevant Overview and Scrutiny Committee before being considered by Cabinet again later in the year. Public consultation will also take place where applicable.

7. **Impact on corporate policies, priorities, performance and community impact**

7.1. 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. These proposals will, to a certain degree, add to that. 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.

8. Implications

8.1. Financial

Implications verified by: **Jonathan Wilson Assistant**
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.

8.2. Legal

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

There are no specific direct 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.

Within the report there are a number of proposed savings identified, and there will be a process for consultation with Scrutiny and where relevant the public in line with the Councils duties to consult.

8.3. Diversity and Equality

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

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.

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

Proposals set out in this report will have an impact on all services across the council through either a direct impact on front line service delivery or through general capacity to support both statutory and discretionary services.

9. **Appendices to the report**

Appendix 1 - Savings Proposals that Require Cabinet Approval

Appendix 2 - Savings Proposals under Directors' Operational Delegations

Report Author

Sean Clark

Corporate Director of Resources and Place Delivery

Savings Proposals Requiring Cabinet Approval

Directorate/Service	Narrative	2022/23 £000's	2023/24 £000's	Total £000's
Corporate	Assets – Some will require Cabinet approval as and when identified	(1,000)	0	(1,000)
Adults	ASC Provider Services Transformation	(554)	0	(554)
Children's	A comprehensive review of the Education Service,	(214)	(196)	(410)
Children's	Placements - To increase the number of internal fostering household numbers and to decrease our reliance on more expensive external foster placements.	(300)	(300)	(600)
Public Realm	Introduce Pay & Display in some Free Car Parks	(100)	(100)	(200)
Public Realm	Re-prioritisation and review of major routes and	(100)	0	(100)
Public Realm	Town Centre cleansing	(100)	0	(100)
Public Realm	Review of Grounds Maintenance Programme	(100)	0	(100)
Public Realm	Garden Waste Collection Charging	(972)	0	(972)

Savings Proposals Under Directors' Delegation

Directorate	Narrative	2022/23 £000's	2023/24 £000's	Total £000's	Saving Type
Adults	Integrated Commissioning	(322)	0	(322)	Transformation
Adults	Review of High Cost Supported Living Placements	(400)	0	(400)	Transformation
Adults	New Model of Care – Supported Living	(200)	(200)	(400)	Transformation
Adults	Population Health Management	(130)	0	(130)	Transformation
Public Realm	Residual waste collections reduced to fortnightly, introduction of food waste collections as outlined in the Waste Strategy. Previously agree by Cabinet	(322)	(322)	(644)	Transformation
Housing GF	Reduce use of Private Sector TA with new model of in borough provision, use of LHA	(1,139)	0	(1,139)	Transformation
Corporate	New Income Streams	(250)	(200)	(450)	Income
Adults	Implement increased Domiciliary Care Charging Immediately (previously agreed)	(205)	(22)	(227)	Income
Public Realm	Commercial Waste	(50)	0	(50)	Income
Public Realm	Bulky Waste	(20)	0	(20)	Income
Public Realm	Counter Fraud Commercial Income	(500)	0	(500)	Income
Public Realm	Commercially Trade CCTV Capability	(100)	(150)	(250)	Income
Public Realm	Commercial Grounds Maintenance Contracts	(150)	(150)	(300)	Income
Strategy and Engagement	Operational & Finance support for High House Production Park	(85)	0	(85)	Income
Corporate	General Costs	(250)	(200)	(450)	Operational
Adults	Re-tender PH contracts	(200)	0	(200)	Operational
Adults	Efficiencies from ending Section 75	(98)	0	(98)	Operational
Children's	Learning Universal Outcome – Further work is required to ensure service that remains delivers on	(175)	(125)	(300)	Operational

Savings Proposals Under Directors' Delegation

Directorate	Narrative	2022/23 £000's	2023/24 £000's	Total £000's	Saving Type
	SEND and statutory functions only. In 2021/22 savings of £1m will be implemented.				
Public Realm Resources and Place Delivery	Range of Minor Efficiencies	(115)	0	(115)	Operational
	MRP and Treasury	(500)	0	(500)	Operational
Strategy and Engagement HR, OD and Transformation	Review of advertising & publicity, look to use more online platforms	(25)	0	(25)	Operational
	Training	(75)	0	(75)	Operational
All	Targeted Staff Reductions already identified	(2,359)	(535)	(2,894)	Staff
All	Capitalisation and Grant Use	(2,000)	0	(2,000)	Staff

7 July 2021	ITEM: 15 Decision: 110571
Cabinet	
Housing Delivery Approach	
Wards and communities affected: All	Key Decision: Key
Report of: Councillor Mark Coxshall, Portfolio Holder for Regeneration, Strategic Planning and External Relationships Councillor Luke Spillman, Portfolio Holder for Housing	
Accountable Assistant Director: Dr Colin Black, Interim Assistant Director – Regeneration and Place Delivery	
Accountable Director: Sean Clark, Corporate Director of Resources & Place Delivery	
This report is Public	

Executive Summary

The emerging local plan identifies a need for around 32,000 new homes in Thurrock by 2038. The Council has previously agreed ambitious targets to contribute to this – to build 500 affordable HRA homes between 2019 and 2029 and 1,000 homes for sale and rent by 2023. 29 units were completed by 2020, a further 56 in early 2021 with an additional 35 units now on site completing later this year.

To date, the latest Government Housing Delivery Test for 2020 shows that housebuilding in Thurrock has only met 59% of the overall Government target for the area. 3,088 houses needed to be constructed between 2017 and 2020, but only 1,823 were actually built.

A report was presented to Cabinet on 9 December 2020, which explored various approaches to increase the Council’s capacity to deliver housing development schemes and to assist in the wider regeneration of the borough. Cabinet agreed to adopt a mixed approach to Housing Development Delivery that would ensure that more affordable homes would be built.

A further report on Assets Disposals was taken to Cabinet on 10 March 2021, where an Assets Disposals Policy was approved with a clear process identified to Reuse, Retain or Release an asset and a proposed approach to towards identifying the route for additional housing as set in Appendix 3 of that report.

This report further explores the options for disposal when the assets would be suitable for housing and proposes a process to help determine delivery routes. The report also highlights the role that Thurrock Regeneration Ltd (TRL) can play in helping to increase good quality housing across the borough.

1. Recommendation(s)

1.1 That Cabinet support the approach to Housing Delivery as set out in this report.

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 has previously agreed its targets for housebuilding as a contribution to this, both through the Housing Revenue Account (HRA) and Thurrock Regeneration Limited (TRL). The previously agreed targets are to build:

- 500 affordable HRA homes to be built between 2019 and 2029 of which 85 units have been completed to date; and
- 1,000 homes for sale and rent by TRL by 2023. There have been no starts or completions by TRL since the introduction of this target in February 2018.

2.3 To date, the latest Government Housing Delivery Test for 2020 shows that housebuilding in Thurrock has only met 59% of the overall Government target for the area. 3,088 houses were required between 2017 and 2020, but only 1,823 were actually built.

2.4 Housing delivery is primarily through the private sector and developers have a range of reasons for not bringing forward developments – local land values often being one aspect, along with planning permissions and other factors.

2.5 Delivery of new housing through the Council programme has been impacted on the need to limit and revise how resident engagement could take place during the Covid pandemic, but new ways of working have now been established. The operation of TRL has also been subject to pause and review and further reports on that operating model are being prepared.

2.6 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.

2.7 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.

- 2.8 This list has been reviewed and amended and regularly reported to Housing Overview and Scrutiny, the most recent being in March 2021 which identified 14 sites now on the Site Options list which could potentially be taken forward for delivery.
- 2.9 Recognising the potential impact new housing can have on existing residents, community engagement on initial proposals is the next step towards development once the necessary preparatory work is complete. A detailed consultation process was reviewed by Housing Overview and Scrutiny Committee in June 2020 and is in use on all consultations for housing development projects.
- 2.10 On 9 December 2020, Cabinet agreed to adopt a mixed approach to Housing Development Delivery which would help increase capacity to deliver more much needed housing.
- 2.11 The paper identified that the mixed delivery approach would likely 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; and
 - Joint Ventures or collaboration with the private sector.
- 2.12 The Cabinet report of 9 December 2020 also recommended that a further review of the Council's own assets take place to highlight other sites for disposal, or for housing development, and a subsequent report on Assets Disposals was taken to Cabinet on 10th March 2021. The Assets Disposals Policy was approved with a clear process identified to Reuse, Retain or Release an asset and a proposed approach was set out to identifying the route for additional housing delivery.
- 2.13 The proposed approach in Appendix 3 of the report (10 March 2021) set out four options for disposal when the assets would be suitable for housing delivery:
- Straight disposal to the private sector as land not fit for housing;
 - Joint venture with a private or public sector partner;
 - Sale to the Housing Revenue Account; or
 - Through Thurrock Regeneration Ltd.

3. Housing need across the borough

- 3.1 Providing good quality, sustainable and affordable housing is absolutely key to the wider growth agenda as it enables our residents to live healthy and happy lives and means that there are local people available to take up the new employment opportunities created by this growth.
- 3.2 The development of new homes not only provides safe and affordable places to live but also creates opportunities through the procurement process and

social value initiatives to generate tangible local outcomes such as local job creation, education and training initiatives and other wider community benefits.

- 3.3 The South Essex Strategic Housing Market Assessment (May 2017) objectively assessed the need for housing in Thurrock between 2014 and 2037 as being circa 1,030 new dwellings per annum, within which the affordable housing element is estimated at 472 dwellings per annum. Accordingly, the emerging Local Plan acknowledges the need for up to 32,000 new homes in Thurrock during the next Local Plan period to 2038.
- 3.4 To achieve this, different types of housing are needed - more social housing, more in the private rented sector and more affordable ways of purchasing to help those who aspire to own their home, to be able to buy a house. In addition, we need different types and sizes of houses. This could meet the needs of single people, enable young people and people with a need for supported housing (including care leavers) to move on to sustainable housing, provide larger houses for those who have growing families and provide accommodation for those who are getting older and need more help with day to day living or specialist care.
- 3.5 Therefore, an increase in good quality housing across all tenures is needed and given the demand in the area, this cannot be delivered via just one route, as recognised in the December 2020 Cabinet Report.
- 3.6 The growing population (estimated to be 178,300 following the latest census – an increase in 35,000 in a decade) will place additional pressure on the housing supply with 20,600 new homes required by 2031, equating to 1,030 per year. This is the highest of any local authority in the sub region and this requires collaborative working to deliver these much-needed homes.
- 3.7 The Strategic Housing Market Assessment report (SHMA) shows circa 60% of housing requires 3 bedrooms or more across all tenures – and across both private and affordable housing.
- 3.8 Local housing waiting lists for Council housing indicate that whilst there is still a demand for 3-4 bedroom properties (circa 22%), 78% of current demand is for one and two bedroom homes. This need can be satisfied by constructing new smaller dwellings for rent and also, in part, by building larger homes for expanding families needing to move thereby releasing the smaller homes vacated.
- 3.9 As at May 2021, Council Housing Waiting list was 5,301 and the Council Housing transfer list 1,566, meaning that a total 6,867 people are seeking new Council homes in Thurrock. 83% of that demand is for 1 and 2 bedroom homes.
- 3.10 This indicates a requirement for significantly increased affordable accommodation across the spectrum of need including for younger people

who are looking to buy/rent their own home; single households; small families and also for older people.

- 3.11 There is an ageing population in the borough and more housing suitable for those aged 60+ will be needed in the future. Ensuring that older people can live longer in their own homes is hugely important as public sector finances reduce. Looking at ways we can incorporate assistive technology and wider aspects of health and wellbeing into such developments will be paramount to ensure independent living.
- 3.12 This will be important for both social housing and private schemes. We need far more accommodation that meets the needs of older people. This will encourage them to move into housing that is more suited to their longer term needs and release larger houses for those needing more space.

4. A Mixed Approach to Housing Delivery

- 4.1 The Cabinet report of 9 December 2020 and the proposed approach in Appendix 3 of the Cabinet report on Assets (10 March 2021) set out four options for disposal when the assets would be suitable for housing delivery:

- Straight disposal to the private sector as land not fit for housing;
- Joint venture with a private or public sector partner;
- Sale to the Housing Revenue Account; or
- Through Thurrock Regeneration Ltd.

4.2 Straight disposal to the private sector

- 4.2.1 This may be when the land is deemed to be unsuitable for housing (for non-housing use) or where there may be complications with the site that may be best served via private sector delivery.
- 4.2.2 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.
- 4.2.3 In some areas, this has included developers proposing sites for the Council to purchase for development as part of wider private sector led proposals.
- 4.2.4 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.
- 4.2.5 The Council also has targets for capital receipts to enable it to invest in other council priorities. Therefore some sites will need to be sold directly to the private sector.

- 4.2.6 Timing of disposals, due diligence and ensuring best consideration for any council assets being sold, is set out comprehensively in the Assets Policy approved by Cabinet on 10 March 2021.
- 4.2.7 Sales to the private sector for residential use, will likely mean housing is developed that is in demand locally – therefore a range of dwellings will be expected including 3 and 4 bedroom properties with some apartments. Affordable housing/s106 agreements will be agreed on viable schemes.
- 4.3 Joint venture with a private or public sector partner
- 4.3.1 Joint ventures (JVs) can be with a private sector partner or a public sector partner.
- 4.3.2 Public Sector JVs may involve working with Housing Associations (HAs) to open up more affordable housing developments in the area. These may involve agreeing the sale of local authority land to develop accommodation with social housing nomination rights, developing housing together across the borough or simply supporting HA applications for Government grant.
- 4.3.3 The past 10 years or so have seen big changes in HAs’ plans to increase housing and both HAs and Local Authorities are committed to providing affordable housing. Enabling greater HA delivery in Thurrock may be one way of increasing affordable housing provision for Thurrock residents in the borough without increasing risk on the local authority.
- 4.3.4 There are a wide range of private sector JV structures available to local authorities which can be adapted to reflect the Council’s appetite for risk and reward. The structure of any particular joint venture ultimately depends on the objectives of the partners involved, often with access to land, equity funding and/or development related skills or expertise.
- 4.3.5 There are a number of local authorities that have agreed JV models known as “income strip” deals whereby they agree long-term leases, and at the end of the period, they take possession of the property for a peppercorn fee. There are a range of models available via this route but they mostly rely on the covenant strength of the local authority for further investment.
- 4.3.6 Some JVs involve setting up a new structure such a Limited Liability Partnership (LLP), with specific governance arrangements. Others may involve a development agreement being put into place.
- 4.3.7 JVs may be appropriate where the private sector partner/investor owns land holdings adjacent to council land, enabling both parties to create a more ambitious scheme.
- 4.3.8 They may also be appropriate to lever in investment to the area, rather than the council taking on all of the risk.

- 4.3.9 A joint venture can be helpful in bringing new ideas and expertise to the area, where successful schemes have been delivered elsewhere, especially where particular types of housing/demographic groups may be the speciality of the private sector partner. Similarly urban regeneration projects can often be delivered effectively through joint venture arrangements where each party is best able to manage the risk appropriate to its expertise. A private sector partner often takes on the role of sales or management of market facing products including outright sale and private rent. Council's will commonly retain and manage newly constructed replacement affordable housing.
- 4.3.10 However, the process of finding and procuring a suitable JV partner, agreeing any proposed deal or "income strip" needs to be carried out with care and attention to ensure the council does not enter into a prohibitive, long term arrangement which would be costly to exit.
- 4.3.11 Finalising the legal negotiations, what the JV governance model will be and carrying out full due diligence on the arrangement and JV partner, can be lengthy, time consuming and incur significant set up fees. It would clearly necessitate profit share based on the level of investment/risk by the partners.
- 4.3.12 Joint ventures can focus on whatever type of housing is needed in the borough depending on the agreement in place. Housing Associations will be basing developments on known need for social housing and tenure/size of units on private sector developments will be agreed as part of the initial agreement.

4.4 Housing Revenue Account (HRA)

- 4.4.1 Thurrock Council is the local housing authority with circa 10,000 homes and this is managed through the Housing Revenue Account. Consequently the Council can borrow money via the HRA to support housing delivery.
- 4.4.2 On 29 October 2018, the government confirmed that the HRA borrowing cap was abolished with immediate effect. As a result, local authorities with an HRA are no longer constrained by government controls over borrowing for housebuilding and are able to borrow against their expected rental income, in line with the Prudential Code.
- 4.4.3 On 19 March 2021 MHCLG also introduced additional flexibilities in the use of capital receipts from sales of Council homes under the right to buy. These included raising the proportion of a project's costs that can be funded from RTB receipts from 30% to 40%; permitting their use in developing shared ownership homes and extending the period by which they must be used by from three to five years after receipt. These changes together with the introduction over time of a cap on how much of an authority's receipts can be used on acquiring properties rather than new development means that there will be wider scope to fund HRA development.
- 4.4.4 Land for affordable housing can be from a range of sources. It can be land currently held within the existing HRA estate, land held by the General Fund

or plots of land purchased on the open market from private owners. Where new affordable housing is to be built on land currently held within the General Fund it will need to be appropriated to the HRA under powers contained within the Housing Act 1985. Through this process the HRA 'pays' for the land through an increase in the HRA Capital Financing Requirement (CFR) whilst the General Fund benefits from a corresponding decrease in its CFR thereby freeing up General Fund resources for other uses.

4.4.5 Land that is suitable for HRA developments will include:

- Plots of available land in areas where there is existing social housing to enable ease of housing management;
- Smaller developments (up to 50 dwellings) in mixed development areas on existing council land;
- Part of larger developments where there would be a mixed approach to housing tenures – some HRA, some Private Sales (PS) and some Private Rented (PR); and
- Re-provision of existing housing stock where due to its age or condition will need to be redeveloped. This can include both small scale re-provision and large scale housing regeneration projects.

4.4.6 Given the demand for smaller sized residences, much of the HRA focus will be on 1 and 2 bedroom homes and residences for older people. However there will be a mix of homes including 3 and 4 bedroom developments for growing families which can in turn make smaller homes available for re-let where the new occupiers are moving from an existing Council home.

4.5. Thurrock Regeneration Ltd (TRL)

4.5.1 A "reformed TRL" has the potential to play a greater role in housing delivery as the company has previously delivered high quality, award winning affordable housing and private rented homes at St Chads. In the first instance this requires a new operating model and revised governance arrangements to be put in place and this is currently in progress.

4.5.2 The TRL model enables the regeneration of Council sites, the delivery of housing and provides an associated income source to the council via the financing of the scheme. Housing delivered can be managed through the subsidiary company Thurrock Regeneration Homes Ltd (TRHL).

4.5.3 The quality of the St Chads development was achieved despite some indications from the private sector initially that the scheme may not be viable due to factors such as low land values, high construction costs, the required levels of affordable housing and higher quality design required.

4.5.4 Therefore the TRL model of delivery enables the local authority to challenge such views. The company will assess projects to ensure schemes deliver a required return over the project life. TRL can also agree a level of affordable

homes and ensure build is to a quality and standard consistent with the Council design standards.

- 4.5.6 TRL can support brownfield redevelopment and ensure sites (where there may be feasibility issues identified by the private sector) to be developed by accessing funding via partners such as the LEP, ASELA and Homes England.
- 4.5.7 However, to enable TRL to operate successfully, achieve design standards and policy compliant affordable housing levels, there may be a need to also develop sites where higher returns are also possible. This may then enable the cross subsidy of more challenging sites.

5. Decision Making Process for Release of Land

- 5.1 The Proposed Approach to Housing Delivery and Asset Rationalisation (Cabinet Report on Asset Disposals - March 2021), helpfully sets out the process for release options.
- 5.2 Each site should be assessed as to whether it is suitable for housing and then reviewed as to how it could then progress to development (using the Flow Chart identified in Appendix 3 of the Cabinet Report on Asset Disposals – March 2021).
- 5.3 The assessment would include an overview of:
- Suitability of land for housing;
 - How the development supports the Strategic Plan and wider vision;
 - Deliverability of site – land condition;
 - Is the land part of a possible wider development with different ownerships?;
 - How the site will support targets for affordable housing;
 - Financial/viability appraisal;
 - Local issues;
 - Regenerative effect;
 - Impact on economic growth, job creation and social value; and
 - Key risks and benefits.
- 5.4 Appendix 1 gives an example of the process to be taken by officers when assessing the land for housing delivery and the route being proposed for said delivery.
- 5.5 Engagement with Cabinet members and ward members is also crucial at this stage to ensure local concerns are fully understood as part of the assessment process.
- 5.6 Once appraisals have been carried out on each site, recommendations will be made to Cabinet and, where appropriate, to the new TRL Board when re-formed.

6. Reasons for Recommendation

6.1 To ensure that we can deliver a wide range of housing tenures and developments across the borough.

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

7.1 This report builds on the Cabinet Report on Housing Delivery approved December 2020 and the Cabinet Report on Assets approved March 2020, and to be presented to 22 June 2021 Housing Overview and Scrutiny Committee.

7.2 Housing Overview and Scrutiny regularly monitor and approve the housing delivery programme and will consider this report, making recommendations to Cabinet as appropriate.

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

8.1 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.

9. Implications

9.1 Financial

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

The financial implications of specific housing delivery schemes will be considered on a site by site basis. This will initially include consideration of the proposed delivery route and the wider financial implications to the Council.

9.2 Legal

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

The Council is generally empowered to dispose of assets which are underperforming or surplus to requirements. Each asset will need to be checked to ensure its formal ownerships and appropriation enable general disposal with terms to be confirmed. A final analysis of the legal title and terms of disposal will be included in the disposal decision report.

In considering direct sales and potential joint venture arrangements the Council will have to comply with relevant procurement regulations and guidance. Particularly in respect of Joint Venture arrangements this may necessitate formal public advertisement for partners. Future decisions on

specific sites will need to balance the Councils duties in respect of securing best value with the benefits obtained from schemes, this is particularly relevant in any situations where sites could be developed for mixed tenure arrangements and higher levels of affordable housing are balanced against immediate capital receipts.

9.3 **Diversity and Equality**

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

The aim of the Housing Delivery approach is to provide good quality housing across a range of tenures for a wide variety of residents with differing needs across the whole borough including those with protected characteristics.

In line with Equality Act 2010 requirements a Community Equality Impact Assessment (CEIA) will be required for individual proposals to determine potential impacts and mitigation where identified for individuals or groups with protected characteristics. This will ensure detailed consideration of the impacts of particular developments take place.

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

Not applicable

10. **Background papers used in preparing the report**

Cabinet Report 9th December 2020 - Housing Development Delivery Approach (Decision 110540)
Cabinet Report 10th March 2021 – Asset Disposals (Decision 110565)
Housing Overview and Scrutiny Committee - 6 June 2020 - Housing Development Consultation Process

11. **Appendices to the Report**

Appendix 1- Land Assessment Grid – Suitability for Housing and Delivery Method Proposed

Report Author

Dr Colin Black

Interim Assistant Director Regeneration and Place Delivery

Appendix 1

Land Assessment Grid – Suitability for Housing and Delivery Method Proposed

Site Address	
Ward	
Existing Use	
Local Plan Designation	
Site Boundary	
Site Ariel View	
Site Photographs	
Site Identified by	Eg. Housing Dept/ Property dept /Education etc

Criteria	Detail
Site size	Measured from Geographic Information System
Site Capacity	Dwellings per ha reflecting planning policy or from capacity study
Suitability for affordable housing	Proximity to existing Housing Revenue Account stock for ease of management. Proximity to local services and public transport accessibility Capable of meeting expressed (affordable) housing need
Land Condition/Deliverability	Existing use and obvious constraints on delivery, topography, flooding, contamination
Any infrastructure/access issues	Requirement to relocate/extent of underground utility services, highways access constraints/ substations
Wider regeneration – is the site part of a Strategic programme?	Scope to contribute towards area based place making Is the site part of a 'strategic programme' e.g. Towns Fund, ASELA, potential bid for grant funding from Homes England.
Planning Constraints	Extent of planning constraints and likelihood of them being overcome – e.g. overlooking, loss of amenity, access
Legal & Land constraints	Existence of constraints to development, such as : <ul style="list-style-type: none"> • Type(quality) of Title held • Rights necessary for development • Other relevant leases, easements, rights of way or light • Environmental and flood search records • Chancel repair liability • Other landownership e.g. garages
Value of land	Existing use valuation and/or with outline planning for residential.

Criteria	Detail
Any local issues?	Local community issues or constraints, loss of community assets, community groups
Existing local housing character	Suburban/urban/rural Apartments or houses High or low rise
Does it impact on economic growth/jobs?	Any loss of employment land Potential for job creation or social value
Is the land part of a wider possible scheme? If so – ownerships?	Are there adjoining land ownership where land assembly could increase value or scope of opportunity
Financial viability	High level financial viability appraisal. Including consideration of affordable housing rental levels/supported borrowing , income target, return on investment Availability of Homes England/RTB/Other grant funding
Proposed Development Programme	Milestones of <ul style="list-style-type: none"> • Consultation • Planning Submission • Start on Site • Practical completion
Alternative Options considered	E.g. Community provision, play area, supported housing provision
Does this fit with the Strategic Vision for Thurrock?	How proposal meets strategic vision
Key benefits	Key benefits e.g. influencing housing delivery test, affordable housing, and social value/infrastructure.
Key Risks	What are the key risks to successful delivery

Project Managers Justification for use as residential

This enables the project manager to put forward a rounded justification why the site should be considered for residential development taking into account all the criteria above.

By having a justification overall it enables challenge focussed on the merits of the proposal and not on a scoring system.

If recommended for Residential select route: <ul style="list-style-type: none">• Joint Venture (JV)• Private Sale (PS)• Housing Revenue Account (HRA)• Thurrock Regeneration Ltd (TRL)	Rationale for route selected.
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Consultation with Property Team - comments

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7 July 2021	ITEM: 16 Decision: 110572
Cabinet	
Town Funds: Update and Next Steps	
Wards and communities affected: Grays Riverside, Grays Thurrock, Tilbury Riverside and Thurrock Park, Tilbury St Chads,	Key Decision: Key
Report of: Councillor Mark Coxshall – Portfolio Holder for Regeneration, Strategic Planning and External Relationships	
Accountable Assistant Director: Dr Colin Black, Interim Assistant Director of Place Delivery	
Accountable Director: Sean Clark, Corporate Director of Resources and Place Delivery	
This report is Public	

Executive Summary

In November 2019, Government published its prospectus for The Towns Fund, a £3.6 billion fund to provide investment in 101 towns to drive economic regeneration in those towns and to deliver long term economic and productive growth.

The towns of Grays and Tilbury were both selected to participate in the programme and have the opportunity to secure up to £25m of investment into each town. In accordance with the guidance, the Council established private sector led Town Fund Boards in each area. The Boards developed and submitted Town Investment Plans (TIPs) which act as the funding application. Council Officers have supported the process, with decision making on the TIP development resting with the Board.

Each TIP includes a coherent suite of exciting projects which are promoted by the Board and are well supported by local public consultation. The TIPs request funding to deliver the projects and propose outline delivery stages. At the time of writing a decision from MHCLG on the level of funding to be awarded to each town is expected in late June 2021. To avoid any delay to progressing with the Town Fund this paper may be supplemented with further information and/or recommendations if the announcement and heads of terms for the Town Deal are received after publication of papers but before the Cabinet meeting.

It is proposed that the Council will be the Accountable Body for the funding. The Council will therefore enter into a Town Deal with MHCLG and will become responsible for project delivery, accepting any obligations that this entails.

Entering into the Town Deals creates a valuable opportunity to harness central government investment to make lasting, positive changes in Grays and Tilbury and to clearly respond to the feedback from the local community about where this funding should be targeted. To deliver this opportunity there are direct implications for the Council in terms of the contribution of Council owned land or assets, increased maintenance liability, ongoing revenue requirements and the acceptance of delivery risk. When balanced against the opportunity presented it is not considered that the level of risk is such that the Council shouldn't proceed with the funding programme, however, to ensure an informed decision making process the risks should be outlined and understood alongside the benefits.

This report and its appendices outline the anticipated next steps towards entering into the Town Deal and the projects under consideration. It highlights the opportunity, risks and implications for the Council associated with becoming the Accountable Body. The report then seeks approval to a range of recommendations which will enable the Council to continue through the Town Fund process.

1. Recommendation(s):

Cabinet are asked to:

- 1.1 Note the opportunity, risks, obligations and implications outlined in this report and its appendices, delegate authority to the Corporate Director of Resources and Place Delivery in consultation with the Portfolio Holder for Regeneration and External Affairs and the Assistant Director of Legal Services to agree the final terms of the Town Deal and to subsequently enter into any agreements required to secure the grant funding, including committing the Council to becoming the Accountable Body;**
- 1.2 Confirm support for the projects proposed in the TIPs and approve in principle the commitment of the Council assets and resources set out in appendix 4 subject to viable business cases being developed and formal consideration once this has been completed;**
- 1.3 Approve the proposed governance structure for the future stages of the Town Deal; and**
- 1.4 Subject to the approval of the above delegate authority to the Corporate Director of Resources and Place Delivery in consultation with the Portfolio Holder for Regeneration and External Affairs and the Assistant Director of Legal Services to commence procurement exercises and award tenders to secure external support to develop and deliver the projects.**

2. Introduction and Background

- 2.1. In November 2019, Government published its prospectus for the Towns Fund, a £3.6 billion fund to drive economic growth in 101 selected towns. Grays and Tilbury Towns were included in the list of eligible places and, in accordance with the guidance issued by MHCLG, the Council established a private sector led Town Fund Board for each area. The full membership of each Board is identified in Appendix 1 and reflects the requirements set out in the prospectus. Also in Appendix 1 is the membership of an advisory group established by the Board to support its activities and broaden the representation of local stakeholders. Both groups have played key roles in developing the comprehensive proposals including in the TIPs.
- 2.2. The towns have already received grants of £750,000 for Grays and £500,000 for Tilbury as an accelerated amount of funding from the Town Fund. These grants have funded a range of capital projects that have been delivered by the Council in each area including new play equipment at Grays Beach Riverside Park, improved bus shelters at Grays Bus Station, fitness trails in Tilbury and a contribution to the demolition of the Community Resource Centre to make way for the proposed Tilbury IMC. These smaller scale 'quick win' projects have attracted positive local feedback and signal the intent of the main fund to deliver capital projects that respond to the local community and create positive impacts in the areas. A full list of accelerated funding projects is included at appendix 2.
- 2.3. The TIPs submitted to MHCLG by the Boards have requested funding of £24.947m for Grays and £25.991m for Tilbury to deliver a programme of complementary projects in each area. A funding announcement is expected imminently but at the time of writing neither the amount of funding allocated to each town, nor any conditions that may be attached to the funding, is known.
- 2.4. It is anticipated that the funding announcement will be accompanied by a set of heads of terms for each Town Deal. Advice from the Towns Fund hub is that these heads of terms will need to be agreed within 3 weeks of issue.
- 2.5. After agreement, the Accountable Body will have 2 months to submit a final list of projects that will be funded with the grant money. It should be noted that many Towns who submitted TIPs to earlier deadlines and have already received their announcements did not receive the full amount of funding requested. This final list of projects will need to be deliverable within the amount of funding awarded. If a reduced amount is awarded some of the projects described in this report may need to be removed or reduced in scope.
- 2.6. Following submission of the project list the Accountable Body will have 12 months to develop and assure full green book appraisals for the projects. In order to draw down funding for the projects the Accountable body must then submit a summary report to MHCLG confirming that the business cases are viable.

- 2.7. The Town Fund requires grants to be spent and projects delivered by the end of March 2026.
- 2.8. The Town Fund presents an unparalleled opportunity to lever significant government investment into Thurrock, however, in taking on the role of Accountable Body the Council will be accepting delivery risk for the projects and will be committing resources and assets to their delivery and ongoing maintenance and management although this will be transferred to other parties where possible.

3. Issues, Options and Analysis of Options

- 3.1. The following paragraphs identify project opportunities and the main risks and implications to the Council of entering into the Town Deals and taking on the role of Accountable body. Appendix 4 includes a more detailed project specific review.

The Opportunity

- 3.2. The process has required substantial engagement with local residents, key community stakeholders and the private sector. These groups have all shaped the development of the TIPs ensuring that they truly reflect local priorities. In the absence of the Town Deal the Council would not be able to support the investment required to deliver on these priorities.
- 3.3. In Grays there is a clear emphasis on reconnecting the Town with its riverfront via a revived station gateway, new reasons to stay in the riverfront area and new river transport options. Tilbury also had a focus on the riverfront and proposes new river transport options but alongside this it seeks to revitalise the Tilbury Civic Square and provide a first class youth facility to address long standing calls for increased support for Thurrock's younger population in Tilbury and the wider borough.
- 3.4. The grant intervention rate is very high. Provided that projects can be delivered within the allocated budgets, the Council is being asked to contribute little in terms of up front capital funding for delivery.

Governance

- 3.5. The Town Fund Boards have invested significant time and expertise into the TIP development and have a valuable, ongoing role in the TF programme. However, entering into the Town Deal requires the Council to accept the position of Accountable Body. The Council will then have a legal duty to ensure best value is secured from public funds. Furthermore the ownership of the risks described in this report and its appendices will rest with the Council.
- 3.6. The TIPs suggest that the Boards would act as overarching client and lead, manage and monitor the delivery of TIP projects. It is noted the Boards have

no formal legal status and hence are unable to secure delivery of the projects through contracts or other legal agreements.

- 3.7. Accepting the delivery risks whilst not having control of the projects and their development exposes the Council to risk. Appendix 6 contains a proposed governance structure that clarifies the decision making and control for the Council that will allow it to manage the risks it faces whilst retaining an ongoing role for the Board to ensure that the expertise provided to date can continue to support and enhance the projects. This structure is subject to discussion with the Town Fund Boards and alignment with any future grant conditions.
- 3.8. Delivering the projects included in the TIPs and managing the related grant obligations requires significant staff resource from across the Council. This capacity will need to be funded to support delivery of the business cases and ultimately the projects. While there is limited funding available to date this remains a concern. In the current financial climate resource is severely constrained and to date the TF process has been added to the workloads of existing staff. If the TF bids are not appropriately resourced then this increases both the projects' delivery risk and financial risk. There is also a higher probability of non-compliance with grant conditions. The implications on funding of not meeting the conditions could include clawback of the grant by MHCLG.
- 3.9. To mitigate these risks the Council will:
 - Review the terms and conditions of the grant agreement once received;
 - Review the governance structure to ensure it reflects the Council's exposure to risk; and
 - Review Council resources on the TF delivery in the context of the grant conditions.

Project Development and Business Case Funding

- 3.10. When the towns were announced as being eligible for the Town Fund MHCLG allocated £162,019 to Grays and £140,000 to Tilbury to support the Town Fund process. The Grays Board reserved c. £60,000 of the initial amount to support the business case development stage whilst the Tilbury Board utilised all the funding in the first stage. MHCLG have allocated a further £40,000 to Grays and £70,000 to Tilbury to support business case development. No further funding can be drawn down from the Town Fund until the post business case Summary Report is accepted by MHCLG.
- 3.11. The available capacity funding is not sufficient to develop the projects to a level that can inform green book appraisals therefore completion of this stage requires the Council to commit funding from its own resources. It is estimated that a further £500,000-£750,000 for each bid will be required from Council budgets to progress the projects to RIBA 2 and complete business cases.

This funding will be committed at risk until MHCLG authorises the first draw down.

- 3.12. Whilst this funding can initially be capitalised and can be reclaimed from the Town Fund Grant once paid, it is not yet clear whether any projects that do not proceed beyond the business case stage will be eligible for Town Fund grant or whether these abortive costs will convert to a revenue pressure for the Council.
- 3.13. To mitigate this risk the Council will:
- Seek assurance from MHCLG that project development work that doesn't result in a viable project is eligible for grant funding; and
 - Review the projects in the TIP and only take projects that have a high level of certainty on cost and viability through the business case stage.

Project Delivery

- 3.14. All the projects included in the TIP submission are at concept stage and costs are therefore defined using high level assumptions. Significant further work needs to be undertaken to establish viability and confirm the detailed projected costs. Whilst contingency amounts have been allocated by the Board it is also noted that should these contingencies not be sufficient the Council will be responsible for funding any overspend from its own resources.
- 3.15. To address the risk of insufficient contingency funding the Council should:
- Ensure that contingency levels currently allocated against each project by the TF boards and reflecting the early stage of development work are reassessed by the Council and reallocated within the TIP as appropriate; and
 - Programme projects and expenditure so that there is scope to further reallocate funds during the lifetime of the programme should the contingency not be sufficient.

Council assets earmarked to support delivery

- 3.16. Many of the projects included in the TIPs are expected to be delivered on Council owned land or assets. Whilst no match funding has been included in the TIPs it is assumed that Council assets will be contributed to the projects at no cost. It is also likely that the grant conditions will impose a restriction on future disposal for a determined period of time. Proceeding on this basis will therefore remove the ability of the Council to use these assets to generate a capital receipt in the medium term.
- 3.17. To understand this implication the Council will undertake a best value assessment to ensure this approach can be supported.
- 3.18. A number of the projects proposed include the use of land which is currently public open space. For some projects the proposals represent enhancements to the space but with continued access on the existing terms and this will pose

limited difficulties. Where there are proposals to cease the use of parts of the sites for public access by placing new facilities on the sites this will be subject to formal public consultations and separate consideration prior to the decision to commit the Council to the proposed new usage.

Wider Financial Commitments

- 3.19. The Town Fund provides a 90% capital and 10% revenue funding split. TIPs include some projects that will create maintenance and/or management obligations post project completion. In some instances the TIPs have allocated revenue contributions but there remains the possibility of an increased revenue cost both in terms of revenue contributions to operation and increased maintenance obligations to the Council.
- 3.20. The revenue implications are highest for the Boards' priority projects in each town; the Jetty for Grays and the Onside Youth Zone for Tilbury. Further detail on the revenue implications of these projects are given in Appendices 4 and 5.
- 3.21. To mitigate the revenue implications the Council will:
 - Seek to transfer management responsibility for new assets to third parties wherever possible; and
 - In the event that responsibility needs to remain with the Council ensure that the revenue responsibility is understood and can be funded before proceeding with the project.

4. Reasons for Recommendation

- 4.1. The Town Fund presents a clear and exciting opportunity to invest in projects that have evidenced community support and will make a real difference to Grays and Tilbury. However, in participating in the programme, the obligations and risks being taken on by the Council are potentially significant and need to be managed effectively to support delivery. This report ensures that Cabinet are fully informed of these implications and risks when deciding how to progress the TF programme and the proposed projects.
- 4.2. It is expected that MHCLG will require quick turnaround of agreements that will formalise the Town Deal. Delegated authority to enter into these agreements is requested to ensure that the Council is able to respond within the required timeframes.

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

- 5.1. The proposed projects were reported to the Planning, Transportation and Regeneration Overview and Scrutiny Committee on the 8th December 2020. The committee was supportive of the way that the TIPs had been developed and the emerging project list.

5.2. During the development of both TIPs residents were consulted via the #MyTowns website and via surveys on dedicated websites for each town. The Board reviewed the feedback from these websites when developing the proposed projects.

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

6.1. The Thurrock Local Plan and Economic Growth Strategy identify both Grays and Tilbury as a Growth Hubs where economic regeneration and housing growth are to be focussed.

6.2. The Refreshed Grays Town Centre Framework adopted by Cabinet in 2017 provides a more detailed context for regeneration activity in Grays. The Framework seeks to enhance the role of the riverfront, improving linkages between the Riverfront and the Town Centre. The Grays TIP also supports these aspirations as clear priorities for the funding.

6.3. The Tilbury Development Framework produced in October 2017 sets out a vision for Tilbury and describes a range of proposed interventions that follow a strategic arc from the station gateway down to the riverfront. The Tilbury TIP aligns with the priorities set out in this document.

6.4. The Digital and Information Technology Strategy supports enhancements in Digital connectivity that are proposed in both TIPs.

7. Implications

7.1. Financial

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

The Town Deals could provide c. £50m of central government investment into Thurrock. This can support a number of regeneration and place making priorities that could otherwise not be delivered without substantial capital contribution from the Council

The report highlights a number of financial risks and implications that the Council will need to accept in order to fulfil the role of Accountable Body and enter into the Town Deals.

The Council is required to forward fund the costs associated with developing the projects to a sufficient level to enable green book appraisals to be produced. There is a risk that abortive costs associated with any projects deemed unviable at the end of this stage will not be eligible for Town Fund funding and will create an unbudgeted revenue cost pressure for the Council.

The projects included in the TIPs have not yet been through a business case evaluation and are not yet developed to a sufficient level to have a high degree of confidence on the required costs. The risks associated with potential overspends or viability issues rest with the Council. The proportion of upfront funding coming from the external sources is high but there remains additional risk beyond these funding allocations.

The projects may produce an ongoing revenue funding requirement either in terms of increased maintenance or operational management. The risk mitigation strategy has identified that opportunities to transfer these obligations to third parties or to secure additional external funding which will be pursued. However, if unsuccessful this will create revenue budget pressures for the Council. In the case of the proposed Onside Youth Zone (Tilbury) and the Jetty (Grays) for example these ongoing revenue implications could be highly significant.

7.2. Legal

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

Whilst formally supporting the bid at this moment does not create a direct legal obligation it does commit the Council to working in good faith to develop and implement the proposals, at the point the Town deal is agreed with MHCLG this will create formal obligations on the Council. The proposals whilst bringing forward the potential for significant benefits does carry risk for the Borough, and the Council. In considering this report Members must be mindful that there are significant areas of developing detail within the proposals which may leave the Council exposed to material risks or continuing liabilities in the future.

On receipt of the Town Deal Heads of Terms the Council will need to review and understand the legal obligations attached to entering into a Town Deal and accepting the role of accountable body. The deal will commit the Council to certain projects prior to the completion of full business cases, the terms of the formal agreement will need to be carefully reviewed to ensure that the Council is protected against risks which may arise through the business case process (including cost increases, and third party risk).

There is at this moment insufficient information to allow the Council to make a formal decision to dispose or appropriate its land assets for the purposes of delivering the proposed projects. Accordingly the Council can only make a decision in principle to support the use of its land. Some parts of the proposed land which may be included in the proposals are public open space; before a decision can be made to commit the use of this land the Council must undertake statutory consultation under s123 of the Local Government Act 1972 and consider any representations received.

The fact that key information from the detailed business cases will not be available at the point of entering into the deal will mean that the Councils participation and obligations will have to be qualified with respect to certain projects and the final commitment on those projects will need to be undertaken once the relevant information including statutory consultation where relevant is confirmed / undertaken.

The Council is being asked to be the accountable body for significant public funds from government, the use of some of which may be managed by partner organisations potentially including those in the private sector. Whilst risk can be mitigated through the use of appropriate contracts the ultimate risk will remain with the Council if deliverables are not met. There is scope for the Council to have to repay funds or ensure delivery of projects with the resultant implications. This type of arrangement exists in a number of settings, and can be managed effectively.

The Council has in principle the necessary statutory powers to engage in these arrangements at this point, and deliver the proposed projects. However it must be recognised that in doing so it is not making determinations under specific statutory frameworks particularly around matters such as planning where future decision making will be necessary.

A number of the projects will require consents from third party bodies / regulators (such as the Port of London and Environment Agency) whilst the projects can be designed to mitigate difficulties this risk must be reflected in the consideration of the Councils overall risk as accountable body, and the terms of the grant agreement.

Where projects require works to be undertaken, or the entering into of long term service contracts formal procurement rules will have to be followed by the Council, following both the statutory requirements and the Councils procurement policies.

During the course of the formal business case development and the shaping of the final proposals further formal decision making will be required by the Council to exercise its statutory functions, particularly in relation to the disposal or acquisition of land and use of its other statutory powers.

7.3. **Diversity and Equality**

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

The Town Board and its Advisory Group include a wide range of representation of stakeholders. Stakeholder engagement has built on regular engagement exercises carried out in the towns over recent years and the Town Board has committed to ongoing engagement through the process for submission and project development. Where engagement with residents is

required, for example if a change of use in publicly accessible open space is required as detailed in this report, then this will be as accessible as possible and aim to include all groups of the community including those from marginalised groups or those with protected characteristics. Wider consultations will take place as needed dependent on each project and any necessary requirements.

A Community and Equalities Impact Assessment will be completed for each of the projects as they are developed. Any negative impacts identified through this process will then seek to be minimised where possible.

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

None

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

- HM Government’s Town Deal Prospectus and guidance
 - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/924503/20191031_Towns_Fund_prospectus.pdf
 - <https://www.gov.uk/government/publications/towns-fund-further-guidance>
- Grays Town Investment Plan (to be published after funding announcement)
- Tilbury Town Investment Plan (to be published after funding announcement)

9. Appendices to the report

- Appendix 1 - Membership of Boards and Advisory Groups
- Appendix 2a - Summary of Accelerated Funds projects – Grays
- Appendix 2b – Summary of Accelerated Funds projects - Tilbury
- Appendix 3 – Anticipated steps towards a Town Deal
- Appendix 4a – Projects proposed in the TIPs
- Appendix 4b – TIP Risk Summary – Grays
- Appendix 4c – TIP Risk Summary - Tilbury
- Appendix 5 – Onside Youth Zone funding model
- Appendix 6 – Proposed Governance Structure

Report Author:

Rebecca Ellsmore

Strategic Lead – Regeneration

Resources and Place Delivery

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Appendix 1: Board and Advisory Group Members

Grays Town Deal Board Members

	Representative	Organisation
1	Justin Thomas (Chair)	New River Reit
2	Jackie Doyle Price (Vice Chair)	MP for Thurrock
3	Cllr Mark Coxshall	Portfolio Holder Regeneration and Strategic Planning
4	Lucy Harris	Creative People and Places Partnership
5	Teresa O'Keeffe	Love Grays Partnership
6	Adam Bryan	SELEP
7	Angela O'Donoghue	South Essex College
9	Kristina Jackson	Thurrock CVS
10	Cllr Jane Potheary	Thurrock Council

Grays Advisory Group

The Grays Advisory Group (AG) is a further forum or contribution to the TIP. It includes some 26 representatives from most of Grays key community/voluntary organisations and local businesses, along with local ward Councillors and third-party stakeholders. The table below shows all the AG members.

	Representative	Organisation
1	Paul Dickson	Ensign Bus Company Ltd
2	Lindsey Moore	Job Centre Plus
3	Dianna Ferry	Thameside Theatre
4	Andrew Blakey	Riverside Community Big Local
5	Jim Graham	Grays Community Forum(s); Orchards & Thameside
6	Geoff Symonds	Thames Clipper
7	Sue Bradish	Thurrock Council Public Health
8	Phillip Spearman/ Pat Abbott	Environment Agency
9	Inderpal Singh	Sikh Gurudwara
10	Reverend Darren Barlow	St Peter and St Pauls Church
11	Councillor Tony Fish	Grays Riverside Ward Councillor
12	Councillor John Kent	Grays Thurrock Ward Councillor
13	Councillor Lynn Worrall	Grays Thurrock Ward Councillor
14	Councillor Jane Potheary	Grays Riverside Ward Councillor
15	Ben Martin	C2C
16	Michael Armstrong	Local Police - Secure by Design
17	Sundar Limbu	Nepalese Community
18	Lee Monk	Lee Monk

19	Paula Parrott	Paula Parrott
20	Tim Baker	Tim Baker
21	Jacqueline Bradley	Thurrock Adult Community College
22	Andy Best	Andy Best
23	Neil Woodbridge	Neil Woodbridge
24	Alan Twine	Alan Twine
25	Catherine Robaldo	Catherine Robaldo
26	Tina Holland	Tina Holland

Tilbury Town Deal Board Members

	Representative	Organisation
1	Peter Ward (Chair)	Commercial Director, Port of Tilbury
2	Jackie Doyle Price (Vice Chair)	MP for Thurrock
3	Cllr Mark Coxshall	Portfolio Holder Regeneration and Strategic Planning
4	Lucy Harris	Creative People and Places Partnership
5	Yewande Kannike	One Community
6	Cllr Allen Mayes	Local Councillor
7	Simon Harper	CLLD
8	Adam Bryan	SELEP

Tilbury Advisory Group

The Tilbury Advisory Group (TAG) is a further forum or contribution to the TIP. It includes some 31 representatives from most of Tilbury's key community/voluntary organisations and local businesses, along with local ward Councillors and third-party stakeholders. The table below shows all the TAG members.

	Representative	Organisation
1	Stephanie Hodgkin	NWES
2	Steve Gatfield	Euro Metal Recycling
3	Leisa Lovatt-Pasterfield	Job Centre Plus
4	Carol Purser / Vince Offord	Tilbury Hub/Forum
5	Pat Kiely	Youth Parliament
6	Kevin Sadler	Gateway Academy
7	Pat Abbott	Environment Agency
8	Kristina Jackson / Jacqui Payne	Thurrock Community & Volunteer Service
9	Dean Turner	The Martial Academy
10	Geoff Symonds	Thames Clippers
11	Roy Warren (stepped down)	Sport England
12	Sue Bradish	Thurrock Council Public Health
13	Phillip Spearman /	Environment Agency
14	Tony Battle	Kind&Co
15	Martin Clift	Coalhouse Fort Representative
16	Carol Purser	633 Daisy Squad
17	Lee Upton	Tilbury Football Club
18	Kevin Diver	Coalhouse Fort Representative
19	Katie Beadle	Katie Beadle
20	Mike Tarbard (stepped down)	BATA Representative
21	Les Morgan	Tilbury Riverside Project
22	Various	Tilbury Community Association

23	Councillor John Allen	Tilbury St Chads Ward Councillor
24	Councillor Steve Liddiard	Tilbury St. Chads Ward Councillor
25	Councillor Fraser Massey	East Tilbury Ward Councillor
26	Councillor Sue Sammons	East Tilbury Ward Councillor
27	Councillor Bukky Okunade	Tilbury Riverside and Thurrock Park Ward Councillor
28	Ben Martin	C2C
29	Gerry Byrne	McDonalds franchisee
30	Local businessman and resident	Ben Pearce
31	Michael Armstrong	Local Police - Secure by Design
32	Alan Twine	Local Designing out Crime



GRAYS TOWNS FUND

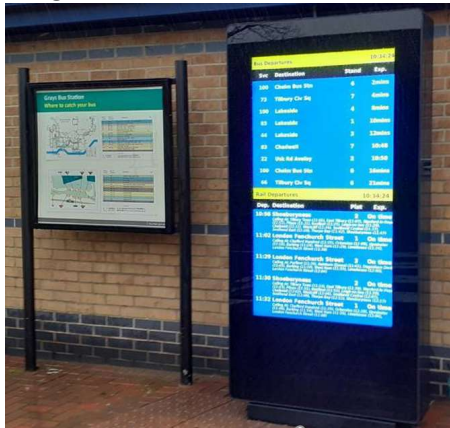
Accelerated Funds Update

June 2021

Grays Bus Terminus

Project Description:	Public information enhancements such as upgraded display boards for bus and rail departures and town centre signage to encourage sustainable access to the transport hub and town centre. New shelters to improve the user experience. Environmental improvements such as repainting and lining.
Funding	Original allocation - £190,000
	Additional allocation* - £108,988
	Total allocation - £298,988
	Committed - £293,506
	Underspend - £5,482
Progress Update:	<ul style="list-style-type: none"> Replacement of real time passenger information displays in each shelter – Installed other than those to go on shelters Real time information display – installed and operational (see image below). Repaint and refresh of bus terminus railings, cycle store, taxi rank and road markings – Completed Replacement of 7 bus shelters with a premium range shelter (see image 2 below) – Long lead in time, installation expected in September 2021

Images:



New large passenger information screen



Premium bus shelter (image for illustration only)

Comments:	* additional funds to enable purchase of new bus shelters reallocated from Green Infrastructure project, in principle agreement from Board in Feb 2021 meeting, confirmed with Chair 12/03/21.
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Grays Beach Park Phase 2	
Project Description:	Replacing play equipment that has reached end of life, upgrade other equipment.
Funding	Allocation - £175,000
	Committed - £175,000
Progress Update:	Completed
 	
Comments:	<p>New play surface also installed to ensure that the equipment can be used all year round and provides better access for families with disabilities.</p> <p>Works completed. Launch event 27th May.</p> <p>Received positive response on social media.</p>

Grays Beach Park Phase 3	
Project Description:	Remove outdated skate park and install a new outdoor sports area / health fitness area.
Funding	Allocation - £137,500
	Committed - £137,500
Progress Update:	Completed
	
	
Comments:	<p>Groundworks are complete to install the new parkour equipment on the location of the old skate park and new paths and drainage infrastructure to support the new splash pad (TC funded) has been completed.</p> <p>Works will be complete in time for the Easter holidays.</p>

Green Infrastructure	
Project Description:	Green seats and structures along riverfront and from riverside park to town centre
Funding:	Original allocation - £137,500
	Committed - £33,512
	Underspend - £103,988

Progress Update:	Reduced amount of new street furniture commissioned
Images to follow	
Comments:	Project scope reduced as potential overlap with main TF award and limited funding available for long term maintenance in public highway. £103,988 reallocated with Board approval to bus terminus project.

Community Hub	
Project Description:	Use and fit out of vacant unit to provide accessible location for community engagement and information on Towns Fund.
Funding	Allocation - £60,000
	Committed - £
Progress Update:	Grays Riverside Big Local have secured a unit in the shopping centre primarily for a community shop. The unit is of sufficient size to accommodate the community shop and the Town Boards engagement activity including exhibitions, information and furniture including facility for informal engagement based on the 'front room' approach which suits some forms of engagement better than formalised surveys. Each use would have the benefit of generating footfall, some of which is likely to create shared interest. The additional benefit for the Boards Hub is that the community shop would have staff on site to supervise the use of the whole unit.
Images to follow	
Comments:	TC arranging grant documentation to transfer the funds to Riverside Big Local.


Wayfinding and sustainable access	
Project Description:	Enhanced signage across Grays town centre and beyond into surrounding neighbourhood areas to enable and encourage active travel into town centres. Wayfinding will be a mix of totums at key locations with detailed information and maps, and fingerposts connected to these totums providing directional information along with journey distance and times to help residents and visitors to traverse Grays with ease. Will link to key areas such as the college, Grays Beach, the transport interchange, High Street, Orsett and Southend Road, London Road, Bridge Road, and beyond.
Funding	Original allocation - £45,000 Committed - £45,000
Progress Update:	Actual cost=£47,907 £2,907 overspend to be reallocated from underspend on bus terminus project. Cost breakdown: 3 x totums, station/High Street locations = £7,785 18 Fingerposts across the town centre - £33,562.61 (each fingerpost varies in cost due to the number of fingers on a post) Installation and removal of existing = £6,560 Completed
Comments:	Blue and grey colour palette chosen to reflect Sir Henry de Grey's colours.





TILBURY TOWNS FUND

Accelerated Funds Update

June 2021


Tilbury Youth Centre	
Project Description:	Provision of essential equipment required by the youth services to continue to provide support to youth in Tilbury whilst in their temporary accommodation following their permanent site being deemed uninhabitable
Funding	Original allocation - £40,000 Spent – All
Progress Update:	Completed. All items have been purchased for the Youth Centre as requested. High speed broadband has been installed and CCTV.
Images:	
	
Comments:	All items have been purchased and installed. There is a delay with the CCTV being made active and IT are resolving some issues with Wi-Fi connection.


Tilbury Old Fire Station Demolition	
Project Description:	Demolition of the Tilbury Old Fire Station ahead of the development of the Tilbury Integrated Medical Centre
Funding	Towns Fund Allocation - £150,000 Council Match Funding - £150,000
Progress Update:	Works on site, completion end July
Pictures	
	
Comments:	Building substantially demolished, some remediation work to be completed.

Outdoor Gym King George's Fields aka Daisy Fields	
Project Description:	Installation of Outdoor Gym equipment at locations across the park.
Funding:	Allocation - £45,000
	Committed - £39,018
Progress Update:	Completed
Images	
	
Comments:	The Parkour equipment was vandalised (arson) in June 2021 shortly after opening. Officers are investigating whether budget is available to repair the damage.

Park Run King George's Fields aka Daisy Fields	
Project Description:	Parkrun is a scheme to encourage increased activity amongst residents where they are motivated to attend events at local parks. Parkrun co-fund and will invest an additional £3k
Funding:	Original Allocation - £7300
	Cost Incorporated into Street Tag
Progress Update:	Activities commissioned and will commence shortly.

Street Tag King George's Fields aka Daisy Fields	
Project Description:	To run street cricket sessions and other various street sports activities in Tilbury as part of the Tilbury Town Accelerator Fund.
Funding:	Original Allocation £32,000
	New Allocation - £36,000
Progress Update:	Activities commissioned and will commence shortly.

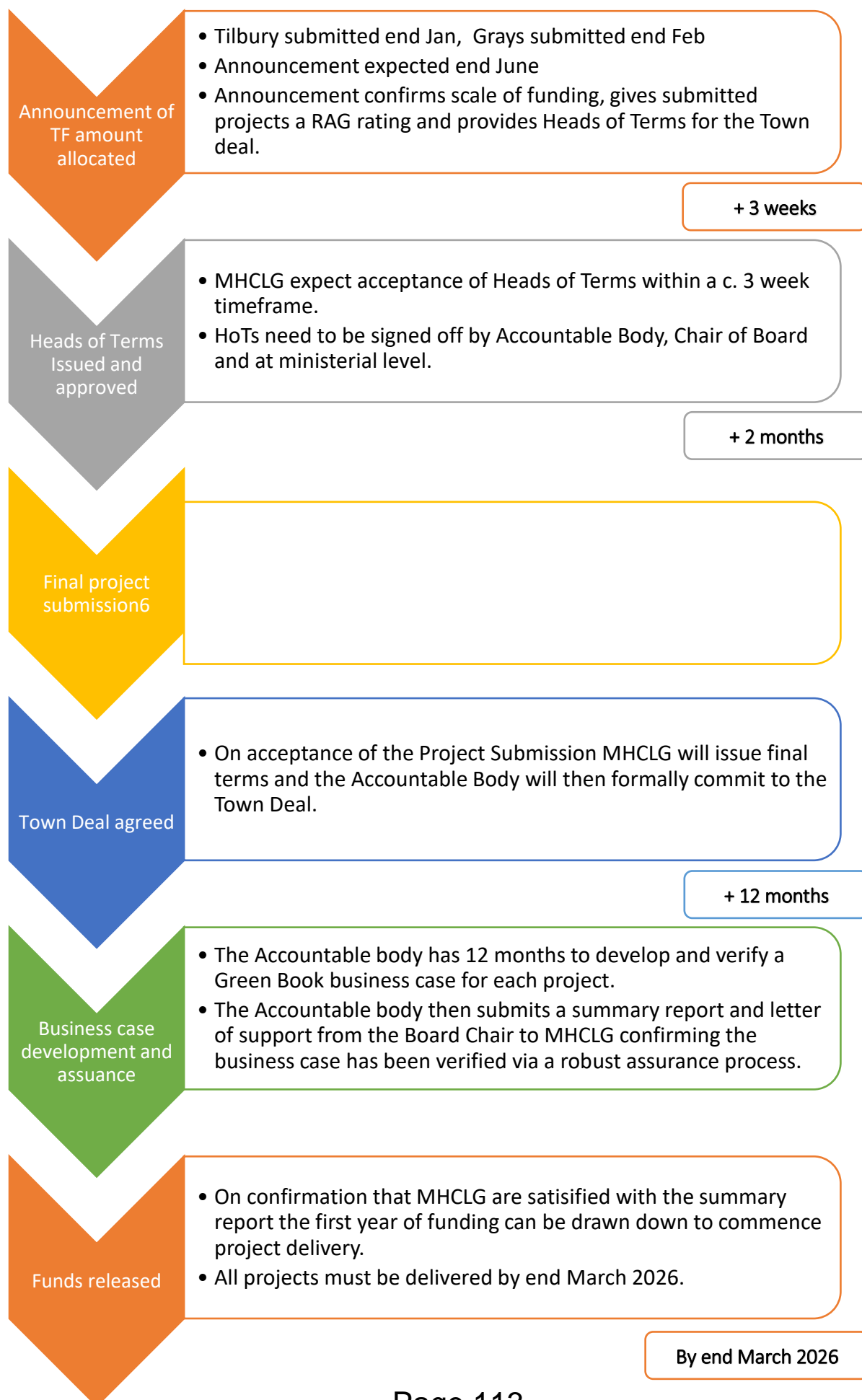
Fitness Trail King George's Fields aka Daisy Fields	
Project Description:	1k, 3k and 5k (Total 8k) Tilbury Trails that can also be used for exercise
Funding:	Original Allocation £45,000
	New Allocation £67,166
Progress Update:	Completed
Images	
	

Tilbury Towns Fund Hub	
Project Description:	Use and fit out of vacant unit to provide accessible location for community engagement and information on Towns Fund.
Funding	Original Allocation - £75,000
Progress Update:	Create a Town Fund Hub to be a focus for engagement and community activity (current site being considered GF Centurian House, Civic Square) This scheme will be up to £75k. The unit is of sufficient size to accommodate 1-2-1 sessions to assist locals in getting help back into employment. The office will also house Town Boards engagement activity including exhibitions, information and facility for informal engagement based on the 'front room' approach which suits some forms of engagement better than formalised surveys.
Images	
	
Comments:	Currently waiting on response form the landowner on the proposed scheme and planning review.

Tilbury Shop front Scheme	
Project Description:	Support match for CLLD shopfront improvement or business support schemes. Renew shop fronts in Tilbury with the match bid funding from the CLLD
Funding	Original allocation - £70,000
	CLLD Match Funding - £30,000
Progress Update:	The Economic Development team is relaunching the Tilbury Shop Front Scheme. This scheme in conjunction with the Tilbury Towns Fund will be provide business owners with greater support by providing further match funding reducing their contributions. As part of the Covid Recovery shops taking up the scheme will benefit from some contributions to making their business Covid secure.

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Appendix 3 – Anticipated steps towards a Town Deal



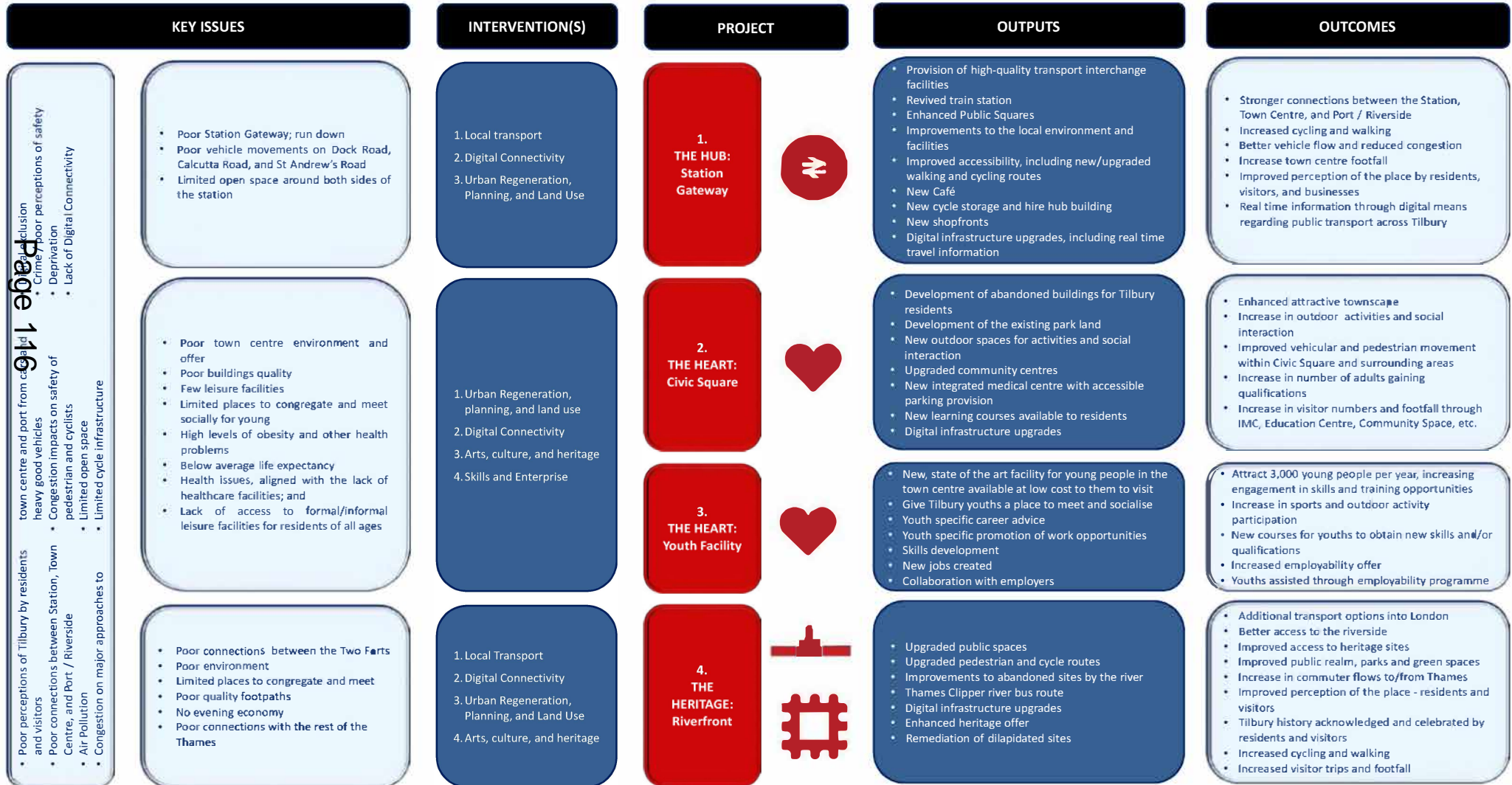
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TILBURY TIP

3.4 Overarching Theory of Change

To show how the prioritised projects presented in TIP Section 2 will help to address Tilbury's challenges and capitalise on the major opportunities outlined in this TIP, we have completed a 'programme level' theory of change model for our investment plan.

This shows the relationship between key issues and interventions; and identifies the prioritised projects and the outcomes they aim to deliver, given the requested ask and support from the Towns Fund.



Programme level theory of change model



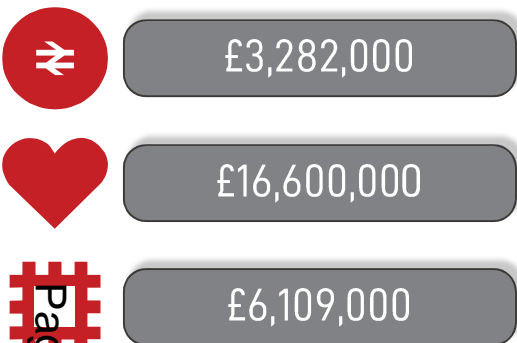
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Aerial view over Tilbury Fort and The Thames towards Gravesend

3.5 Towns Fund Ask

The different projects and costs for the *"Hub-Heart-Heritage"* are set out in detail in the table opposite.

Our total ask from the Towns Fund is **£25,991,000**. This is broken down as follows:



The Board recognise that this funding request is above the proposed £25m budget envelope, however, we believe this is the funding required to ensure delivery of the projects and their transformational outputs.

As Jackie- Doyle Price, our MP and Vice-Chair highlights in her foreword, Tilbury *"needs some love"* and investment is needed.

The Board is committed to ensuring the high-quality prioritised projects are deliverable and transformational, hence the total ask is slightly over £25m. It should be noted that this also includes match funding of up to £30m for a number of the projects and interventions.

We set out below a summary of the key projects and interventions, and the logic maps for each detailing:

- Context
- Inputs
- Outputs
- Outcomes
- Impacts

Section 2 of our TIP provides more detail in compliance with the MHCLG's requirements.

PROJECT DESCRIPTION		Total Project Cost £M	Co/Match Funding £M	Towns Fund Ask £M
THE HUB				
1	STATION GATEWAY Enhance the pedestrian and cycle links from the station to the port and wider riverside, and to the town centre. To help connect the port's economy and wider riverside heritage potential with the town and its community. To improve the area around Tilbury train station to create a stronger gateway to Tilbury and help attract inward investment, etc.	£3.03	£0.00	£3.03
2	DIGITAL CONNECTIVITY Free, fast public Wi-Fi around the station gateway within street and public realm furniture accommodating Wi-Fi units. A range of digital wayfinding technologies for residents and tourists giving real time information for transport linking information at all transportation hubs	£0.25	£0.00	£0.25
THE HUB: SUB TOTAL		£3.282	£0.000	£3.282
THE HEART - CIVIC SQUARE				
3	COMMUNITY SPACE Development of a flexible community space for uses for community groups, event, bookable hall space, consultations etc. also to explore synergies with existing space in the Town Centre e.g dance studio	£4.00	£0.00	£4.00
4	LAND ACQUISITION Acquisition and demolition of parade of businesses in the centre of Civic Square to enable extension of the current library building to accommodate the new Education Centre Creation of an employment, digital and skills hub to help meet the employment training needs of the local community. Potential to link with port and other businesses in town centre. Classes for the provision of Adult Education in the day and evening.	£0.75	£0.00	£0.75
5	EDUCATION CENTRE The education service will provide adult education including courses in English, maths, English for Speakers of Other Languages, and engagement courses. The courses will be focussed on supporting people to gain the skills they need to progress into employment, higher level qualifications, and/or volunteering. The engagement courses will help the most vulnerable with support for their wellbeing including mental health, confidence building, family learning, and entry level employability skills.	£2.40	£0.00	£2.40
6	TILBURY INTEGRATED MEDICAL CENTRE Creation of Integrated Medical Centre for Tilbury. The building will have a new flagship library (relocated), council offices, and numerous NHS services. (£150,000 of this is from Accelerated Funds). Improve the public spaces including enhanced, smart signage and facilities to support a range of cultural events and activities	£20.06	£20.06	£0.00
7	CAR PARK PROVISION Area identified at the side of Civic Square as potential site for additional car park spaces for people with mobility issues and critical / on-call IMC staff (40 spaces)	£0.50	£0.00	£0.50
8	KING GEORGE'S PARK / DAISY FIELDS AND KOALA PARK In addition to works carried out with accelerated funds (Accelerated funds £137,300), upgrade of the recreational offer in the park addressing the needs of the community promoting health and wellbeing and enabling events and activities to improve the health of residents. Improve the sports offer in the area and allow the park to have tournaments and matches attracting visitors to the town that will support the local economy. CHANGING & STORAGE BLOCK - Addition of a small building to provide support facilities for the park - changing room space, toilet facilities and storage to Sports England specification. This will enable increased use of the park and provide the community with a recreational provision. The provision of this building will enable the Council to apply for up to £600,000 match funding for 3G pitches.	£1.14	£0.14	£1.00
9	DIGITAL CONNECTIVITY Free, fast public Wi-Fi in the heart of the community within street and public realm furniture accommodating Wi-Fi units. A range of digital wayfinding technologies for residents and tourists giving real time information for transport linking information at all transportation hubs including transport timetables and events information.	£0.25	£0.00	£0.25
THE HEART - CIVIC SQUARE: SUB TOTAL		£30.708	£20.798	£9.910
HEART - YOUTH FACILITY				
10	YOUTH CENTRE Development of a youth centre either through ONSIDE or similar provider to meet needs of youth in Tilbury for place to socialise, interact, play and learn. Annual Revenue Costs of £1.3m to run the facility	£8.40	£4.20	£4.20
11	ANCHOR FIELDS Improvement to the park to provide much needed recreational space within the area to a higher standard, a space to enable recreation and improving health and wellbeing (additional sum to mitigate against youth facility using open space).	£5.20	£4.21	£0.99
THE HEART - YOUTH FACILITY: SUB TOTAL		£15.100	£8.410	£6.690
HERITAGE				
12	TILBURY RIVERSIDE STATION / CRUISE TERMINAL / HERITAGE/BEACH Promote the heritage value of the Tilbury Riverside Station (within the Cruise Terminal) and opening this up to the public to promote the heritage offer along the river. Promoting the heritage offer of this site increasing the offer along the Thames to attract residents and visitors Making the Tilbury Beach area more accessible by maintaining and enhancing the river front area with the potential inclusion of sculptures or art work linked to Queen Elizabeth 1 and Windrush enhancing the public path with interpretation and path enhancements along the Thames to the Two Forts way and providing the heritage link between Tilbury Fort to Coalhouse Fort.	£2.75	£0.00	£2.75
13	TILBURY FORT Possible visitor centre/exhibition space being discussed with English Heritage (EH) for Tilbury Fort. Looking at reinstating the bridges at the front to enable access. The Towns Fund will build upon existing funding provided for by the Port already contributed towards enhancing the visitor attraction through S106 (£130,000) EH are also looking at other funding streams from elsewhere to increase the potential of this visitor centre / exhibition space.	£0.93	£0.13	£0.80
14	JETTY & THAMES CLIPPER Thames Clippers has an aspiration to extend their service to Tilbury. This would provide direct access to London within one hours' travel time. Monies to extend the River Front pier to include a provision for a Thames Clippers service.	£2.31	£0.00	£2.31
15	DIGITAL CONNECTIVITY Free, fast public Wi-Fi along the heritage strip of the community within street and public realm furniture accommodating Wi-Fi units. A range of digital wayfinding technologies giving real time information for transport linking information from the Station, Ferry and Thames Clipper providing travel timetables, tidal times, flood warnings, upcoming local events for the town.	£0.25	£0.00	£0.25
HERITAGE: SUB TOTAL		£6.239	£0.130	£6.109
TOTAL:		£55.329	£29.338	£25.991

PRIORITY PROJECTS - Description Towns Fund Ask and Match Funding



Project 1: The Hub - Tilbury Station Gate

The Hub Project is focussed on Tilbury Town Station, which is a key gateway to the town, port and riverside.

The area covered is shown on the plan. It comprises Dock Road and Calcutta Road on the north side of the station, leading to the town centre and Civic Square; and the section of St. Andrew's Road to the south of the station leading to the Port and riverside.

For many visitors the station and surrounding area is their first impression of Tilbury; including those arriving via the Ports and International Cruise Terminal. At present it is a very poor and unattractive environment that does no justice to the town, its community or its assets. It also has an adverse impact on the local economy and the potential to attract inward investment.

This project will transform the town's Hub. It will create spaces where people want to spend time, that inspire local community pride, that reflect the area's heritage and help to attract new investment. The environment will improve the legibility of the area and wayfinding, ensuring that Tilbury's assets are easy to find by foot and bicycle.

Specifically, this project will:

- Improve the area around Tilbury train station to create a more attractive gateway, improve first impressions of the town and surroundings for first time visitors (including those disembarking from the International Cruise Terminal).
- Enhance the pedestrian and cycle links connecting the station to the port, riverside and town.
- Connect the port's economy with the town and its community.
- Improve digital connectivity across the town through the provision of free and fast public Wi-Fi embedded within street furniture and the public realm, and including a range of digital wayfinding technologies for residents and tourists giving real-time information at all transportation hubs (linked, for example, to the proposed Thames Clippers service- see Project 4: Heritage).



The Hub Station Gateway 3D visual



1 St Andrew's Square looking south on St Andrew's Road



2 Station Square looking north on Dock Road



3 Calcutta Park looking north east

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CONTEXT	INPUT	OUTPUT	OUTCOME	IMPACT
<ol style="list-style-type: none"> 1. Poor Station Gateway ; run down 2. Poor connections between Station and Town Centre and Port / Riverside 3. Congestion across town / poor vehicle movements on Dock Road, Calcutta Road, and St Andrew's Road 4. Limited open space around both sides of the station 5. Limited cycle infrastructure 6. Air pollution 7. Digital exclusion / linked to limited Wi-Fi 8. Poor perceptions of Tilbury by residents and visitors 9. Lack of Digital Connectivity 	<p>Capital investment to create a:</p> <ol style="list-style-type: none"> 1. Positive relationship between the station and the town that welcomes visitors and allows them to orient themselves 2. More pedestrian-friendly environment for the station that celebrates the history of Tilbury 3. Welcoming green space which waymarks the route from the station to the town centre 	<ul style="list-style-type: none"> — Provision of high-quality transport interchange facilities — Revived train station — Enhanced Public Squares — Improvements to the local environment and facilities — Improved accessibility, including new/upgraded walking and cycling routes — New Café — New cycle storage and hire hub building — New shopfronts — Digital infrastructure upgrades, including real time travel information 	<ul style="list-style-type: none"> — Stronger connections between the Station, Town Centre, and Port / Riverside — Increased cycling and walking — Better vehicle flow and reduced congestion — Increase town centre footfall — Improved perception of the place by residents, visitors, and businesses — Real time information through digital means regarding public transport across Tilbury 	<ul style="list-style-type: none"> — Modal shift to green transport solutions — Improved air quality – reduced emissions — Improved health and wellbeing, including reduced obesity and increase in life expectancy — Increased land value — Increased local spending resulting in increased local jobs and GVA

The Hub logic map



Project 2: The Heart - Civic Square

The Heart – Civic Square will ensure that the Civic Square fulfills its full potential and is restored once again as the 'heart and soul' of Tilbury. Capitalising on the Square's central location, and building on existing proposals for a £20m Integrated Medical Centre (IMC), this project will introduce diverse new uses that will transform it into a vibrant centre of community and commercial activity.

This project is closely linked with "Project 3: The Heart – Youth Facility".

To help inform the Towns Fund bid a high-level feasibility masterplan was commissioned to assess the development options and mix of uses to help: (i) realise the opportunities identified by the local community and key stakeholders; (ii) provide the fundamental building blocks for a strong local economy; and (iii) future proof and rationalise public investment around key local priorities.

The development opportunities are set out in the plan. The key uses identified for this project comprise:

- New Education Centre;
- New-built Community Space;
- Open community space on existing parks and spaces; and
- Tilbury Integrated Medical Centre (match-funded), with associated parking provision (planning/parking policy requirement);

The new uses will provide easy access to skills development and recreation opportunities, and will set a benchmark for urban design and sustainability. Increased footfall from these new uses will support existing local businesses, encouraging further economic growth and inward investment.

Investment in digital connectivity is also key to the Civic Square project. Free, fast public Wi-Fi will be integrated within the design of street furniture and the public realm. A range of digital wayfinding technologies will provide real-time information linked to the station, riverside and other locations (e.g. to show transport timetables and events information).



The Heart's proposed masterplan

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CONTEXT	INPUT	OUTPUT	OUTCOME	IMPACT
<ol style="list-style-type: none"> Poor connections between Civic Square and Station and Port / Riverside Congestion across town / poor vehicle movements Poor building quality Poor environment Few leisure facilities Limited places to congregate and meet socially for young Crime / poor perceptions of safety High levels of obesity and other health problems Below average life expectancy Lack of Digital Connectivity 	<p>Capital investment to create:</p> <ol style="list-style-type: none"> A new purpose built state-of-the-art Integrated Medical Centre incorporating Health and Council services, and associated parking requirements Reconfiguration and extension of the existing Library to accommodate a purpose built space for Education Centre Purpose built areas for play, sports, exercise etc. on existing parks New Community Space 	<ul style="list-style-type: none"> Development of abandoned buildings for Tilbury residents Development of the existing park land New outdoor spaces for activities and social interaction Upgraded community centres New integrated medical centre with accessible parking provision New learning courses available to residents Digital infrastructure upgrades 	<ul style="list-style-type: none"> Enhanced attractive townscape Increase in outdoor activities and social interaction Improved vehicular and pedestrian movement within Civic Square and surrounding areas Increase in number of adults gaining qualifications Increase in visitor numbers and footfall through IMC, Education Centre, Community Space, etc 	<ul style="list-style-type: none"> Increased land value Increased investment elsewhere in the town centre Increased local spending resulting in increased local jobs and GVA Improved health and wellbeing Greater community cohesion Reduced crime/deprivation Increase in number of residents gaining qualifications Increase in number of residents gaining relevant experience and become "job ready"

The Heart - IMC logic map



3D visual of proposals to 'The Heart' looking north east

Anchor Fields Park
Landscape
Enhancements

Youth Centre
Footprint - 1400m²
GIFA - 2400m²

Church Refurb

IMC
Footprint - 1370m²
GIFA - 3590m²

Community Hall
Footprint - 336m²
GIFA - 4140m²

**Future
Development-
Residential**
Footprint - 1840m²





**The Sunshine Centre -
External Fabric
Enhancements**
Footprint - 165m²
GIFA - 165m²

Education Zone
New Build Extension:
Footprint - 400m²
GIFA - 400m²

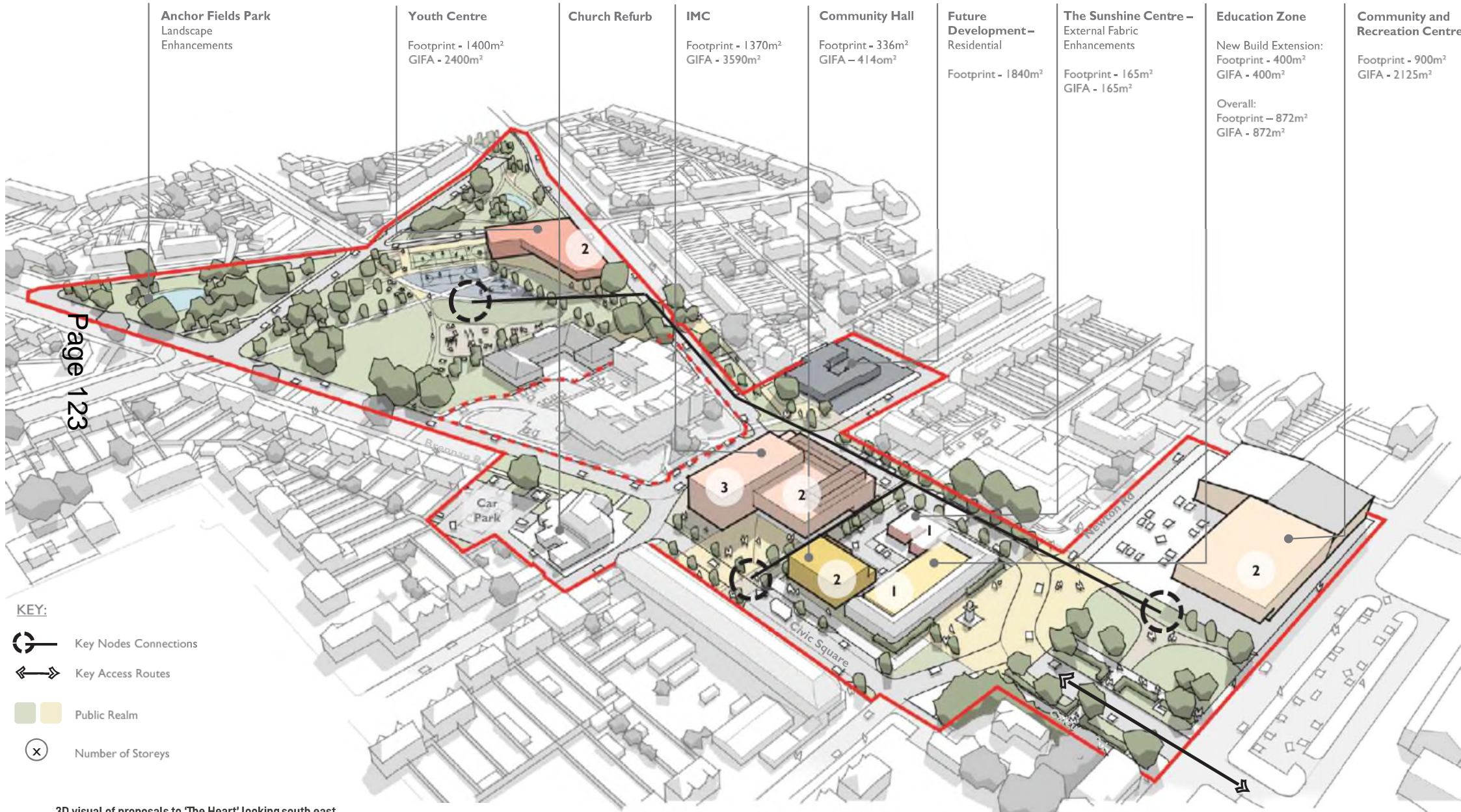
Overall:
Footprint - 872m²
GIFA - 872m²

**Community and
Recreation Centre**
Footprint - 900m²
GIFA - 2125m²

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- KEY:**
-  Key Nodes Connections
 -  Key Access Routes
 -  Public Realm
 -  Number of Storeys

3D visual of proposals to 'The Heart' looking south east





Street view of Integrated Medical Centre exterior



Project 3: The Heart - Youth Facility

The Heart – Youth Facility responds to the stakeholder engagement and sets out a clear ambition to support Tilbury's large and growing youth population through the delivery of a dedicated facility.

The Youth Facility will be provided on Anchor Fields ensuring it is easily accessible to everyone. The Council is committed to improve this park as a mitigation of building on it. It will provide much needed recreational space to a high standard, to enable formal/informal recreation and help improve health and wellbeing.

The Board have visited exemplar facilities and recognise the benefits of developing a high quality, integrated youth offer that delivers a range of services under one roof. The facility will not only accommodate space for recreational, sporting and creative activities, but will provide skills, enterprise and employability programmes to ensure that Tilbury's youth can achieve their full potential and access the economic opportunities that are being delivered in and around the Town. The proposed range of services include:

- Training kitchen; multi-sensory room
- Sports: Sports hall; fitness suite; climbing wall
- Creative: Dance and performing arts studio; arts and crafts areas; music studio, film, and multi-media room
- Outdoor Space: Outdoor 3G kick pitch; small skate-park facility; informal recreation space

Whilst difficult to quantify, the local impact of delivering a project that has received the support of 93% of the people who have engaged with the development of this TIP, should not be underestimated. This project is absolutely critical to raising aspirations and opportunities, going directly to the purpose of this Fund to level-up economic, social and health inequalities.

This project is closely linked with "Project 2: The Heart – Civic Square" and an overall vision combining the two projects has been created as part of the Masterplan for The Heart.



Proposed zones for 'The Heart's' masterplan

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CONTEXT	INPUT	OUTPUT	OUTCOME	IMPACT
<ol style="list-style-type: none"> 1. Poor building quality 2. Poor environment 3. Few leisure facilities 4. Limited places to congregate and meet socially for young 5. Crime / poor perceptions of safety 	<p>Capital investment to create a:</p> <ol style="list-style-type: none"> 1. New facility that provides social, sporting, and artistic spaces for youth 2. Recreational space on Anchor Fields 	<ul style="list-style-type: none"> — New, state of the art facility for young people in the town centre available at low cost to them to visit — Give Tilbury youths a place to meet and socialise — Youth specific career advice — Youth specific promotion of work opportunities — Skills development — New jobs created — Collaboration with employers 	<ul style="list-style-type: none"> — Attract 3,000 young people per year, increasing engagement in skills and training opportunities — Increase in sports and outdoor activity participation — New courses for youths to obtain new skills and/or qualifications — Increased employability offer — Youths assisted through employability programme 	<ul style="list-style-type: none"> — Young people being more healthy physically with better mental health and emotional wellbeing — Increased number of residents with skills and qualifications — Increased have more skills to take advantage of local opportunities for young people — Greater community cohesion — Reduced crime and anti-social behaviour

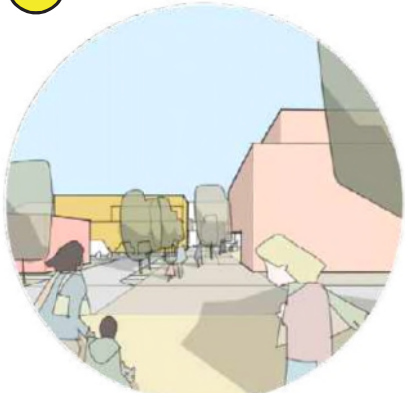
The Heart - Youth Facility logic map



3D visual of Youth Centre proposal on Anchors Field at 'The Heart' looking south west

Key

YF Youth Facility



View 1



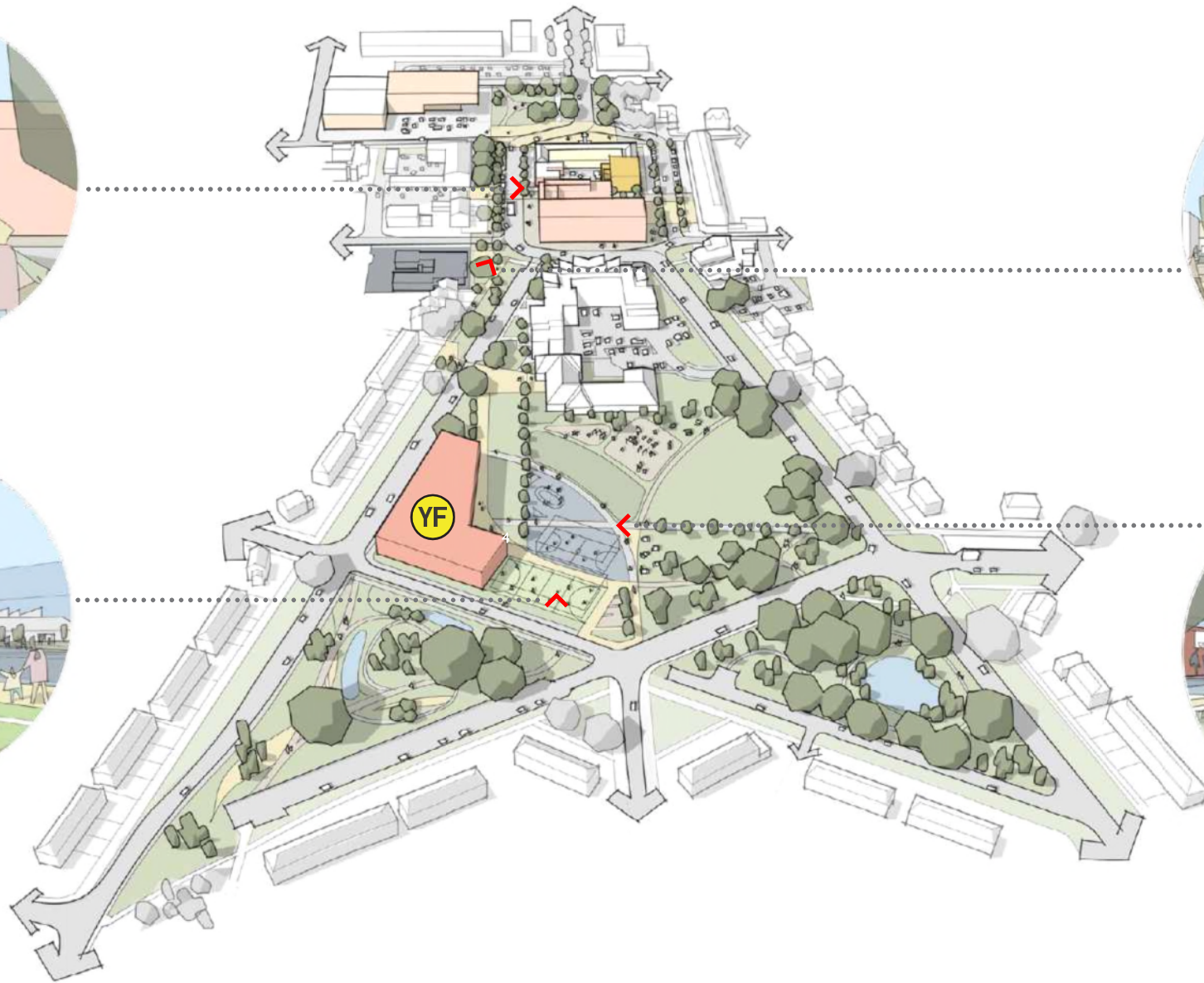
View 2



View 3



View 4





Anchor Fields Park: existing



Legacy Youth Zone in Croydon



Legacy Youth Zone in Croydon social area and cafe



Umitas Youth Zone in Barnet



Project 4: The heritage

The **Heritage Project** seeks to harness the environmental, social and economic value of Tilbury's riverside and its nationally significant heritage assets by delivering a range of linked projects and opening up the river for sustainable transport.

The overarching strategy is to reconnect the town with its riverside, port and heritage in a way that gives this area of Tilbury a distinct character and USP. This will provide a high-quality environment for the local community to enjoy, play and relax; helping to raise local pride in their area and improve overall health and wellbeing. It will also attract more day-trippers, weekenders and tourists to the area with significant benefits for the local economy; helping to build greater diversity and resilience.

The following interventions will be coordinated to transform this area of Tilbury:

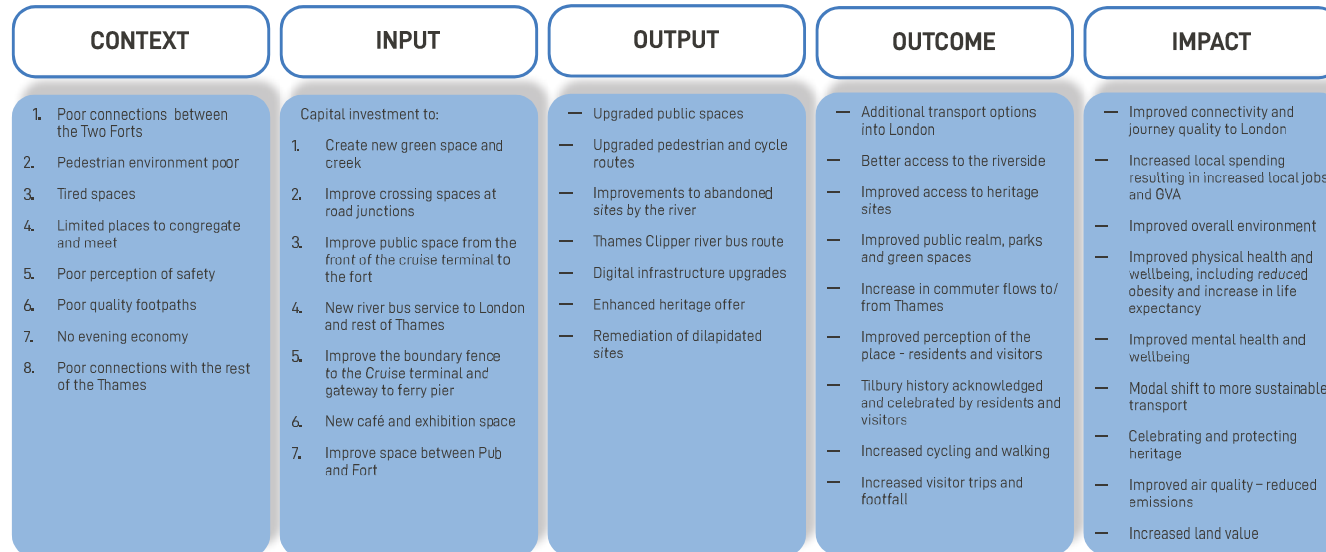
- **Thames Clippers:** a purpose-built ferry terminal and pontoon to facilitate Thames Clippers' aspiration to extend river bus services to Tilbury. This will open up the riverside as an important gateway for visitors, tourists and commuters both to and from London. This project will be future-proofed so that London Resort can add further capacity to service cross-river travel

- **Tilbury Beach and riverfront:** creating access to the tidal beach area via architecturally designed steps and opening-up a new and unique area of public realm, with supporting food and beverage facilities to increase dwell times.
- **Tilbury Fort:** restoring the historic 'landside' access to Tilbury Fort allowing easier pedestrian and cycle access to this scheduled ancient monument, and to Coalhouse Fort.
- **Cruise Terminal:** promoting the heritage value of the Tilbury Riverside Station and adding this to the portfolio of heritage assets.

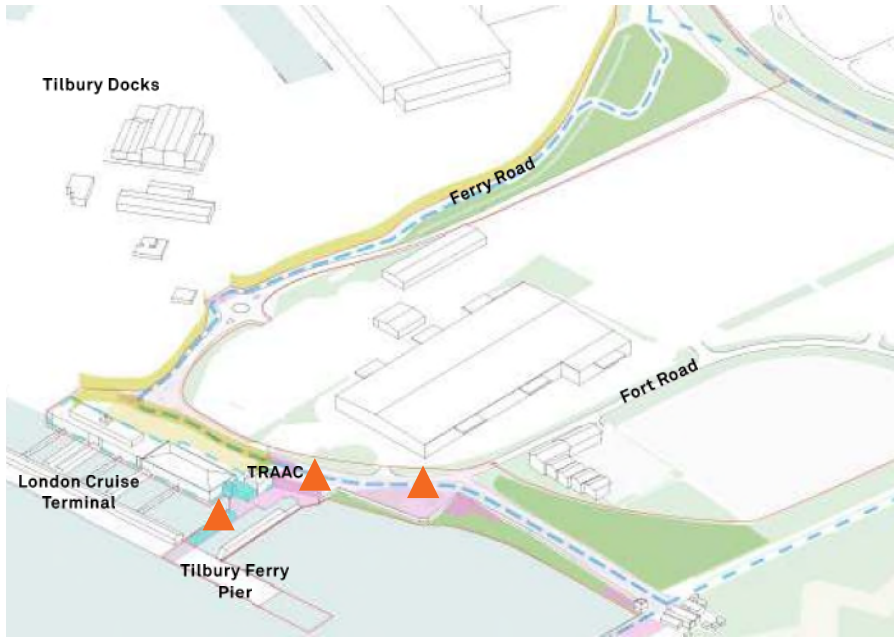
As for the other projects, new digital infrastructure will help to connect the Heritage projects with Tilbury's Hub and Heart. This will include free, fast public Wi-Fi and a range of digital wayfinding technologies for residents and tourists providing travel timetables, tidal times, flood warnings, upcoming local events for the town, etc.



Aerial view overlooking the ferry and cruise terminal towards Gravesend



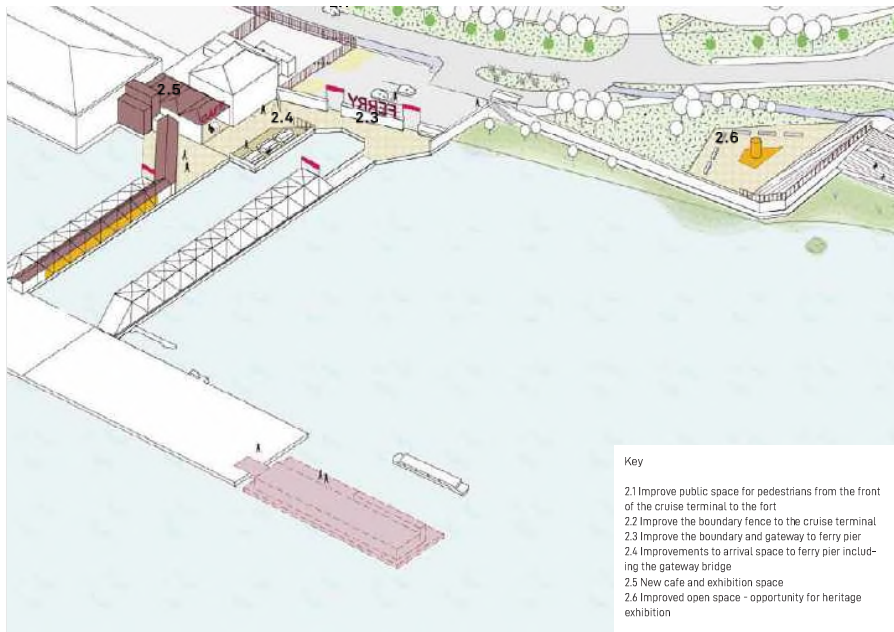
The Heritage logic map



The Heritage: overarching strategy



Tilbury Fort: public realm connections



Tilbury Pier arrival space illustrating landing stage extension location



CGI of proposed extension to the landing strip at the Ferry and Cruise Terminal

Tilbury on The Thames Trust are in discussions with John Studzinski from the Genesis Foundation with regard to Tilbury being the location for a world renowned piece of sculpture and a supporting art project that will work with local young people (see figure).



"The sculptures for consideration in Tilbury are recently completed large scale bronze sculptures by Canadian sculptor Timothy Schmalz.

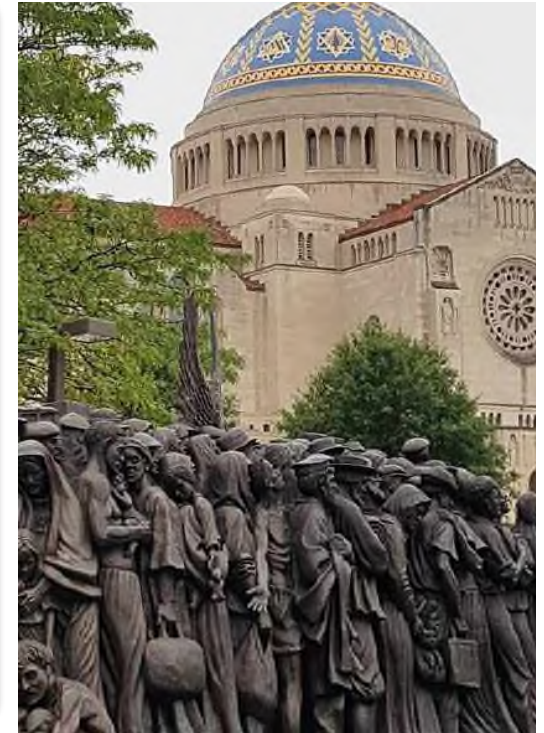
The works being installed in St. Peter's Square, Rome, and Washington D.C. are internationally known.

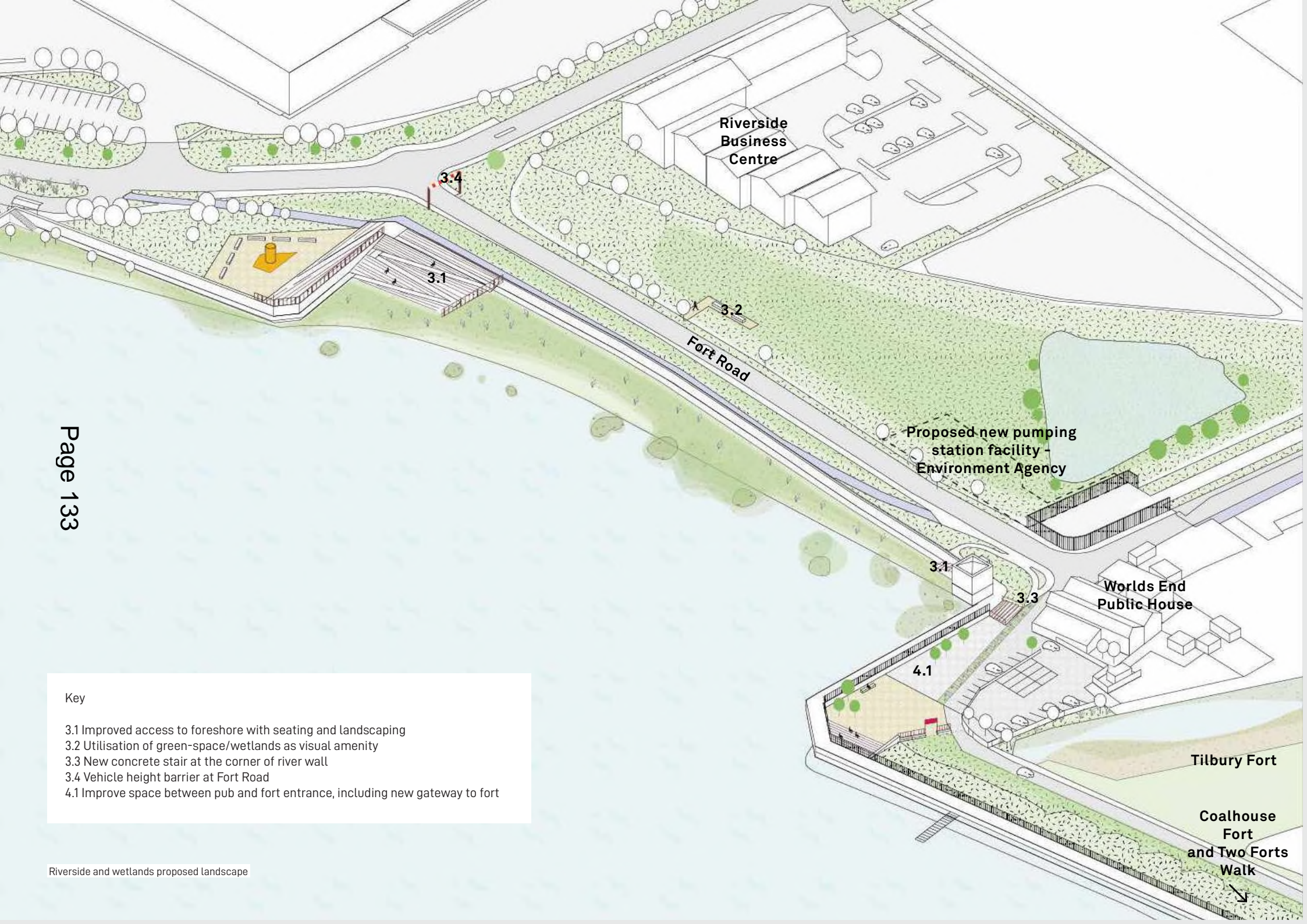
Both the Human Trafficking sculpture – 'Let The Oppressed Go Free' – and the Refugee sculpture – 'Angels Unawares' – celebrate the idea that it is our spiritual duty to show compassion and give help to the marginalised and forgotten in our society.

Although both sculptures show human disperse and struggle, their general message is one of hope and peace and Justice."

Mr John Studzinski: Genesis Foundation

<https://genesisfoundation.org.uk>





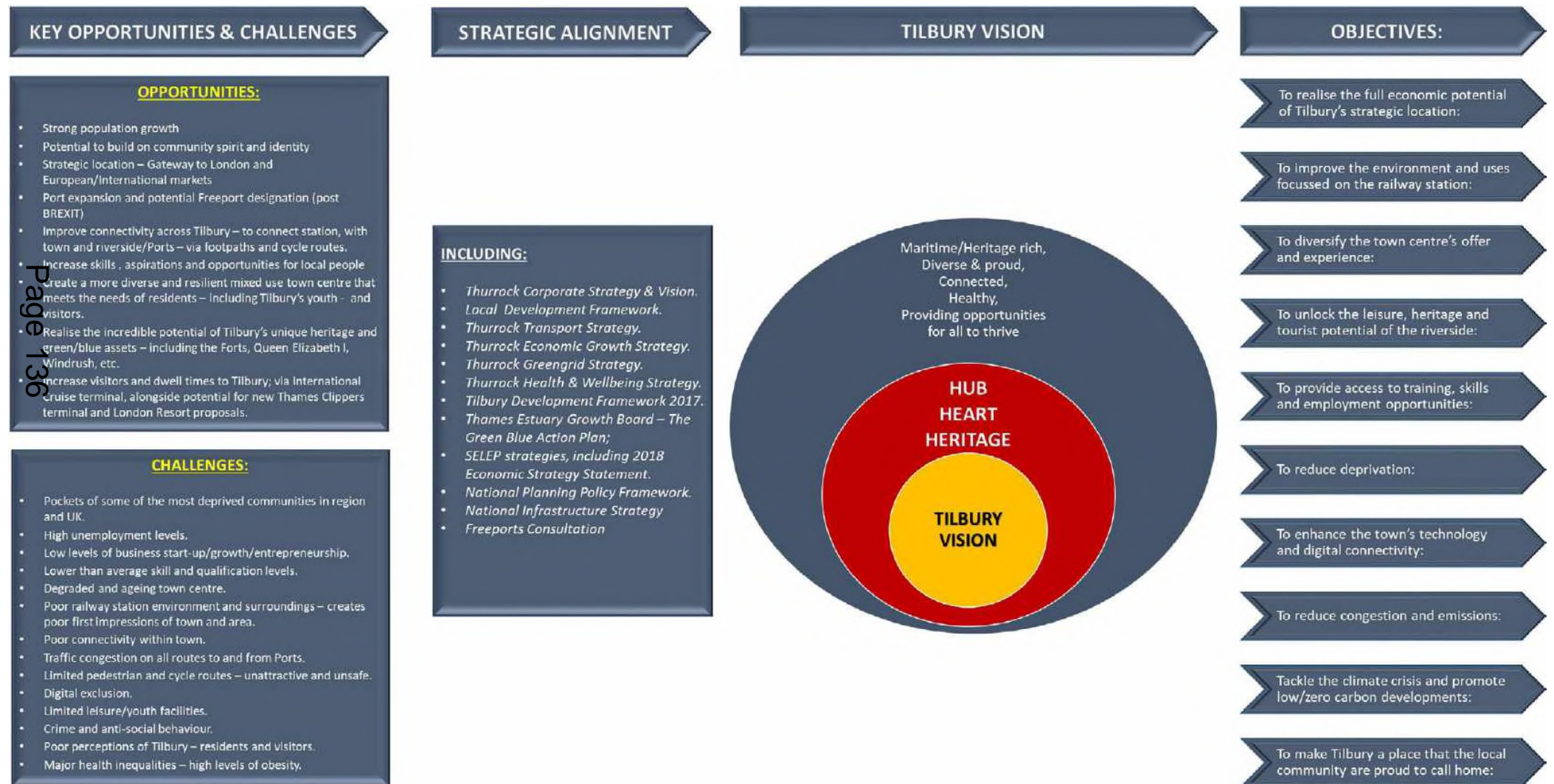
Key







- 3.1 Improved access to foreshore with seating and landscaping
- 3.2 Utilisation of green-space/wetlands as visual amenity
- 3.3 New concrete stair at the corner of river wall
- 3.4 Vehicle height barrier at Fort Road
- 4.1 Improve space between pub and fort entrance, including new gateway to fort





Town Investment Plan: Summary Figure

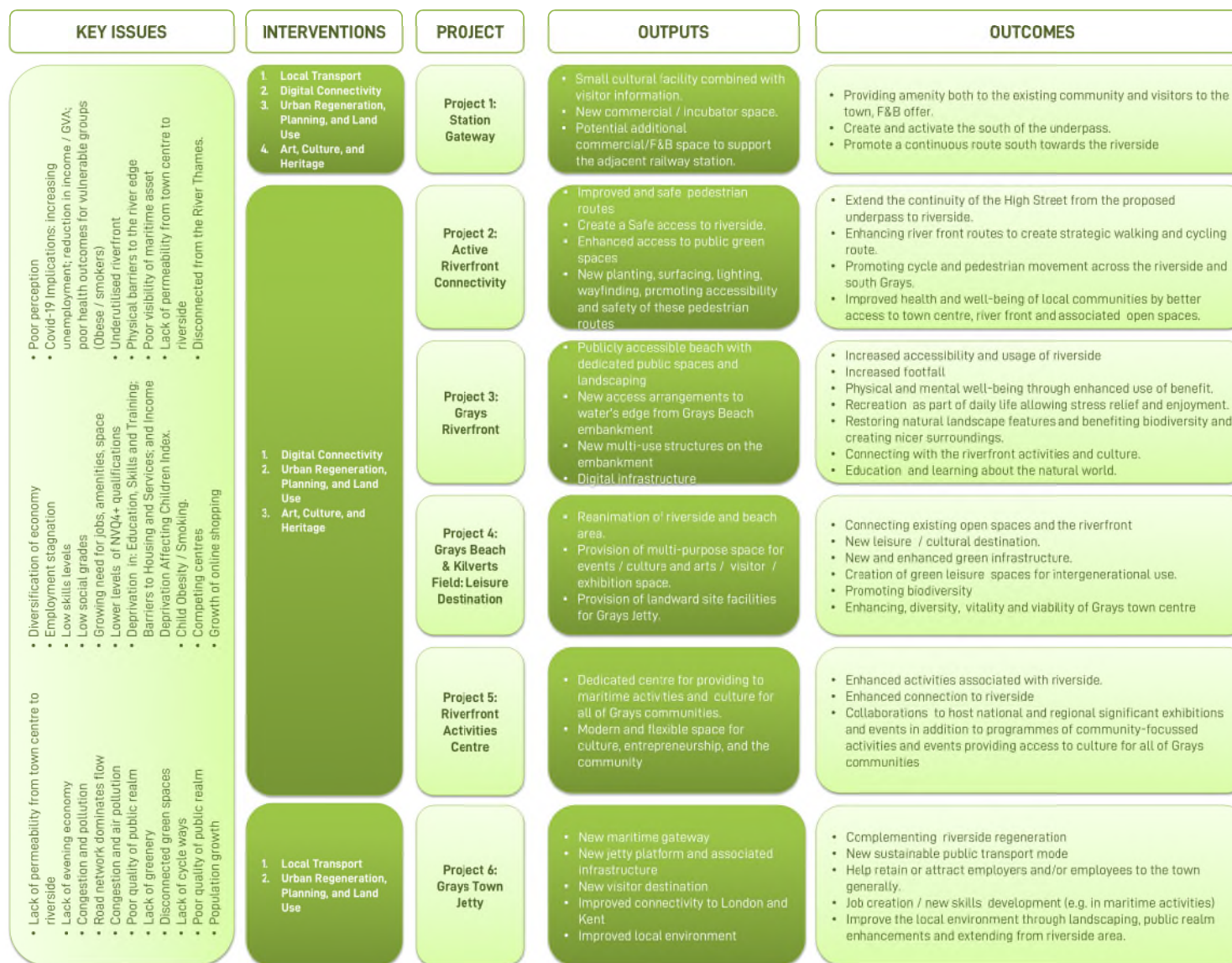


INTERVENTION THEME	PROJECTS	IMPACTS
<p>Hub</p> 	<p>STATION GATEWAY:</p> 	<ul style="list-style-type: none"> • Modal shift to green transport solutions – including improved footpaths and cycleways • Improved air quality – reduced emissions • Improved health and wellbeing - including reduced obesity and increase in life expectancy • Improved perceptions of Tilbury, increased safety, reduction in crime, etc. • Increased land value • Increased local spending resulting in increased local jobs and GVA • Increased inward investment
<p>Heart</p> 	<p>CIVIC SQUARE: Integrated Medical Centre, Community Space, Land acquisition, Library Redevelopment, Parking provision, Public Realm & Parks</p> <p>YOUTH FACILITY: Youth centre and park</p> 	<ul style="list-style-type: none"> • Increased investment elsewhere in the town centre • Increased land value • Increased local spending resulting in increased local jobs and GVA • Improved health and wellbeing • Greater community cohesion • Reduced crime/deprivation • Educational benefits - e.g. increased number of residents with qualifications
<p>Heritage</p> 	<p>RIVERFRONT: Cruise terminal, Tilbury Fort, Tilbury Beach, Jetty & Thames Clippers</p> 	<ul style="list-style-type: none"> • Improved connectivity and journey quality to London • Increased local spending resulting in increased local jobs and GVA • Increased land value • Improved overall environment • Improved physical health and wellbeing - including reduced obesity and increase in life expectancy • Improved mental health and wellbeing • Modal shift to more sustainable transport – walking and cycling • Celebrating and protecting heritage • Improved air quality – reduced emissions

GRAYS TIP

3.4 OVERARCHING THEORY OF CHANGE

To show how the project proposals presented in GTIP Section 2 will help to address Grays challenges and capitalise on the major opportunities outlined here, we have completed a 'programme level' theory of change model.





3.5 SPATIAL STRATEGY PLAN

Our focus is to create a destination at the Riverside through new leisure infrastructure and improved connectivity with Grays town centre and beyond.

This will be underpinned by a jetty to enable new transport links by river to Kent and to central London. Our plans will deliver a significantly enhanced riverside environment to attract visitors of all ages who will benefit from improved access by foot, bicycle, rail and river. This will be a transformational investment to encourage more visitors and drive economic growth.

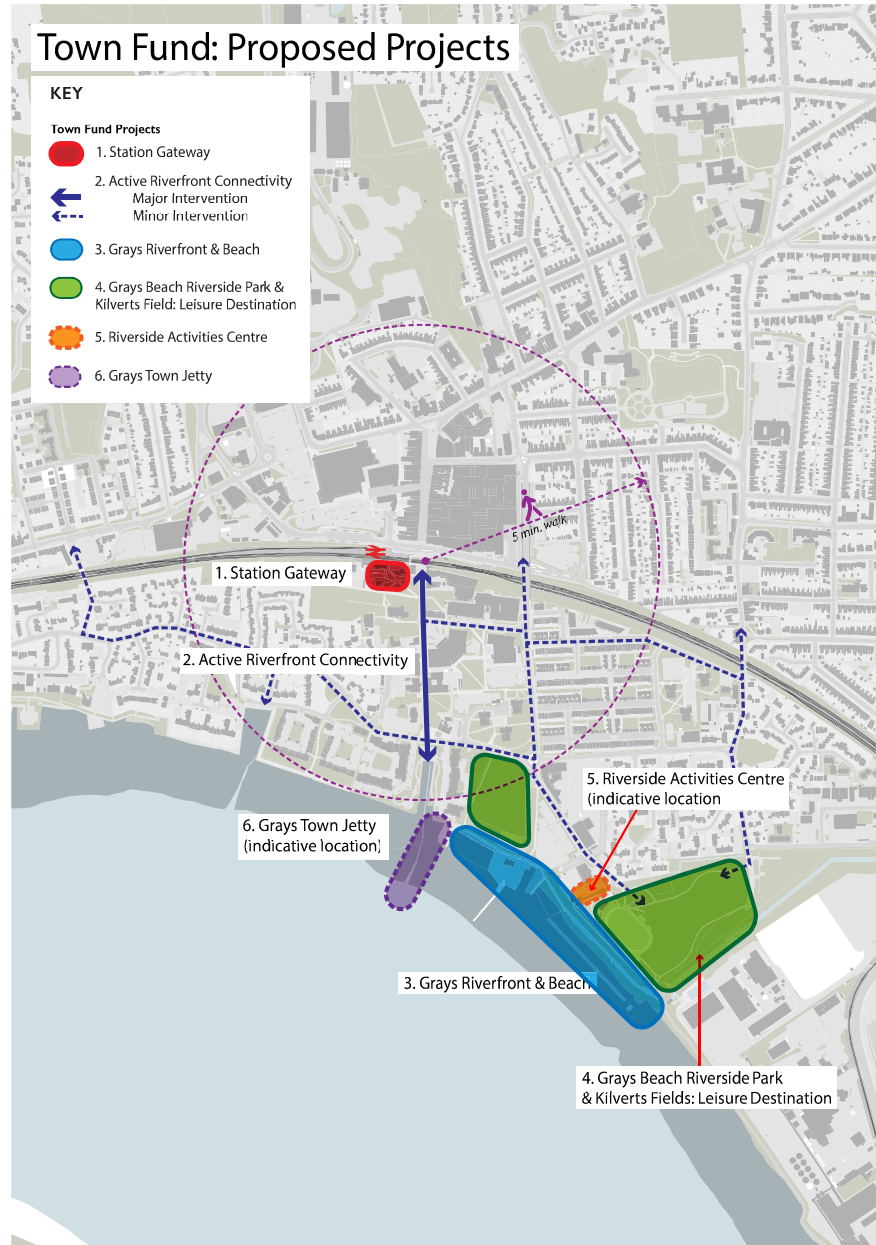
Grays is already well positioned on the north bank of the River Thames to benefit economically from:

- The enhancement of the Heritage offering at Tilbury Fort and Tilbury Cruise terminal;
- Thames Estuary Production Corridor with its creative and cultural cluster at Purfleet in Thurrock;
- The proposed underpass and improvements to Grays railway station;
- The proposed development at London resort immediately across the river from the proposed jetty; and
- The economic potential of the wider SELEP region and proximity to London.

Our proposals are presented to show the continuity of experience from initial arrival at the station with safe movement southwards to the riverfront and beyond. Our projects will enable economic diversification and growth and enhanced connectivity between the town centre, riverfront and green spaces.

Through our projects we want our communities to be able to reconnect with open spaces and green infrastructure as they make a significant contribution to quality of life locally. The pandemic is expected to have a long-term impact on mental health and there is an increased responsibility to maximise the availability of outdoor space. Grays Beach Riverside Park and Kilverts Field are catalysts for resurgence in the use of green space and crucial 'green lungs' in an otherwise urban and densely populated residential area.

The spatial context of our TIP interventions is shown opposite.



THURROCK COUNCIL

Welcome to

Grays Beach Riverside Park

THIS PARK WILL CLOSE HALF AN HOUR BEFORE DUSK AND WILL RE-OPEN AT DAWN

Notice of Events & Activities

Roast Every Sunday 12pm To 4pm

OAP Day Every Wednesday 1pm To 4pm

After School Dinners Every Friday 4pm To 6pm

- Please respect the park by disposing of your litter in the bins provided.
- In the interest of safety, please do not bring Glass or Alcohol into the area.
- To report any damage or vandalism to the equipment, or in the event of an accident, please contact a member of staff or call Parks & Open Spaces on (01375) 632308.
- The nearest public telephone box is located in: Grays Town Centre.
- An emergency telephone is situated within the park. This is your facility, please help us to keep this site in good condition.



HISTORY OF THE PARK
 Grays Beach Riverside Park had previously been Victoria Park with a swimming pool (some pictures are situated within the cafe). The main part of the park which included the swimming pool had been largely derelict until the re-developments for the new park took place. The new look Grays Beach Riverside Park opened in May 1999. The main area of the new park is centred by the re-development of the old swimming pool. This was totally drained and filled with 5,000 tonnes of play grade sand. Other new developments in the park included: Adventure Golf, Junior Driving School, Puddle Go Karts, Splash Pool with interactive features, extensive re-planting, Cafe, Toilets and disabled access.



3.6 PROJECTS



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Grays Riverside Panoramic



Grays Beach Existing



Grays Beach circa 1930



Grays Riverside and Beach Existing



1. Station Gateway

**4. Kilvert's Fields:
Leisure Destination**

**4. Grays Beach Riverside Park:
Leisure Destination**

**4. Extension and
enhancement of
Lightship Cafe**

**5. Riverfront
Activities Centre
(location to be
determined)**

3. Grays Riverfront and Beach

**6. Grays Town Jetty
(indicative position)**

**2. Active Riverfront
Connectivity**

Our Projects

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Project 1: Station Gateway

The station is an important gateway for Grays. Currently, the busy C2C line runs through the town centre dividing the High Street into north and south. Services travel through a pedestrian level crossing which has a footbridge connecting both sides of the street. The Council working with Network Rail and C2C will separately deliver a new lower level concourse below the railway to improve safety and accessibility for pedestrians.

As part of this development, the proposed lower level concourse will create space in the form of a station forecourt or 'piazza' area. This area represents an important opportunity where the Towns Fund assistance is sought to provide:

- A visitor information facility providing amenity both to the existing community and visitors to Grays;
- New commercial / start-up space (e.g. new food and beverage concepts) at ground level to support the adjacent railway station;

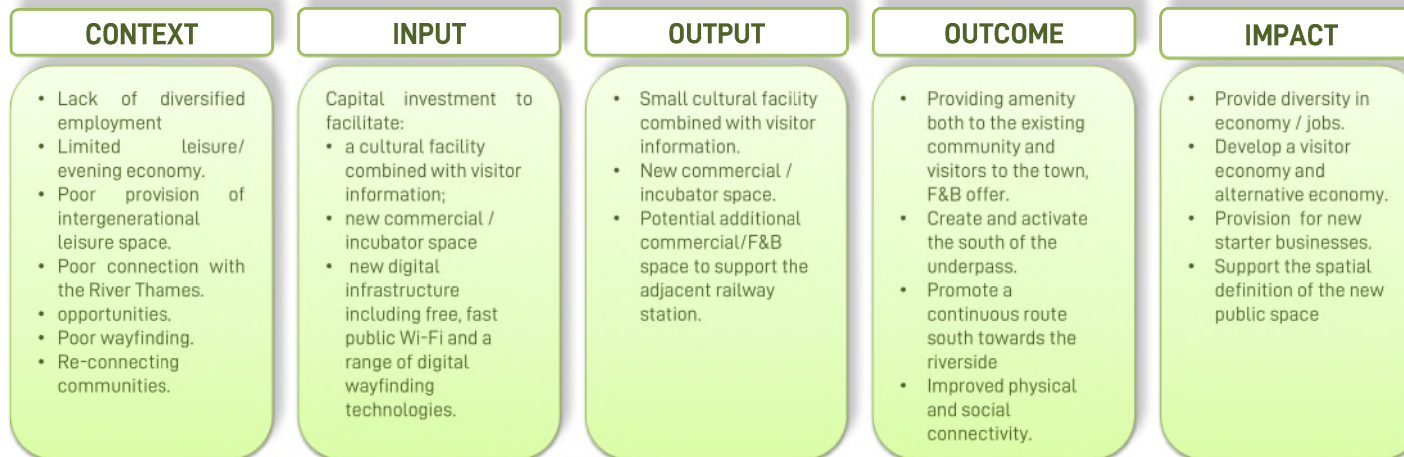
- New digital infrastructure including free, fast public Wi-Fi and a range of digital wayfinding technologies.

This intervention is essential to:

- Support the spatial definition and arrangement of the emerging new public space in front of the train station, to establish a new gateway to the town centre;
- Promote diversification of businesses and economic growth;
- Provide active commercial frontages and wayfinding enhancements to animate the lower concourse in order to optimise connectivity between north and south High Street;
- Define and promote a continuous route south from the town centre towards the riverside.



Station Gateway: Proposal Sketch



Station Gateway logic map

Project 2: Active Riverfront Connectivity

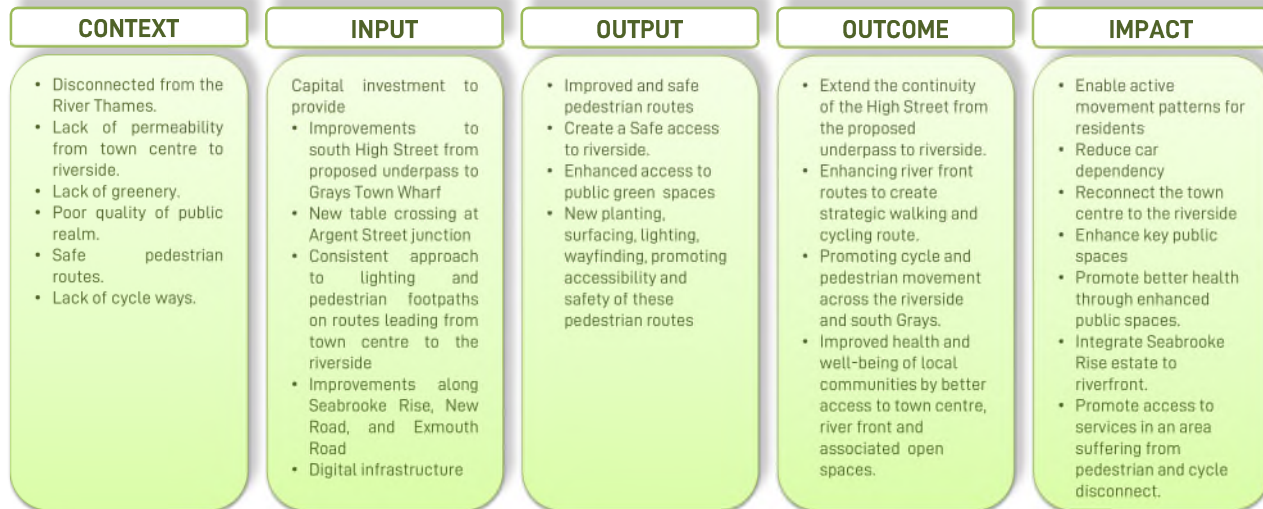
Building on Project 1, this intervention seeks to extend the continuity of the High Street from the proposed underpass to Grays Town Wharf. This route represents a 'central spine' connecting the town centre, the station gateway (Project 1), South Essex College (£45m investment), the riverside destination (Projects 3, 4, 5) and proposed jetty (Project 6).

We believe that the riverfront must be accessible, clearly signposted and secure for users. Our project aims for better connectivity and promotes active modes of travel between town centre and riverfront. It will improve the legibility and sense of place south of Grays town centre and the surrounding residential areas. The project seeks to deliver:

- A new table crossing at Argent Street junction in front of the Grays Town Wharf gates, and improved planting, surfacing, lighting, wayfinding, promoting accessibility and safety of pedestrians;

- Consistent approach to lighting and pedestrian footpaths on routes leading from town centre to the riverside, principally High Street but also Wharf Road, Derby Road, Bridge Street;
- Feature lighting of St Peter and St Paul's Church to aid wayfinding and extend functionality of High Street route into the evening in a safe and inclusive way that will encourage pop up activities and commercialisation along the lower High Street; and
- Digital infrastructure including free, fast public Wi-Fi and a range of digital wayfinding technologies.

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Active Riverfront Connectivity logic



Active Riverfront Connectivity: Proposal Sketch

Project 3: Grays Riverfront and Beach

The River Thames is a key defining asset for Grays, yet the town looks away from it. Together these proposals are designed so that the town embraces its connections to the river and so that it can be enjoyed by all.

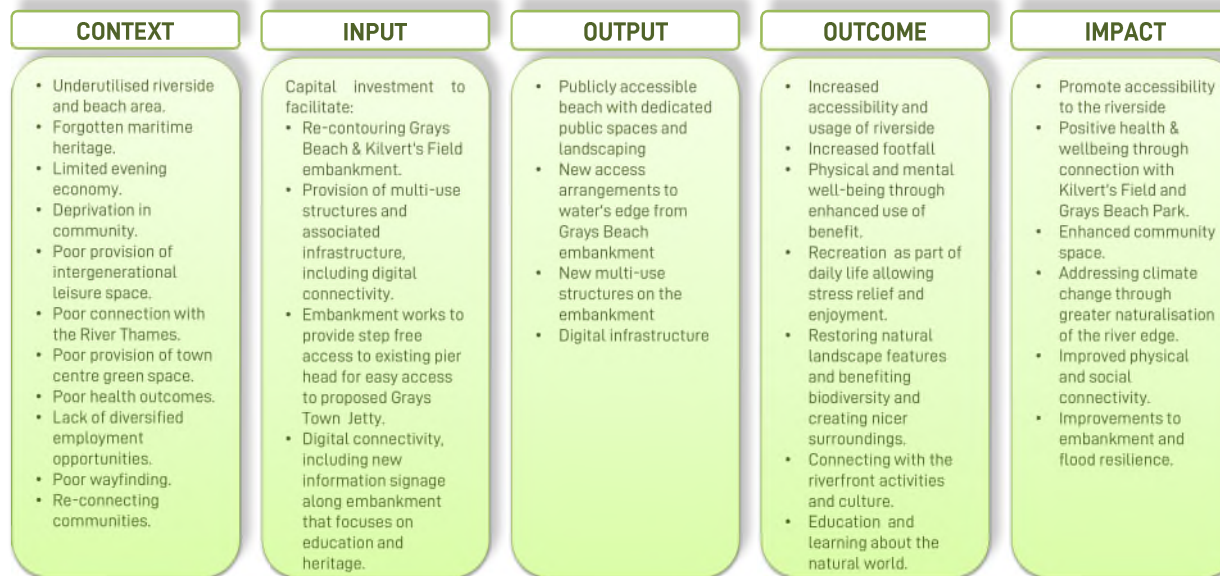
The riverfront consists of disconnected public spaces of varying quality and is under-performing as a destination and leisure amenity. The high railings, walls and flood defences impede sightlines. Elevation of the riverside pathway will enable the transformation of the riverside to a welcoming destination with amenities. Specifically this will include:

- Recreating a publicly accessible beach along the water's edge at the original Grays Beach Riverside Park with dedicated public spaces and landscaping that also promotes ecology and biodiversity;
- Allowing new access arrangements (steps and ramps) to the water's edge from Grays Beach embankment to re-engage the riverfront with the river;

- New multi-use structures and associated infrastructure, including digital, on the embankment to provide shelter and enable small events and new uses along the riverfront; and
 - Digital connectivity, including new information signage along embankment that focuses on education and heritage.
- To make this happen will be predicated by a range of infrastructure works including:
- Re-contouring of Grays Beach and Kilvert's Field embankment to address severance and promote accessibility to the riverside;
 - Resurfacing and enhancement of riverside walk, including widened footpath, new surfacing, removal of railings;
 - Embankment works to provide step free access to existing pier head for easy access to proposed Grays Town Jetty (Project 6) from Kilverts Field.

Our aim is to reanimate the riverfront and give it prominence with modern amenities and infrastructure. It will provide a quality environment reconnecting the community with nature and aiding a range of social benefits including:

- Physical and mental well-being – recognising benefits of being outside, among green spaces, which is particularly relevant as our community recovers from virus and ensuing economic downturn;
- Recreation – leisure is increasingly important as part of daily life allowing stress relief and enjoyment;
- Aesthetic enhancement – restoring natural landscape features and benefiting biodiversity and creating nicer surroundings, allowing people to connect with the river and the vista across to Kent;
- Education – encouraging adults and children alike to learn about our natural world; and
- Leisure – reconnecting the urban environment of Grays town centre with the riverfront activities which has been long part of Grays heritage, and enhancing the desirability of Grays as a place to live and work.



Grays Riverfront and Beach logic map



Project 4: Grays Beach Riverside Park and Kilverts Field: Leisure Destination

Building on Project 3, this intervention seeks to embrace the natural uses of the riverfront further by connecting existing open spaces and the riverfront. Grays Beach Riverside Park and Kilverts Field are public open spaces serving a wide community but suffer from a lack of facilities or activity. We seek to address this by making the area more visually permeable, create access up to the river and make existing amenity space more desirable and usable through:

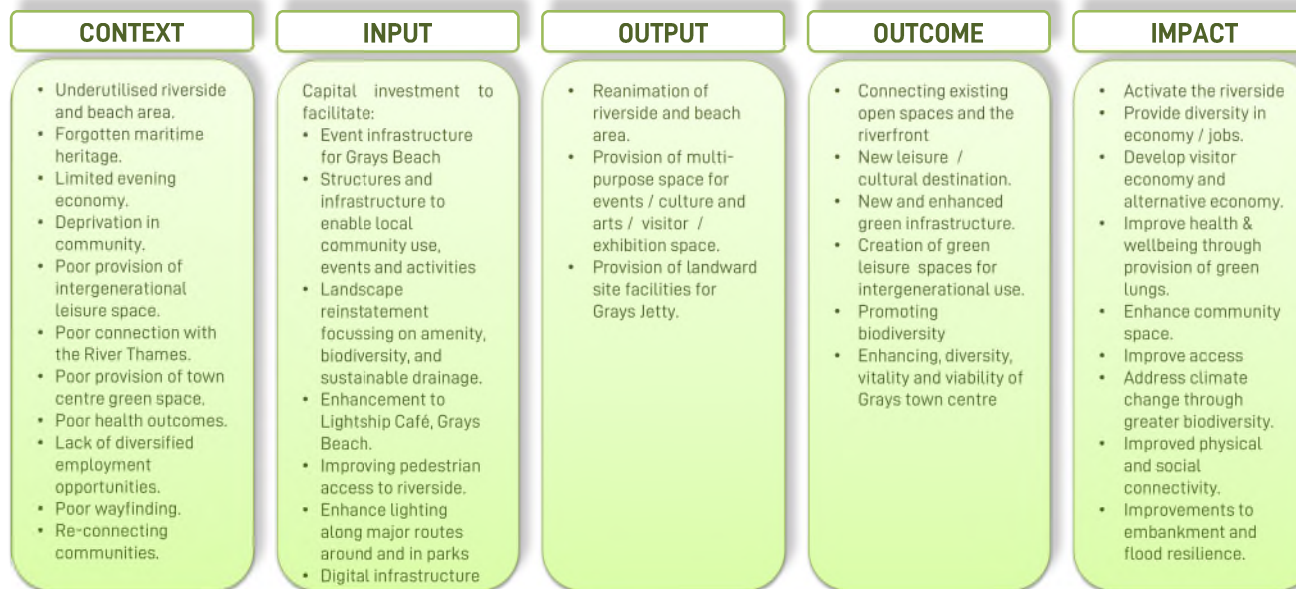
- Provision of physical event infrastructure including landscaped auditorium seating; plug-in electricity and digital utilities; provision of temporary and movable structures, such as additional seating and staging areas;
- Provision of small multi-use structures that can provide shelter and seating incorporating community-led public art displays. These structures could also provide space for seasonal local businesses such as kiosks serving visitors and users of the public green open spaces by the riverfront; and

- Reconfiguration of the existing Lightship Café within Grays Beach to provide multi-use food and beverage.

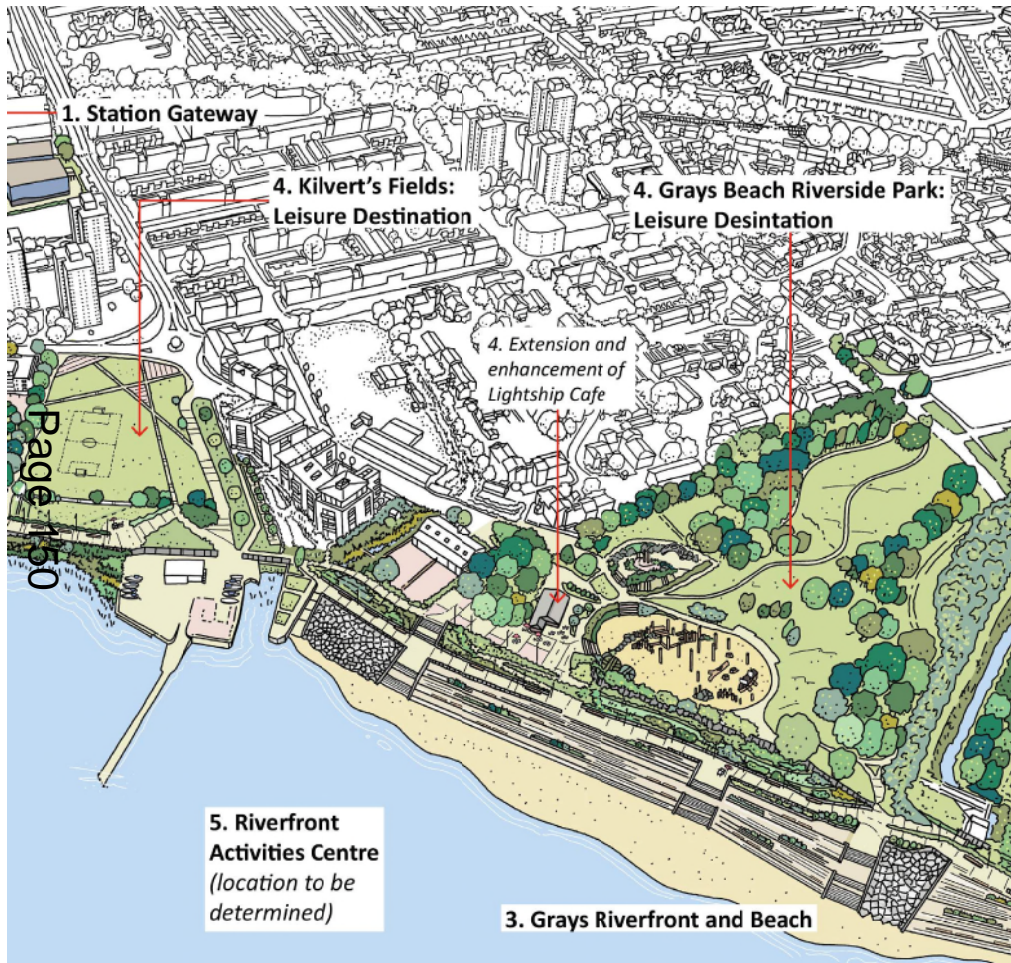
To enable this level of provision it will further require:

- Landscape reinstatement within Grays Beach and Kilverts Fields, with a focus on amenity, biodiversity and sustainable drainage enabling the community to connect with nature;
- New and enhanced lighting along major routes around and in parks, including digital connectivity, to extend functionality of spaces into the evening while promoting inclusive, accessible and safe movement; and
- Rationalising and redesign of Thames Road access and improving pedestrian access to riverside.

The interventions will enhance perception and use of these green spaces and contribute to thematic programming such as festivals and performances. It will enable provision of intergenerational activities all year round and help establish a convivial setting for social interaction. It is anticipated this will additionally reinforce the provision of cultural events in Grays and be a key contributor to the cultural provision under the wider Thames Estuary Production Corridor.



Grays Beach Riverside Park and Kilverts



Grays Beach Riverside Park and Kilvert's Field: Proposal Sketch

“People want to more than a cloned high street found anywhere else in the U.K. ... People want experiences and memories, so yeh high street needs to be a place for celebrating and exploring creativity, culture and heritage with festivals, events and a night time economy - no one of which are happening right now”
 2020: Grays Advisory Group Workshop



“I have been running regular fitness classes and personal training sessions on Kilvert's Field for over 2 years and the investment in the area will be a huge asset to the local community. The regeneration will attract more people and it would be fantastic to get people outside to enjoy all the benefits. My aim is to encourage more people to exercise outdoors and enjoy the surroundings that are on their doorstep and the investment in the area will definitely help with this”

Louise Ince
 Personal Trainer | Group Exercise Instructor
 dotty about fitness
 (2021)

Project 5: Riverfront Activities Centre

To enhance the riverside destination, we are also seeking to provide a dedicated 1,200 sq.m (GIA) riverside activities centre. This will facilitate community use of the river for leisure and maritime activity and provide event and education space.

It will be sited in an accessible location with enhanced connection to the riverfront (Projects 3 and 4). The aim is provide modern and flexible space with digital infrastructure for a range of activities including:

- Use of the River for sports and leisure for all generations improving access to sailing, sports and maritime activity;
- An educational facility to enable young people to learn about the Thames through our history; as a driver of economic wealth; as a focus for nature and conservation; as well as for sport and leisure;
- An events space to enable cultural activities such as events and gallery space; local art, music and theatre; river festival;
- Education, entrepreneurship, skills and training activities working with community partners including South Essex College.

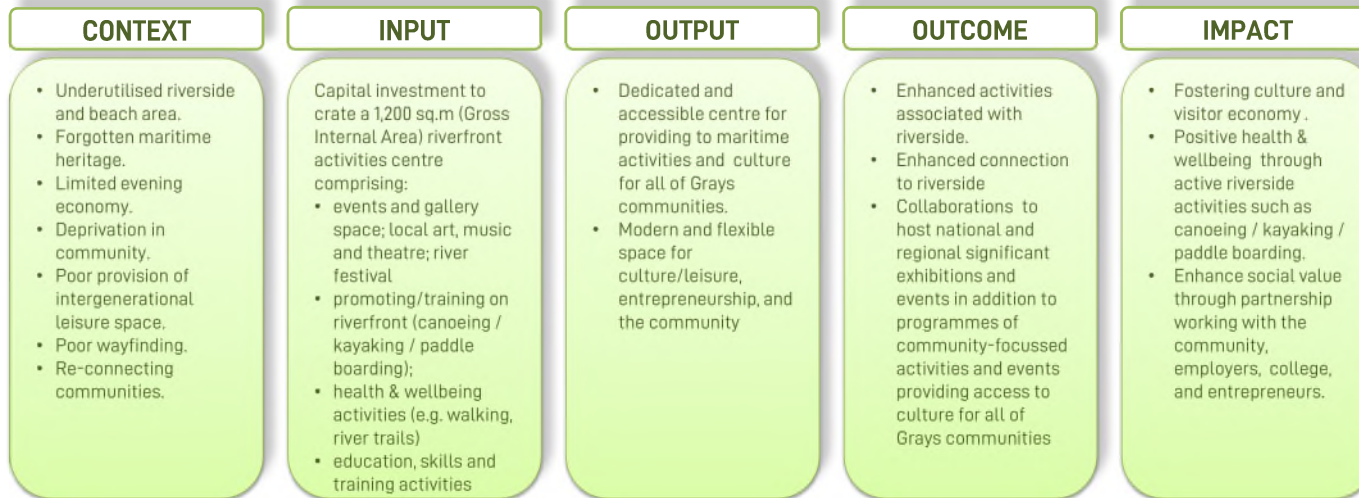
The centre will act as a focal point for the revitalised riverfront destination bringing together a collaborative partnership between the community, employers, entrepreneurs and education. This will additionally nurture social value by way of local employment, better health outcomes and appreciation of public green spaces. Engagement has commenced with the Yacht Club and Sea Cadets but further engagement needs to take place before location can be finally agreed. The delivery of the activities centre will be in partnership with both organisations.

“Use colour, light and art to make a statement, allow residents to take ownership and to be proud of where they live!”
2020: Grays MyTowns Campaign

““We want to see colour and trends and make it much more family friendly for all ages.”
NewRiver REIT Community Engagement Charette Output (2020)

“link culture and heritage”
2020: Grays Advisory Group Workshop

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Riverfront Activities Centre logic map

Project 6: Grays Town Jetty

The River Thames itself is the greatest asset for Grays. Historically, its wharves were the focus of river traffic and a major driver for economic activity and growth. We believe this can be restored by proactively planning for future river traffic. We seek to unlock this potential by providing a jetty from the riverside built deep into the River Thames to harness the untapped environmental, social and economic value of Grays' riverside setting.

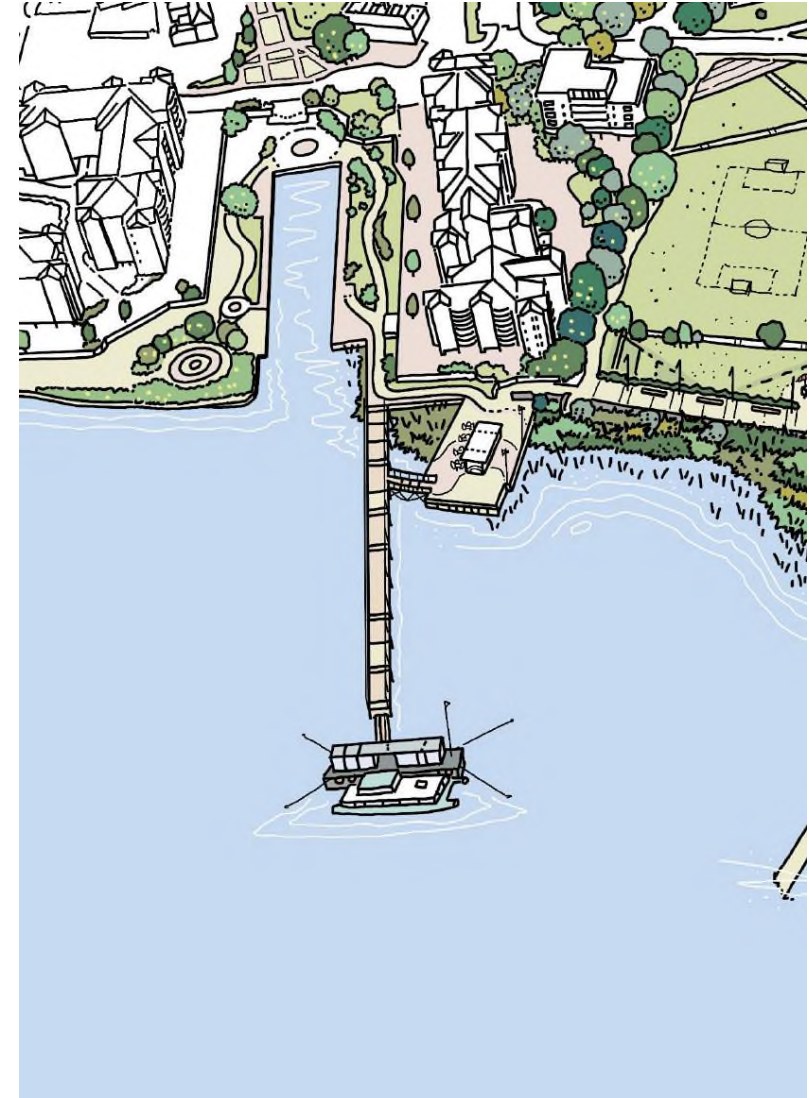
This fundamental maritime intervention is needed to enable:

- Greater connectivity between the north and south banks of the Thames; greater connectivity beyond to the East to Tilbury³⁵ and to the West to Canary Wharf and the City of London;
- Transport along the river consistent with the desire to make the Thames Estuary a more significant economic driver. Thames Clippers has provided a letter of support³⁶ with Grays as a stopping point which would open-up the riverside as an important gateway for locals and visitors;

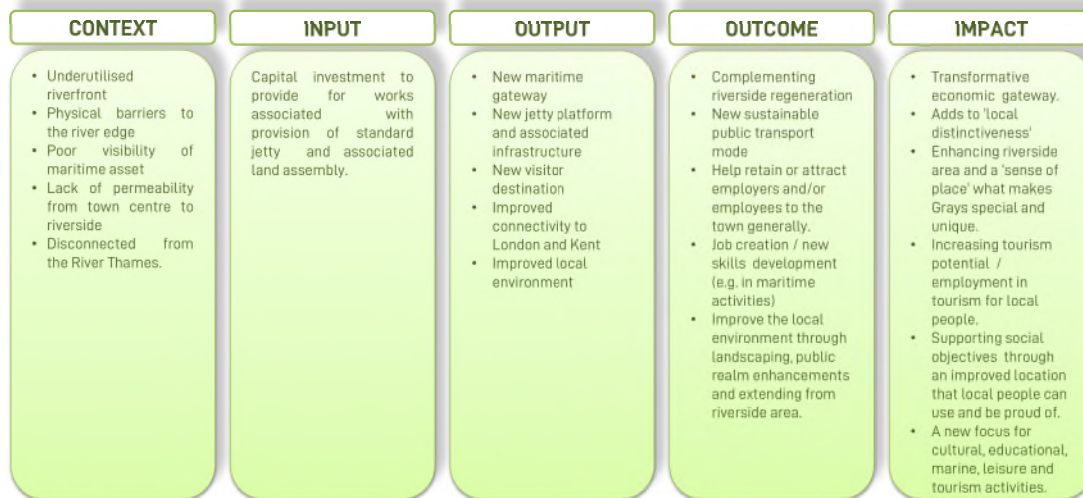
- Developing a visitor economy - as Grays rail station is the closest north of the Thames to the proposed London Resort³⁷, there is the future prospect to generate significant river traffic through a rail and sail service to the resort and a collaboration agreement has been signed between Thurrock Council and London Resort to further that intention; and
- Employment opportunities coming from the construction and operation of the proposed London Resort, easily accessing the workforce in Grays

As for the other projects, new digital infrastructure will help to connect with other riverside projects and will include free, fast public Wi-Fi and a range of digital wayfinding technologies.

This undertaking will be at the heart of our vision to reanimate the riverside area into a truly functional transformative location.



Grays Town Jetty: Proposal Sketch



Grays Town Jetty logic map

3.7 PROJECT COSTS

Initial feasibility studies have indicated the following overall costs per project.

Project	TOTAL TOWNS FUND ASK
Project 1: Station Gateway	£2.64m
Project 2: Active Riverfront Connectivity	£2.51m
Project 3: Grays Riverfront and Beach	£5.59m
Project 4: Grays Beach & Kilverts Field: Leisure Destination	£4.57m
Project 5: Riverfront Activities Centre	£3.037m
Project 6: Grays Town Jetty	£6.6m
TOTAL TOWNS FUND ASK:	£24.947m

Grays Town Fund Ask: Indicative project programme and timeline.

	20/21	21/22	22/23	23/24	24/25	25/26
Project 1: Station Gateway						
Project 2: Active Riverfront Connectivity						
Project 3: Grays Riverfront and Beach						
Project 4: Grays Beach & Kilverts Field: Leisure Destination						
Project 5: Riverfront Activities Centre						
Project 6: Grays Town Jetty						

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APPENDIX 4B - GRAYS TIP PROJECT AND RISK SUMMARY

Project	Project packages	Cost in TIP (£m)	Issues to resolve	Main Project Risks	Main Risks to the Council
Station Gateway Active Riverfront Connectivity	Projects Combined due to close relationships	2.64 2.51	These works are either within underpass project area or within the Public Highway.	Delay of underpass would delay commencement of project.	a. Responsibility for implementation and project risk fall to the council . b. Deliverability and programme is closely linked to delivery of the underpass. c. Could require an increased budget provision for maintenance. Proposed mitigation Full business Case passed all gateway requirements for the Future High Street Fund. The Full Business Case stage for the Town Funds to include detailed consideration of; - long term management and operation - deliverability and objectives. This will enable the Council to make an informed decision before committing to the project. If it is decided at this stage that the project is not viable there is a possibility that the funding can be transferred to another project.
	Package Total	5.15			
Riverfront and Beach Grays Beach & Kilverts Field: Leisure Destination Riverfront Activities Centre	Projects combined to Grays Riverside Park	5.59 4.57 3.037	The following could all define the approach to the scheme and the scope of long term management and need to be addressed before undertaking costly design development. 1. Some land is owned/the responsibility of others including the PLA (Owner), the Environment Agency (responsible for flood defences), Lighthouse Café (Lease and some park management) and Yacht Club (lease). The PLA, EA and Yacht Club will all influence/impact the scope of the project and the costs. 2. Need to understand ground conditions and the condition and extent of the flood defences 3. Works to flood defences and within the river will require consent from the Environment Agency as manager of the flood defences and as a statutory consultee in the planning process, and from PLA in their role of managing use and safety of the river 4. The Grays Yacht Club have a leasehold interest that impacts the scheme, policy support in EA policy, and they may be able to support long term management. Should they object their objection could impact EA and PLA support for the scheme.	1. Deliverability of creating sandy beach (technical/cost/river safety/flood capacity) 2. Cost and complexity of works to Flood defences 3. Cost and complexity of maintenance of flood defences 4. Limitations of flood defences on scope and cost of works 5. Ground conditions - weight loadings and foundation treatments 6. Ground conditions - contamination 7. Land ownerships - leases 8. Commercial viability 9. Long term cost of maintenance and mangement (including replenishment of sand) 10. Level of contingency allowance	a. Responsibility for implementation and project risk fall to the council. b. Long term costs of operation and maintenance will fall to the Council. Given the nature of the projects, higher management costs are likely to be required than at present and there may be further additional cost associated with maintaining flood defences and structures in the river. c. Complex project at early stage of development so limited level of cost certainty at present. Relatively low level of contingency currently allocated - overspend risk rests with the Council. d. Potential requirement for Council to manage a new asset. Proposed mitigation The Full Business Case stage to include detailed consideration of options for long term management and operation, and need for review of objectives to enable delivery. This will enable the Council to make an informed decision before committing to the project. If it is decided at this stage that the project is not viable there is a possibility that the funding can be transferred to another project.
	Package Total	13.197			
Jetty	Jetty	6.6	The following could all determine the suitability and availability of the preferred location and need to be addressed before undertaking costly design development. 1. Proposed site is in third party ownership. Need to understand their support and willingness to either sell or enter in to licence arrangements at reasonable cost. 2. Need to understand ground conditions and the condition of the wharf to which the jetty would be attached to understand if required works could be carried out at reasonable cost. Access required to undertake surveys. 3. Need to understand suitability of location from a river management perspective and in relation to other existing river users such as the yacht club, PLA Navigational Safety Assessment. 4. Works to flood defences and within the river will require consent from the environment agency as manager of the flood defences and as a statutory consultee in the planning process. 5. Need to establish River bus operator and London Resort support and requirements (and willingness to support and fund business case development). 6. Proposed site close to a Marine Conservation Zone.	1. Ground conditions unsuitable -weight loadings and foundation treatments 2. Ground conditions-contamination 3. PLA withhold licence for river safety/operation impact 4. Cost of works to Flood defences 5. Cost of maintenance of flood defences 6. Limitations of flood defences on scope of works 7. Requires acquisition of land at reasonable cost 8. Commercial viability or river bus to be established 9. Long term cost of operation, maintenance and management. No identifiable responsible body. 10. Level of contingency allowance 11. Complex project may not be deliverable with timeframe for spend of funding	a. Responsibility for implementation and project risk fall to the council. b. Land assembly would have to be by the Council funded from the project, and only the Council would have the powers of compulsory purchase if required. The Council would therefore own the land required and incur associated costs which could include; i. General costs of holding land including in-house resource ii. Currently unknown costs could include maintenance of the flood defences and maintenance of the open spaces. iii. Costs of insuring , maintaining and operating the jetty and payment of licence fees to the PLA for its operation unless another owner/operator can be found 2. Complex project at early stage of development so limited level of cost certainty at present. Relatively low level of contingency currently allocated - overspend risk rests with the Council. Proposed mitigation The Full Business Case stage to include detailed consideration of options for; a) Alternatives to land acquisition (e.g. licences for access and construction) b) long term management and operation c) Review deliverability and objectives. This will enable the Council to make an informed decision before committing to the project. If it is decided at this stage that the project is not viable there is a possibility that the funding can be transferred to another project.
	Package Total	6.6			
	Total	24.9			

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APPENDIX 4C - TILBURY TIP PROJECT AND RISK SUMMARY

	Project packages	Cost in TIP	Issues to be resolved	Main Project Risks	Main Risks to the Council
Station Gateway	Combined to create 'Hub' package	£ 3,010,000.00	Highways approvals Network Rail approvals	1. Scope of project not fully defined until funds allocation is realised. The Board has indicated that the Station Gateway Project will be the main project to be descoped to compensate for any funding gaps. 2. Works to and adjacent to Network Rail land. May reuire: i. approvals via NR Asset Protection ii. payment of rail industry risk fees iii. NR/C2C property approvals	a. Responsibility for implementation and project risk fall to the council. b. Long term management and maintenance required Proposed mitigation The Full Business Case stage for the Town Funds to include detailed consideration of options for long term management and maintenance. This will enable the Council to make an informed decision before committing to the project. If it is decided at this stage that the project is not viable there is a possibility that the funding can be transferred to another project.
Digital Connectivity		£ 250,000.00			
Skills and Employment Hub	Combined to create 'Heart - Civic Square' package	£ 2,400,000.00	Land assembly required Requirement for owner consents (e.g., Fields Trust) Requirement for agreement with land owner for Car Park Provision Long term management and maintenance costs Ground conditions	Ground conditions-weight loadings and foundation treatments Unable to acquire land or secure owner consents where required Operational viability Long term cost of maintenance and management	a. Responsibility for implementation and project risk fall to the council b. Long term management and maintenance required, could create an expectation that Council will fund repacement of any damaged items (in parks etc) c. Land assembly would have to be by the Council funded from the project. The council would therefore own the land required and incur associated costs which could include; - General costs of holding land including in-house resource - Maintenance, management and compliance costs d. it is unlikely that a Compulsory Purchase case could be made so project may not proceed unless land can be acquired by private treaty. e. Numerous stakeholders to manage across the range of projects f. Best value analysis not yet undertaken on committign Council assets Proposed mitigation The Full Business Case stage to include detailed consideration of options for long term management and operation or disposal This will enable the Council to make an informed decision before committing to the project. If it is decided at this stage that the project is not viable there is a possibility that the funding can be transferred to another project.
Community Centre		£ 4,000,000.00			
Land Acquisition		£ 750,000.00			
Car Park Provision		£ 500,000.00			
IMC - Public Realm		£ 500,000.00			
Digital Connectivity		£ 250,000.00			
Daisy Fields Changing Room		£ 500,000.00			
Parks	£ 1,000,000.00				
Package Total		£ 13,160,000.00			
Youth Centre	Combined to create 'Heart - Youth Centre' package	£ 4,200,000.00	Ground conditions High onging revenue commitment required Loss of open space and approach to mitigation	Ground conditions-weight loadings and foundation treatments Operational viability Long term revenue commitment and implication on Borough wide provision for youth services Potential objections to loss of open space	a. Responsibility for implementation and project risk fall to the council. b. Long term significant annual revenue commitment required from Council. c. Significant impact likely for Council's approach to Borough wide youth services provision Proposed mitigation The Full Business Case stage to include detailed consideration of options for long term management and operation, and need for review of objectives to inform delivery. This will enable the Council to make an informed decision before committing to the project. If it is decided at this stage that the project is not viable there is a possibility that the funding can be transferred to another project.
Youth Centre Revenue		£ 1,200,000.00			
Anchor Fields Park		£ 1,500,000.00			
Package Total		£ 6,900,000.00			
Tilbury Beach/Tilbury Riverside Station/Cruise Terminal	Combined to create 'Heritage' package	£ 2,750,000.00	Land owned by others and so success depends on their involvement and agreement	1. Ground conditions unsuitable -weight loadings and foundation treatments	a. Responsibility for implementation and project risk fall to the council. b. Long term costs of operation and maintenance may fall to the Council.

			Impact on a number of protected historical assets will need to be addressed Ground conditions close to the river will need to be understood Need to understand the extent of the flood defences and impact on project cost and objectives. Approach to and cost of future operation and management need to be addressed.	2. Ground conditions-contamination 3. PLA withhold licence for river safety/operation impact of beach area 4. Cost of works to Flood defences 5. Cost of maintenance of flood defences 6. Limitations of flood defences on scope of works 7. Need to acquire land rights at reasonable cost 8. Operational viability 9. Long term cost of operation, maintenance and management.	Proposed mitigation The Full Business Case stage to include detailed consideration of options for long term management and operation, and need for review of objectives to enable delivery. This will enable the Council to make an informed decision before committing to the project. If it is decided at this stage that the project is not viable there is a possibility that the funding can be transferred to another project.
Digital Connectivity		£ 250,000.00			
Package Total		£ 3,000,000.00			
Jetty	Jetty	£ 2,310,000.00	1. Land is owned by port of Tilbury who support the scheme and is referenced in the DCO for London Resort. 2. Need approvals from the PLA from the perspective of river management and safety 3. Need to establish River bus operator and London Resort support and requirements (and willingness to support and fund business case development).	Engineering requirements Impact of phasing of London Resort	If Port of Tilbury retain ownership and maintain, insure etc- reduced risk for Council Proposed mitigation Explore project delivery by PoT using their in house engineering expertise reducing the risk to the Council
Tibury Fort		£ 800,000.00			

Appendix 5.

Onside Youth Zone Funding Model

1. Introduction

- 1.1. The Tilbury Town Fund wish to include an Onside Youth Zone in the Town Investment Plan for Tilbury. Onside are willing to partner to deliver the facility provided that the Council supports the proposal both as a concept and financially.
- 1.2. Onside have a tried and tested model that sees the public sector match fund both capital and revenue to funds that Onside secure from the private sector. If successful the Town Fund grant can cover the upfront capital costs and make a contribution to the revenue costs but there will be an ongoing liability to the public sector for as long as the operation continues.

2. The Financial Model

- 2.1. The typical Onside model requires £8.4m of capital investment upfront to construct the facility. This is split 50/50 between Onside and the public sector. Ongoing revenue costs are in the region of £1.3m per annum. This is again split between Onside and the Public Sector but on a 70/30 split with Onside contributing the higher proportion. This creates a required revenue contribution from the public sector of c. £400k per annum. Onside seek a 4 year commitment to the revenue support.
- 2.2. In the case of the Tilbury proposal it is suggested that the Town Fund could provide the £4.2m public sector capital contribution and c. £990k of revenue funding towards years 1-4. Other public sector funding would then be required to provide the remaining initial revenue commitment of c £610k towards years 1-4 of operation.
- 2.3. There is flexibility in how the funding is structured but the table below gives an indication of a possible expenditure profile. This assumes a 50/50 split of the capital expenditure with the Town Fund contributing the full £4.2m capital requirement which is then matched with the same amount from Onside. There may be an option to increase the Capital contribution from the public sector to then secure a reduction in the ongoing revenue amount.

3.

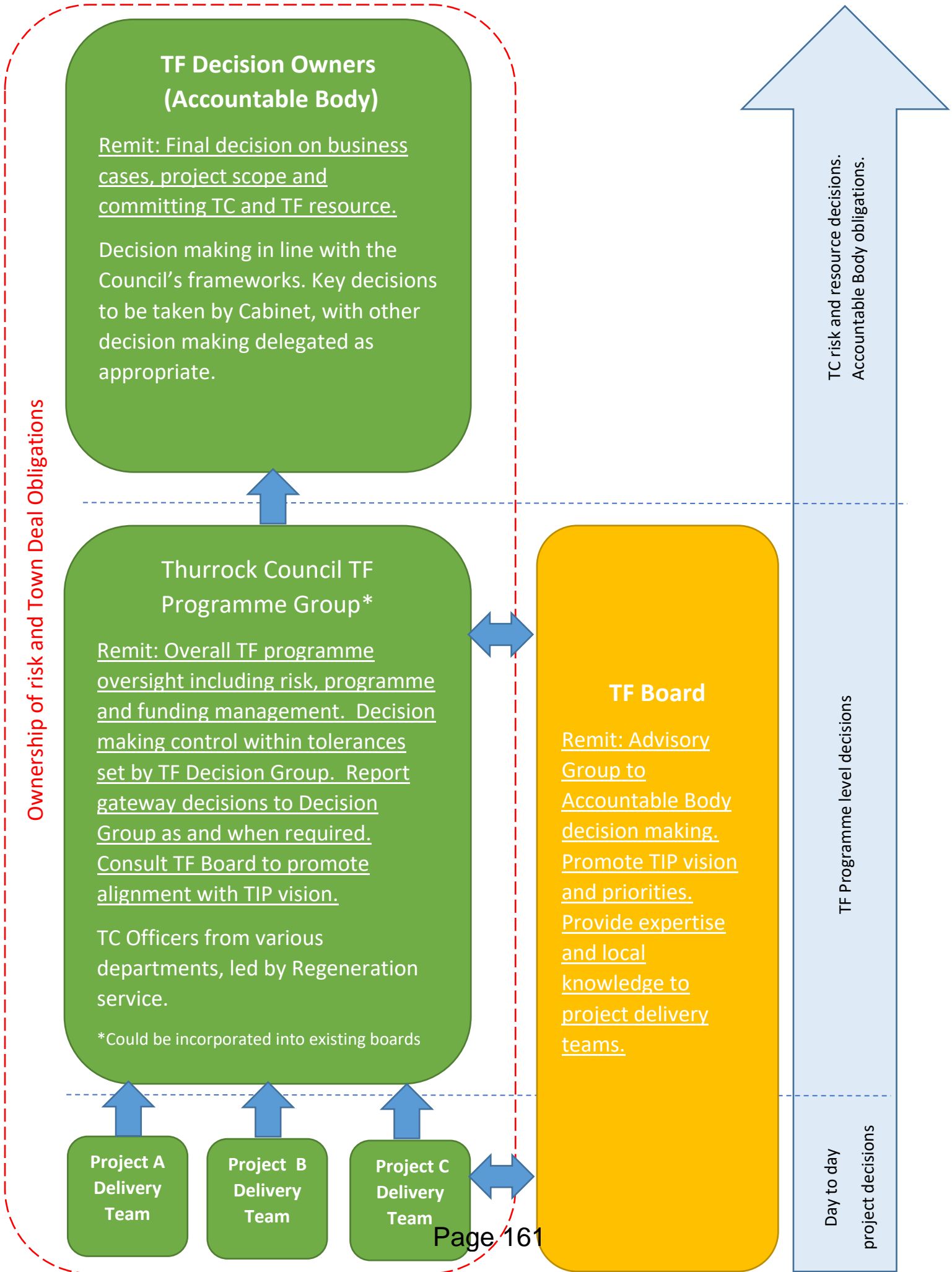
	Public revenue		Public sector Total	Private revenue	Public and Private Total
	Towns Fund	Public Sector		Onside	
Year 1*	£375k	£25k	£400k	£900k	£1.3m
Year 2	£350k	£50k	£400k	£900k	£1.3m
Year 3	£265k	£135k	£400k	£900k	£1.3m

Year 4	£0k	£400k	£400k	£900k	£1.3m
Total	£990k	£610k	£1.6m	£3.6m	£5.2m

* Year 1 will be in FY 2022/23 at the earliest

- 3.1. The revenue contribution requirements can come from the wider public sector as well as from the Council. In other areas contributions are secured from the Police, CCG and CIL, however, as any agreement with Onside will sit with the Council it should be noted that should it not be possible to secure contributions from the wider sector the liability rests with the Council. In a Thurrock context, should the Freeport bid be successful, it may be possible to utilise increased business rate revenue to support this commitment, however at present this can not be guaranteed.

- 3.2. Whilst Onside only request a 4 year commitment the Council would need to consider the sensitivities associated with withdrawing funding at the end of year three should the centre be successfully delivering the expected benefits.



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7 July 2021	ITEM: 17
Cabinet	
Approval of Naming & Numbering of Streets and Highway Assets Policy	
Wards and communities affected: All	Key Decision: Non Key
Report of: Councillor Ben Maney, Cabinet Member for Highway and Transportation	
Accountable Assistant Director: Julie Nelder, Assistant Director of Highways, Fleet and Logistics	
Accountable Director: Julie Rogers, Director of Public Realm	
This report is Public	

Executive Summary

Thurrock Council has a statutory obligation to administrate the process for Street Naming and numbering (SNN). There is a long established process in place and currently adhered to, but it is not contained within a policy. This report therefore seeks to formalise the process and take the opportunity to include a process for the naming of roads after individuals. This Policy sets out the process and guidelines to formalise it.

1. Recommendations:

That Cabinet:

1.1 Approve the above named Policy and processes contained therein for implementation.

2. Introduction and Background

2.1 Thurrock Council is responsible for the administration of the Street Naming and numbering process to ensure all properties within the borough are officially addressed. With the address of a property becoming ever more a very important issue, organisations such as Royal Mail, the Emergency Services and the ever increasing delivery companies require an efficient and accurate means of locating and referencing properties.

2.2 As the highway authority, we have the statutory obligation to create official addresses for every residential and commercial property within the borough ensuring all properties have a verified street name and number.

- 2.3 There is an established process in place already for the naming and numbering of streets which was approved many years back by the previously formed Environmental Services Committee. This Policy sets out that process and in addition, includes a process for naming highway assets, should we receive requests of this nature in the future. Furthermore, requests are periodically received for streets to be named in memory of a deceased person and the Policy acknowledges the importance and the need for such requests to be carefully considered and appropriately processed.
- 2.4 Within this policy there is also the ability, if required, to enable the council to formally name and register highway assets such as bridges, and roundabouts.
- 2.5 The Policy will be administered by the Highways Infrastructure Team and the procedure and key decisions relating to the naming of Highway Assets will be referred to the Portfolio Holder for Highways and Transportation for discussion and then Cabinet for approval of the recommendation made, as set within Appendix 4 of the Policy.

3. Reasons for Recommendation

- 3.1 Thurrock has a statutory obligation for the administration of street naming and numbering and therefore this Policy provides a framework in which we can manage applications ensuring the appropriateness and suitability of applications. Whilst the process of naming and numbering new developments is long established, the Policy brings that process together along with a newly formed process of naming structures and other highway assets.

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

- 4.1 Consultation has taken place with the Cabinet Member for Highways and Transportation and the Planning, Transport and Regeneration Overview and Scrutiny Committee.

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

- 5.1 This report and recommendations allows us to add value and sense of ownership for residents and businesses where they live by formalising a Policy that allows us to name roads and assets in a respectful and relatable way.

6. Implications

6.1 Financial

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

There are no financial implications generated by the approval of this Policy. Charging arrangements are contained in the Council's Fees and Charges approved by Cabinet.

6.2 Legal

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

The process set out within the policy complies with the statutory process.

6.3 Diversity and Equality

Implications verified by: **Becky Lee**
Team Manager - Community Development and Equalities

There are no diversity and equality implications relating to this report.

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

Not applicable.

7. 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):

- NA

8. Appendices to the report

Appendix 1 - Naming & Numbering of Streets and Highway Assets Policy

Report Author:

Peter Wright

Strategic Lead – Highways Infrastructure

Public Realm

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Appendix 1

Thurrock Council
Naming & Numbering
of Streets and Highway Assets
Policy
May 2021

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1. Introduction

Thurrock Council is responsible for the administration of the Street Naming and numbering (SNN) process to ensure all properties within the borough are officially addressed. With the address of a property becoming ever more a very important issue organisations such as Royal Mail and the Emergency Services and the ever increasing delivery companies require an efficient and accurate means of locating and referencing properties.

In conjunction with the above we are pivotal to the Local Land & Property Gazetteer (LLPG) management of address data both locally and nationally in providing the foundation for effective and efficient operation of a range of both public and private services.

As the highway authority, we have the statutory obligation to create official addresses for every property within the borough ensuring all residents and property owners have a verified street name.

In doing so this ultimately allows residents or developers to notify the council of any new developments or changes to existing properties without having to repeat the process throughout a number of service areas both within and outside the authority. (Please see Appendix C detailing those services notified by us at the time a postal address is created or amended).

Within this policy there would also be the ability, if required to enable the council to formally name and register highway assets such as bridges, and roundabouts.

2. Purpose of Street Naming & Numbering (SN&N) Policy

This Policy is intended to establish the correct process for naming public and private roads which ensures that authorised streets are named and properties numbered appropriately. It also requires that street name plates are erected and property numbering is displayed in an appropriate manner.

We shall provide guidance and advice to all applicants, be they property developers, property owners or residents to enable the Council to achieve their overall policy objective of maintaining a comprehensive and accurate database of all properties within Thurrock.

Applicants should be aware from the outset of any application submission that this is a fee paying service. Guidance on the likely cost can be given in advance of an application on request, with the proviso that a final cost will be given once the full application details are made available.

Street Naming and Numbering fees are reviewed on an annual basis during the Council's budget setting process. Current fees are available to view via the Council's website via the following link; thurrock.gov.uk/council-finances-and-accounts/fees-and-charges

3. Legal framework

Under Schedule 14 of the Local Government Act 1972, paragraphs 23, all provisions of the Public Health Acts (PHA) 1875 to 1925 apply throughout England and Wales, subject to specified exceptions. Thurrock Council has the power under the above to approve or reject property addresses submitted by developers or the general public. This power extends to both domestic and commercial properties as defined in the following provisions of the Public Health Act 1925;

Section 17: Notice to Local Authority before a street is named. Before any street is given a name, notice of the proposed name shall be sent to the local authority by the person proposing to name the street.

Section 18 Enables the Council to alter both the name of a street as well as provide a name to an un-named. The Council does not have a statutory obligation to amend an existing premises name or number in line with property owners wishes; as such this is a discretionary service.

Section 18 (under Section 93 of the Local Government Act 2003) enables The Council to charge for its Street Naming Services

Section 19 Indication of name of Street. The Council shall cause the name of every street to be signed in a conspicuous position.

The Town Improvement Clauses Act 1847 Sections 64 and 65 allows the council to require buildings to be marked with a number/s, name or both. There is no right of appeal or requirements for formal consultation but the Council will notify occupiers and give them as much notice period as practicable to display the new number/s, name or both. Where an owner, occupier or developer fails to display the appropriate signage required and following notice from the Council, they may be liable to a penalty under section 19 of the Public Health Act 1925 .The Council may choose to mark the properties with essential signage as per the official numbering scheme and reclaim the costs from the occupier / owner.

Authority to fulfil the obligations of the Council to perform and make final decisions on all matters pertaining to the SN&N function under the Public Health Act 1925 is delegated to the relevant service Director.

The Council is not liable for any claims for compensation arising directly or indirectly from the naming of streets, re-naming of streets, numbering or renumbering of properties.

4. Exclusions

Some tasks fall within the responsibility of Royal Mail and are therefore not for the Council to resolve. These include;

Postcodes – these are the sole responsibility of Royal Mail. Royal Mail will not assign any postcode to new premises without official notice from the Council.

Failed delivery of items to an official address – this is the responsibility of the local Royal Mail delivery service.

Third Party databases – the Council has no responsibility for, or control over, the way third parties manage their address databases for example utility companies and the frequency with which they update them.

Third Party map providers (including satellite navigation systems and Ordnance Survey) not showing new properties, streets or roads.

5. Pre Application advice for SN&N submissions in conjunction with Appendix A

Please note with the formal naming and numbering of a street this does not imply that the street will be adopted and become publicly maintained. This should have been decided at the initial planning and highways development stage.

Developers should endeavor to apply to the Council at the earliest opportunity for the allocation of the official addresses, i.e. as soon as development starts. Failure to do so can impact on the abilities of new occupants to arrange basic service provision.

Problems could arise should purchasers have brought a property marketed under an unapproved name. The Council will not adopt any unofficial marketing titles used by developers. The Council will not be liable for any costs or damages caused by failure to do so.

Royal Mail Criteria: Royal Mail has no statutory responsibilities or powers to either name or rename a street or number, or renumber a property. Royal Mail has the sole responsibility for assigning a postcode and postal town following notification of new or amended address details via the Council.

Applicants are reminded that postal addresses are not geographically accurate descriptions, but routing instructions for Royal Mail staff. It is possible that postal addresses can contain names for villages and towns that may be several miles away from the actual location of their premises. Where applicants may object to a locality

name in their postal address, they are advised to contact Royal Mail who have a procedure for adding or amending these details.

A piece of land cannot be given a postal address without relevant planning consent. Only premises capable of receiving mail can be allocated a postal address for the purposes of delivering mail via a building's entrance door or a secure letter box. Land owners are strongly advised to seek guidance from our Planning Directorate.

Royal Mail does not publish new addresses on its website where the construction is not complete or a property remains unoccupied.

This information is held under their 'As Not Yet Built' database which is not published. This means some addresses that have been officially allocated and issued by the council may not, for a while, be visible on their website.

It will be the responsibility of the developer to inform Royal Mail as and when a property becomes occupied on **03456 045060** as will have been instructed by us at the time of postal addresses being provided. Once informed Royal Mail then place the new property onto their published website which may take 7 days.

This may also mean other organisations using the Royal Mail database will also be unable to validate an address therefore they will need to ring the above number.

Please note: The Council is not liable or responsible for third parties, including Royal Mail, updating their databases with official address information.

For the allocation of new postal addresses you will be required to provide the relevant Planning approval reference for without such approval the street naming and numbering process may cease until resolved.

Owners / occupiers may be at risk of enforcement action if necessary approvals have not been correctly obtained. A property developer must not give any addresses or postcodes to potential occupiers for example via Solicitors or estate agents before formal approval has been issued by the council. Problems could arise should purchasers having brought a property marketed under an unapproved name. The Council will not adopt any unofficial marketing titles used by developers. It is strongly advised that prospective buyers are advised of this. The Council will not be liable for any costs or damages caused by failure to do so.

The applicant (developer / property owner) may have the opportunity to propose street names for consideration where criteria guidance can be found within **Appendix B**.

All applications received will be checked against the above criteria as part of the application process to ensure sufficient signage is provided.

6 Application submission

6.1 Application forms can be found on Thurrock Councils website <https://www.thurrock.gov.uk/street-signs-and-name-plates/new-streets-and-developments>

Applications forms must be signed by the property owner or accompanied with the written consent of the owner or developer.

6.2 Applicants must provide site plans illustrating the location of existing streets and proposed development layout including the internal floor plans for sub-divided buildings.

6.3 Applicants must provide details of the intended method of postal deliveries. Royal Mail require to know whether letter boxes are to be placed either outside or within the ground floor lobby area where there are sub divided buildings of either flats or businesses. Should it be intended that each individual property within a sub divided block is to receive its own individual delivery then we are required to number the properties in a logical way for ease of Royal Mail delivery purposes.

6.4 Applicants must provide the Planning approval reference. No new street names, premises or numbers will be allocated without the relevant approved planning permission. Should we believe a postal address is being requested without a valid form of planning permission the Councils Planning Enforcement will be notified. Please also note a variety of other Council departments regularly monitor new developments, an example being Council Tax for either residential or commercial developments.

6.5 Should the applicant, developer or property owner have suggested a new street name(s), preference will be given ideally to those listed within the SN&N criteria within Appendix B.

6.6 Once all elements of the application are defined please email the Council via PROW@thurrock.gov.uk whereby we shall complete all necessary checks to ensure a full and thorough understanding of the development site and property layouts are understood. The applicant will then be informed of the fee required. Once all is agreed by both parties the Council shall then submit an application to Royal Mail.

6.7 Upon Royal Mail's determination of the official address, the Council will notify the applicant along with relevant internal and external bodies listed under **Appendix C**. Please note there are no statutory requirements for Local Authorities to provide details of changes of existing or new developments to any external organisations. However it is recognised that the provision and sharing of this information facilitates a better service delivery to both residents and businesses.

7 Right of appeal and complaints

If any applicant or interested party wishes to complain about a decision of the Council they should first seek to do so through the Council's official complaints procedure or other legal challenge remedies that might be available, such as judicial review by way of appeal to the Magistrates Court.

8 Summary

This policy sets out the operational framework for the delivery of the Council's Street Naming and Numbering process. It also confirms delegation of authority to the Assistant Director for Highways, Fleet and Logistics where required for the official determination of applications for street naming and numbering, and the allocation and amendment of official street names, premises names and numbering sequences.

Address: Thurrock Council, Civic Offices, Highways Information Team, Environment, Highways & Counter Fraud, New Road, Grays, Essex. RM17 6SL

Email: PROW@thurrock.gov.uk

Telephone: 01375 366100

Appendix A

A.1 Re-naming existing streets

On occasion the Council may be requested to rename a street or for the sequence of postal numbering or property names to be changed. Generally, this will only be considered when it is in the public interest, or there is confusion over a street name, premises name or numbering system causing a significant issue for emergency services, deliveries & visitors or the residents are unhappy with their street name. Please note the renaming of a street is always a last resort.

For the consideration of a change to a street name the Council requires 100% of premises owners to be in agreement.

It will initially be the responsibility of those requesting the change to canvass existing residents / premises owners of the street and consult with Royal Mail. This evidence should then be submitted to the Council.

Thurrock Council will send notification letters to all occupiers and property owners clarifying the changes that have been requested. In making such changes the Council is exercising its statutory powers and our decision will be final.

All costs, except in exceptional circumstances, associated with the above changes will be met by those requesting the change.

It will be permissible to rename an existing street to an Avenue of Remembrance or suchlike, but this would ordinarily only be considered when the road is without residential or commercial properties in it. Consideration should always be given to whether a road is befitting of such a name change. Part of the assessment will require the road to be assessed on safety grounds due to the risk imposed by members wishing to visit it.

A.2 Premises and street signage.

The Council will name or number premises in accordance with national guidelines and ensuring compliance with BS7666. On new developments it is a legal requirement under the Public Health Act 1925 that there is adequate signage erected in a clear, prominent position showing any street names and sub names (for terrace or block names). It is the developers' responsibility to erect the appropriate signage once the premises are ready for occupation.

Where a developer or occupier fails to display the appropriate signage within one week from receiving notice from the Council, they may be liable to a penalty under Section 19 of the Public Health Act 1925. The Council may also choose to sign / mark the properties with essential signage as per the official numbering scheme and reclaim the costs from either developer or occupier.

It is unlawful to erect a street nameplate until the street name has been confirmed in writing by the Council. New street nameplates will be provided and paid for by the developer, the design of which must be approved by the Council.

Future maintenance of street nameplates only becomes the responsibility of the Council once a street has been officially adopted by Council. The Council main responsibility is to maintain nameplates at the junctions of a street and repeater signs where deemed necessary. The council is not responsible for individual property access signage or to blocks of flats.

A.3 Numbering premises on a new street

For all premises on new streets the Council will apply a numbering process in accordance with national guidelines. Premises will be numbered from the street on which the premises' primary access and delivery points are located. The following criteria must be met:

A.3.1 All premises will be allocated a number – the Council will not consider name-only premises on new streets.

A.3.2 Proper numbering sequence shall be maintained and numbers with superstitious, religious or cultural connotations will not be omitted.

A.3.3 When an existing street is extended, where appropriate, the existing numbering sequence will continue.

A.3.4 All flat / apartment accommodation must be given individual numbers. The sequence will depend on the front door locations of individual properties.

A.3.5 If a multiple occupancy building has entrances in more than one street, then each entrance should be signed from the appropriate street detailing the property numbering.

A.3.6 A business name shall not take the place of a property number or building name such as 98 Meadow House the address would have to be Meadow Builders Limited, 98 Meadow House, High Street.

A.3.7 Numbering will be allocated with even numbers on one side of the road and odd numbers on the other. Traditionally odd numbering on the left and evens on the right commencing from a main road junction.

A.3.8 Where a cul-de-sac is proposed, the numbering shall be consecutive and in a clockwise direction if possible.

A.3.9 All property numbers should be visible from the highway to aid easy identification of the property, particularly in the event of an emergency. This may

mean numbers being displayed on posts, gates or fences (and not necessarily the door of the property).

A.4 Numbering or renumbering premises on an existing street

For all new development sites and for infill plots on existing numbered streets, the Council will apply the following Criteria:

A.4.1 Premises will be numbered from the street on which the premises' primary access and delivery point are located.

A.4.2 For new premises on streets with no existing numbering system, the Council will allocate a property name in conjunction with the applicant

A.4.3 When new premises are built on an existing numbered street and there are no available numbers a letter shall be used as a suffix, e.g. 17A, 17B

A.4.4 Proper sequence shall be maintained and numbers with superstitious, religious or cultural connotations will not be omitted.

A.4.5 The Council will not remove numbers from existing premises unless it is necessary to resolve existing duplication/identification problems.

A.4.6 When a property is converted into flats or subdivided, the new premises must be numbered as flats or apartments i.e. Flats 1 to 5, 98 High Street.

A.5 Naming or renaming premises on a new or existing street

If a property owner wishes to rename their property they are able to suggest names for consideration in their street naming and numbering application submission. Once agreed upon following a consultation process will commence with Royal Mail. Please note name changes will only be accepted by Royal Mail via Thurrock Council.

We will not formally change a property name where the premises is in the process of being purchased, that is, until exchange of contracts, although we can still give guidance on the acceptability of a chosen name.

If a property has a number, it is not possible to replace the number with a name. Names are held in addition to the property number within Royal Mails database.

A.6 Naming a Street or Building after a living person

Naming a street or building after people can generate controversy or have potential consequences at a later stage and should not therefore be sanctioned lightly. The presumption will be therefore that a street or premises will not be named after a living person save for in exceptional circumstances. Generally, the individual must have been born or have lived in the locality or must have made a demonstrable

contribution to the local community; or they will be an individual of significant national importance.

A.7 Naming of a Street or Building after a deceased person

Naming a street or building after a deceased people can generate controversy or have potential consequences at a later stage and should not therefore be sanctioned lightly.

Any proposal to consider naming either a street or building after a deceased person should consider the following guidelines;

Generally, the individual must have been born or lived in the locality or must have made a demonstrable contribution to the local community; or they will be an individual of significant national importance. Consent should also be sought from the deceased person's living direct relatives or descendants where possible.

Any submission made will be considered on a case by case basis and approval obtained by the Cabinet following approval by the Cabinet Member.

Appendix B

B 1 The following suffixes should be used as indicated:

- Avenue – residential road
- Circus – large roundabout only
- Close – cul-de-sac only
- Court – residential blocks
- Crescent – crescent shaped roads only
- Drive – residential road
- Gardens – subject to there being no confusion with any local open space
- Grove – residential road
- Hill – hillside only
- Lane – residential road
- Mews – officially a term for converted stables but may be considered for other small developments
- Parade – row of shops / business
- Rise – hillside only
- Road – any thoroughfare
- Row – a terrace of properties
- Square – square only
- Street – any thoroughfare
- Terrace – a terrace of houses
- Way – major road

Pedestrian only routes should be named as follows:

- Path
- Walk
- Way

B.2 Proposed street names should, where possible have some connection to the development site or in keeping with the area whether historical or geographical. For example if near to a wooded area (where trees or plant names could be considered) or river frontage where foreshore plants or bird names may be suggested.

B.3 Do not duplicate an existing street or building name in the relevant postal sector.

B.4 Street names must not cause offence.

B.5 A street name is easy and straight-forward to spell and pronounce, spell and not phonetically similar to an existing street within the postal sector

B.6 Avoid Street names which include numbers and punctuations including apostrophes.

B.7 Does not promote a business, product or service. An exemption may be considered if company no longer exists and has historical context.

B.8 The use of North, West, and Upper etc. is only acceptable where the street is continuous and passes over a major junction and is an accurate description of the street's location.

B.9 Naming of Structures and other Highway Assets.

In addition to the naming of roads this policy also allows for the consideration of the naming of new structures and other highway assets upon the strategic highway network be they for example a bridge, roundabout or park areas. In considering names the geographical and historical features of the area should be taken into account. As an example a new road bridge leading to an old historic farm or building could be named after the property.

Upon receipt of a request to name or rename a highway asset or street, consultation will be undertaken with the relevant community forum and other interested parties e.g. Local Ward Members, Portfolio Holder, Community Forum etc. Following which, a report will be presented to the council's cabinet at the soonest possible meeting for a final decision. In cases where time is of the essence and the presentation of a report would ensure adverse implications for any party, a decision may instead be taken by the relevant Portfolio Holder or the Leader of the Council following receipt of a Delegated Decision Report.

Appendix C

Consultees and notifications

Internal bodies to be informed of official SN&N notifications include:

- Council Tax & Non-Domestic Rates
- Electoral Registration
- Land Charges
- Planning and Growth - Development Control
- Refuse & Recycling
- Education Schools Admissions
- Transport Development
- Local Land and Property Gazetteer Custodian (LLPG)
- Building Control

External bodies informed of official SN& N notifications include:

- BT Openreach
- Land Registry
- Anglian Water
- Royal Mail
- EDF Energy
- Essex & Suffolk Water
- Gas – Centrica & Cadent
- Essex Ambulance Service
- Essex Fire & Rescue
- Essex Police
- Valuation Office

Appendix D

1. Guidelines for the Naming Council Assets.

The Council shall in determining the application, to name a facility, park, building street or highway infrastructure give due consideration to any submission received. The Council will consider requests for both local geographic names and in some instances maybe national names as in for example our Royalty.

2. Criteria for Assigning Names to a Council Asset

- The Council will consider proposals to name a Council Asset or facility be it a Building, Street or Highway structure on a case by case basis and each proposal will be assessed and determined on its merit.
- All proposals to name a Council highway asset or facility, Street, Park or Building must be based on strong community recognition and support of the proposed name.
- All naming recommendations must be consistent with Thurrock Councils Street Naming & Numbering Policy for final approval (where applicable).
- Where an applicant wishes to name a Council facility, Street, Park, Building or Highway Asset using a personal name, it should be applied posthumously or to a living person, unless the Council deems there are special or other exceptional circumstances as to why not;
- It must be demonstrated that the person has made a significant contribution to the local community
- Only names which are easy to pronounce, spell and write will be considered; and preferably names which are concise and relatively short;

3. Applications from the Community

Any application from the community for the naming of a Council facility, Street, Highway Asset, Park, Building or significant infrastructure shall be submitted in writing to the Council Street Naming & Numbering Officer via PROW@thurrock.gov.uk. and shall include the following:

A brief history or submission in support of the naming application, which must: demonstrate a strong relevance and / or connection to the area or long standing links within Thurrock's local community.

In the case of a person, detailed information and supporting documentation (e.g. letters, newspaper articles, oral histories, photographs etc) to demonstrate their contribution(s) / relevance to the local community; or

In the case of a place or historical name proposal, detailed information and supporting documentation (e.g. letters, newspaper articles, photographs etc) to be supplied to demonstrate the relevance/connection/link of the name proposed.

In certain circumstances Thurrock's Local History Librarian may be asked to conduct further research of the submitted information.

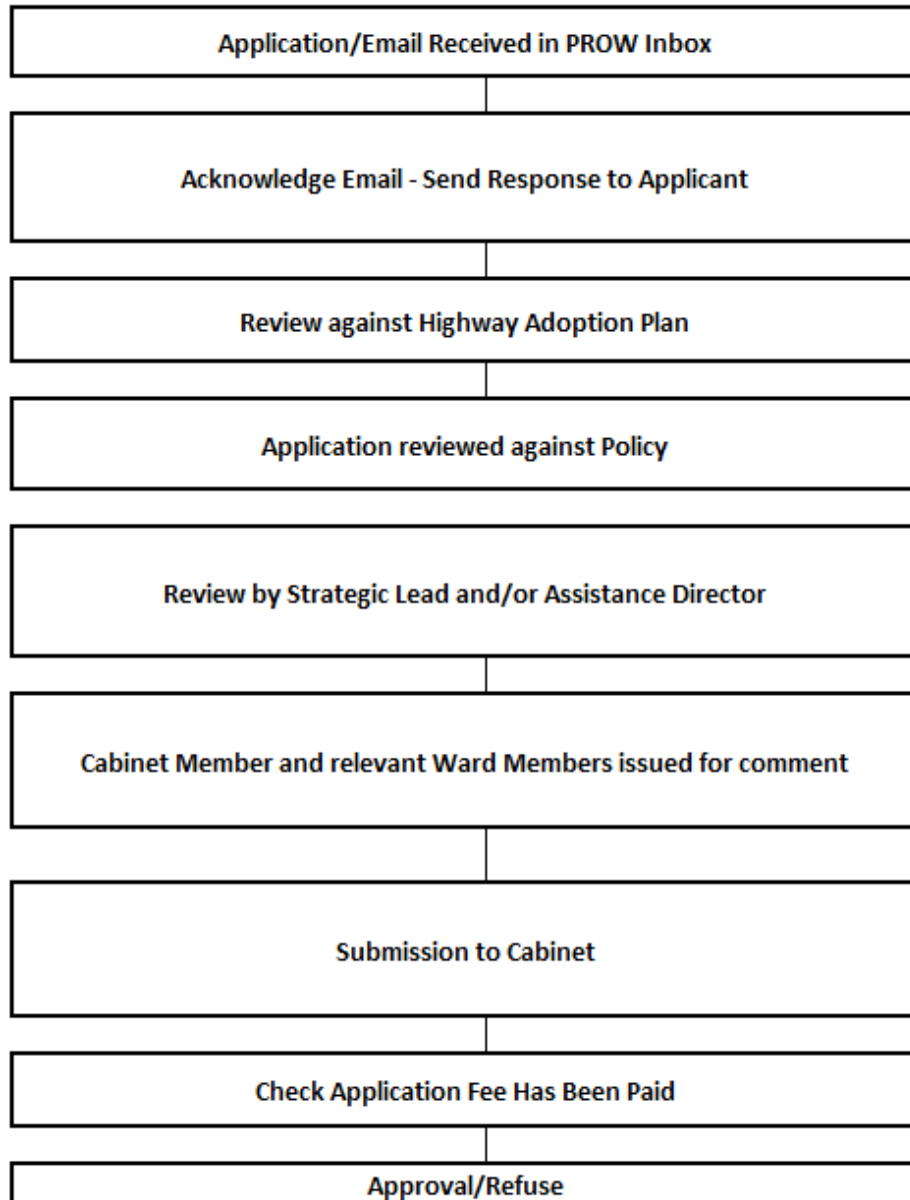
Once a name has been deemed suitable a report will be submitted to relevant Council Members detailing the submission asking for their consideration decision

Should the Council approve the naming application the applicant will be subsequently advised of the outcome.

DRAFT

Appendix E

Process for naming of Structure



7 July 2021	ITEM: 18 Decision: 110573
Cabinet	
Highways Street Lighting Central Management System	
Wards and communities affected: All	Key Decision: Key
Report of: Councillor Ben Maney, Cabinet Member for Highway and Transportation	
Accountable Assistant Director: Julie Nelder, Assistant Director – Highways, Fleet & Logistics	
Accountable Director: Julie Rogers – Director – Public Realm	
This report is Public	

Executive Summary

Funding has been secured as part of the Council internal Capital bid programme for 2021/22 for the implementation of a Highways Street lighting Central Management System (CMS). The implementation of a CMS system means the Authority can remotely monitor all its street lighting assets, which will allow us to remotely control lighting, detect faults and improve the efficiency of the whole maintenance approach. This report seeks permission to commence the procurement process to enable implementation of the new system over the next two years and realise savings and efficiencies as set out in the report.

1. Recommendation(s)

1.1 That Cabinet approve the commencement of the Tender process and subsequent award of a contract to install a Central Management System for Highways Street lighting.

2. Introduction and Background

2.1 A Capital bid was awarded for the installation of a Highways Street Lighting Central Management System (CMS). The web based system will allow for approximately 21,000 street lighting assets to be dynamically controlled in real time.

2.2 The bid includes the provision of the installation of seven base stations which will interact with the existing street lighting infrastructure, enabling us to monitor and adapt lighting levels across the borough.

2.3 The project will generate future energy and CO2 savings as the majority of our lighting assets can be remotely controlled and monitored. The project will generate financial savings through a reduction in maintenance costs such as reduced call outs to faults that have been misreported by members of the public. The system will also reduce the number of vehicle journeys that would otherwise be made to attend to some of the reported faults. A CMS will remove the requirement for night time scouting operations which are currently undertaken 3 times a year to identify any street lighting faults before they are reported.

3. Issues, Options and Analysis of Options

3.1 In 2020/21 the street lighting team received over 680 customer enquiries online and attended over 900 maintenance faults. With the CMS system, faults are automatically registered in real time which should reduce fault reports and complaints from being raised by residents.

3.2 The CMS will help the Council to reduce its CO2 emissions by approximately 1,524,000 kg (1,524 tonnes) annually, which is a total reduction over 20 years of 30,469,000 kg (30,469 tonnes). This is the equivalent of taking 1,064 cars off the road. This will be achieved by reduced attendance to faults which can be actioned remotely, reduce attendance by the Contractor to misreports, reduce vehicle movements on night time scouting activities, plus the identification of day burning columns.

3.3 Annual savings are predicted to be around £125,000 once the installation has been fully completed and all associated infrastructure installed. Annual maintenance costs of the CMS system are estimated to be in the region of £25,000 subject to the successful tender submission.

3.4 There are significant benefits to upgrading to a CMS. However, there are clear dis-benefits should the opportunity not be seized;

- Energy costs and CO2 emissions would continue to increase.
- Continued increase in revenue spent on night scouting and maintenance.
- Levels of customer fault reporting and complaints would remain high.
- The Council would fall behind in the technology of street lighting management in comparison with other local authorities.

3.5 Subject to Cabinet approval to proceed, the procurement timetable below is proposed for the CMS contract that will span over two years for the installation and then allow for an annual maintenance charge.

Procurement Timetable

KEY EVENT	DATE
Invitation to Tender	1 st September 2021
Closing date for tender submissions	14 th October 2021
Notification of result of evaluation	30 th October 2021
Standstill period	10 days
Expected date of award of contract	14 th November 2021
New contract start date	1 st January 2022

- 3.6 The installation programme is predicted to take 6 months from the 1 January 2022 with completion expected June 2022 (spanning into 2022/23 fiscal year and to match the split funding allocation). Then annual maintenance charges (3.4) would come into effect for the running and maintenance of the system.

4. Reasons for Recommendation

- 4.1 The procurement of the CMS system and associated infrastructure is essential for the progress of the street lighting network. It increases our ability to provide an efficient, well maintained network of street lighting throughout the borough.
- 4.2 The reduced energy costs and reduction in CO2 emissions as a result of the CMS will help us to create a cleaner local environment that everyone will benefit from.

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

- 5.1 Planning, Transport and Regeneration Overview and Scrutiny were consulted on 6 July 2021.

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

- 6.1 The CMS system will have a positive impact on the corporate objectives and priorities as it will provide a more efficient service and reduce the need for public contact and complaints. It will reduce our carbon emissions to help us work towards a cleaner environment. In addition to the environmental and service benefits, it will also lead to significant savings in the revenue budget.

7. Implications

7.1 Financial

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

Year one saving of £125,000 and thereafter could be realised through reductions in energy, after annual charges removed. Set out in Appendix A are the details of the bid submission and costs. Start-up project costs awarded via Capital bid are £1,038,000 split over a 2 year period.

7.2 Legal

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

There are no legal implications other than those governed by Procurement regulations

7.3 Diversity and Equality

Implications verified by: **Becky Lee**
Team Manager - Community Development and Equalities

The provision of the Central Management System will provide an improved consistent level of lighting for all road users which could have a direct impact on anti-social behaviour throughout the Borough.

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

The Central Management System will reduce CO2 emissions annually by approx. 1524000 kg, total reduction over 20 years 30469000kg which is the equivalent of taking 1064 cars off the road.

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:

Peter Wright

Strategic Lead – Highways Infrastructure

Public Realm

7 July 2021	ITEM: 19 Decision: 110574
Cabinet	
Procurement of Energy for Thurrock Council	
Wards and communities affected: All	Key Decision: Key
Report of: Councillor Coxshall - Cabinet Member for Regeneration, Strategic Planning and External Relationships	
Accountable Assistant Director: Michelle Thompson– Acting Assistant Director Property	
Accountable Director: Sean Clark – Director of Resources and Place Delivery	
This report is Public	

Executive Summary

This report provides context on the Council’s current means of gas, electricity and water purchasing through framework contracts. The internal authority for the gas and electric contracts will expire at the end of September 2021.

This report also seeks authority for a strategy which will enable the Council to continue, for a further 4 years, using flexible procurement frameworks managed by expert procurement teams such as the Crown Commercial Service (CCS) in order to ensure continuity of supply of bulk purchased gas and electricity and best value until the end of September 2025. Water will also be added to a CCS framework to further centralise procurement and management.

The Customer Access Agreement with CCS will continue to be available until the Council decides to terminate it.

1. Recommendations

1.1 That the Corporate Director of Resources and Place Delivery be authorised to:

- Enter into gas, electricity and water contracts through the Crown Commercial Service (CCS) frameworks;
- Seek procurement approval on the open market and award under alternative frameworks if suitable options become available, subject to compliance with relevant procurement rules, in order to secure the

continued purchase of gas, electricity and water for a further period of four years until the end of September 2025; and

- **Review and select the best cost options for zero carbon electricity sources should the default cost neutral option not be available.**

2. Introduction and Background

2.1 Thurrock Council presently purchases gas and electricity for its own operational buildings, e.g. offices, public buildings, libraries and street lighting.

Water is provided through the local suppliers but competition in this market is now possible on provision of the billing services. Procurement water through this route will allow for the centralisation of the billing to a single billing file, providing efficiency savings and enhanced scrutiny.

2.2 The Council's annual corporate utility spend is broken down as:

- Gas: £208k;
- Electricity: Buildings £1m and street lighting £600k; and
- Water and sewerage: £160k.

The estimated first year contract value is circa £2m. The contract value has the potential to change through portfolio changes as the council adapts to new ways or working.

2.3 Schools and independent organisations have been migrated on to their own independent contracts with CCS to reflect the independent nature of academies and remove any contract liability for the council. There have been no cost penalties to these changes within CCS.

2.4 The existing flexible procurement arrangements using CCS has allowed energy to be secured in advance, in a volatile energy market, thus enabling the Council to enjoy below market price energy over previous contracts.

2.5 The existing, internal, authority for procuring gas and electricity will expire at the end of September 2021. This report sets out a future strategy for gas, electricity and water procurement to achieve best value for the Council.

2.6 The procurement of energy in public sector organisations has been reviewed by the CCS Pan Government Energy Project. Due to the specialist nature of procuring energy and the inherent risks of procuring energy directly from spot markets a number of recommendations were made for public bodies. The key recommendation was that public sector organisations should purchase energy through an aggregated, flexible, risk-managed framework – effectively via a Central Purchasing Body which has the capacity to be expert in the energy market and to achieve discounts by bulk purchasing.

2.7 The existing CCS framework access agreement will continue to be available until the Council decides to terminate it. This allows for a seamless continuation of the framework contracts subject to Members' approval.

- 2.8 This continuous process avoids the risk of out of contract rates being incurred by the Council and simplifies future migration between any new framework suppliers appointed by CCS.
- 2.9 Due to the continuing structural changes which the council is going through, flexible contracts which don't lock the council into long term commitments are seen as a key requirement. Leaving the contract only requires a short termination notice, allowing accounts to leave the contract as circumstances change. This is a very flexible arrangement and only possible with the largest energy players. Individual buildings can be migrated off the contract if sold or leased without penalties.
- 2.10 It is possible to enter into long term fixed price contracts, however with the Council's goal of zero carbon by 2030 and the planned reduction of the portfolio of buildings it would be impossible to forecast the amount of energy that needs to be procured long term. With the world's focus on carbon neutrality we are probably entering into a scenario of falling carbon based fuel costs, with this in mind, long term fixes have been discounted.

3. Issues, Options and Analysis of Options

- 3.1 The preferred option for procuring the Council's utilities is via the appropriate Crown Commercial Service (CCS) framework agreement. This options provides a compliant legal procurement route and it is allowed under section 15 of Chapter 9 of the Council Contract Procedure Rule. The advantages of utilising this framework agreement includes:
- (a) The Council can participate in the framework and utilise the flexible supply contracts without any requirement to tender via find a tender (formerly OJEU);
 - (b) The Council can achieve better prices through bulk purchasing and economies of scale; and
 - (c) More effective risk management at times of high price volatility.

3.1.1 Other options that were considered and discounted were:

- (a) Conducting a Council tender exercise -This option was discounted as there are already suitable available framework agreements in place that provides a compliant legal procurement route which can be utilised by the Council which is allowed under section 15 of Chapter 9 of the Council Contract Procedure Rule; and
- (b) Utilising an Energy Broker - This would involve procuring the services of a third party consultancy to procure energy on behalf of the Council based on a fee for their services, or a gain/share arrangement based on the savings made. This option is not recommended as it can lead to a time consuming and costly procurement exercise.

- 3.2 The recommended period for such a framework is 48 months, with a long lead in time to allow gas and electricity to be secured in advance of the contract start date. This enables energy purchases to be hedged over a long period of time and over multiple purchases rather than on one specific day. This arrangement helps spread market price risk and avoid buying during periods of peak market pricing. This supports the management of risk in a volatile energy market. In this process the CCS experts purchase energy, through their pre-tendered energy providers on the futures market, in order to meet the needs of participating organisations. It is anticipated that it will not be until the end of the first month of the contract that the average first year contract price will be calculated. This energy price is then fixed for this year. Each subsequent year the process is repeated until the contract is terminated.
- 3.3 Further long term option for 3 years fixed periods, have been currently discounted due to a number of unknown factors around the building portfolio market volatility around the current pandemic, but strategies can be switched later should it be felt this offers a better solution.
- 3.4 The new water billing files will allow automatic reports to be generated for the individual cost centre managers so they can be better informed of the actual consumption and identify consumption issues and potential leaks for proactive action. With accurate water data, saving measures can then be investigated allowing funding bid for improvement measures.
- 3.5 Energy sources for electricity can be selected to allow zero carbon options, currently zero carbon nuclear generation is available at no extra cost and this would will be the default selections to meet the council's zero carbon ambitions. Should demand outstrip the availability of this cost neutral nuclear option other renewables options are available at additional cost, currently around £13k to £16k dependent on the source selected, such as a range of renewable technologies or specified wind, solar and hydro assets.

4. Reasons for Recommendation

- 4.1 The existing procurement route represents best value for the Council, all suitable frameworks have been reviewed by procurement.
- 4.2 Maintaining continuity also avoids committing significant resources to managing a move to another supplier and avoids any risk of out of contract rates when transferring to an alternative supplier.
- 4.3 Allow water data capture and payment to be centralised into a single action.
- 4.4 Allows the Councils to deliver approximately a 75% reduction in its CO² emissions and contribute to delivering climate emergency for zero cost.

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

5.1 There has been no consultation on what is a simple procurement process.

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

6.1 The content of this report is consistent with the Council's priorities for delivering excellence and achieving value for money, creating a safer built environment that meets people's needs.

6.2 The green energy sources help deliver a significant proportion reduction in CO² required to deliver Climate Emergency Declaration.

7. Implications

7.1 Financial

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

The existing utility spend is set out in the report and the expected costs following the procurement of the new contract are expected to be broadly equivalent. This will be considered further as part of the procurement process.

7.2 Legal

Implications verified by: **Kevin Molloy**
Senior Contracts Lawyer

I confirm the proposed method of procurement should satisfy national and local requirements from a legal standpoint and that Legal Services should be kept informed of the process through to completion as usual.

7.3 Diversity and Equality

Implications verified by: **Roxanne Scanlon**
Community Engagements and Project Officer

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

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

Procurement

Implications verified by: **Angela Corsan**
Category Manager

The value if the contracts will exceed the UK Public Procurement threshold so any procurement will need to comply with the regulations as well as the Council's constitution. A number of procurement options have been considered, with preference for a framework so use could be made of a specialised and established contract. Following review of the Council's options the most prudent choice in the current market appears to be to contract through a fully compliant CCS framework.

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 - Stage 1 Form- Gas and Electricity
- Appendix 2 – Stage 1 Form - Water

Report Author:

Chris Lucioni
Energy Procurement & Efficiency Manager
Asset Management

PROCUREMENT STAGE 1¹ – APPROVAL TO PROCEED TO TENDER

This form must be completed for all procurements above the tender threshold (£75,000 - Services and Supplies and £500,000 - Works)

If contract value is over Cabinet approval threshold (£750,000) this form shall be appended to the Cabinet report. This form will be “open” for publication.

1.	INTRODUCTION	
1.1	Contract Title	Procurement of Energy – Gas and Electricity for Council Buildings 2021
1.2	Reference	<i>For completion by Procurement Services</i>
1.3	Directorate	Asset Management Finance, Governance & Property
1.4	Contract Cost	£ To be added when issues
1.5	Description	<p>Thurrock Council presently purchases gas and electricity for its own operational buildings, e.g. offices, public buildings and libraries, and street lighting. The procurement of Gas and Electricity will be completed under the CCS framework RM6011.</p> <p>The existing, internal procuring authority will expire at the end of September 2021.</p> <p>The existing framework allows for a seamless continuous process with authority to continue being renewed by members every 4 years subject to a procurement review.</p>
1.6	Contract Term	This is a rolling contract through CCS frameworks, a four year continuation of authority is sought to secure continuation of energy supply.
1.7	Political Sensitivity	NA
2.	BUSINESS CASE	

¹ Docusign Version, April 2019 onwards

2.1	Business Case	<p>Unless an energy contract is in place deemed rates are applied by the suppliers, this is the most expensive way to receive energy and needs to be avoided.</p> <p>The Office of Government Commerce recommends that an aggregated, flexible, risk-managed framework managed by an energy expert is the best strategy for achieving best value in public sector organisations. This translates to an energy expert securing energy on the wholesale market on the Council's behalf, when the price is at low points.</p> <p>Procurement have undertaken a review of the possible framework suppliers that meet this requirement and the fee structures of CCS is still considered to be the best value provider for the council.</p> <p>The existing Crown Commercial Services (CCS) customer access agreement is evergreen which allows a seamless continuation of the framework contracts subject to member's approval.</p> <p>This continuous process avoids the risk of out of contract rates being incurred by the Council and simplifies future migration between any new framework suppliers appointed by CCS.</p> <p>Due to the continuing structural changes the council is going through flexible contracts which don't lock the council into long term commitments is seen as a key requirement.</p> <p>The continuous nature of the CCS access agreement means leaving the contract only requires a short termination notice, allowing accounts to leave the contract as circumstances change. This is a very flexible arrangement and only possible with the largest energy players.</p> <p>Individual accounts can be migrated on and off the contract given suitable notice is give in the procurement cycle.</p>
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2.2	Key Deliverables	<p>To place a contract for the procurement of electricity for consumption by the Councils portfolio of buildings including public offices, libraries and other public services outlets.</p> <p>Existing energy frameworks have been evaluated by Procurement to allow the most appropriate to be selected. The service will be set-up to deliver the following:</p> <ol style="list-style-type: none"> 1) An energy framework agreement will be used to deliver fully competitive OJEU compliant procurement process 2) The energy expert will secure the energy required from the wholesale energy market in advance to allow a fixed price for the coming year using an aggregated, flexible and risk-managed energy procurement process. The key to this strategy is to buy at the low points of the market. 3) To allow for sites to migrate on and off the contract the largest portfolio tolerance will be sought; $\pm 15\%$ is typical but $\pm 25\%$ may be possible. 4) The payment terms of the suppliers will be explored to obtain the best conditions for the Council. Typically this is 21 days. 5) Paper bills are to be eliminated moving to a fully digital payment process 6) Electronic Data Interchange (EDI) files will be provided. This file will be processed by systemslink and finance will receive a formatted export file for payment. This will enable some validation to of the bill before it is paid. This new process will eliminate the manual downloading of invoices and simplify the payment process. 7) Half Hourly data for the large energy consuming sites is to be provided electronically. 8) Energy auditing software is used to operate a query management service to identify any issues and track the resolution through to conclusion. 9) The Council's adopted Environment Policy 2000 requires that 10% of the Council's energy requirements be purchased from renewable sources. Since the general mix of renewables now far exceeds this requirement there is no need to include this requirement as much higher mix of renewables is standard at no additional cost. <p>Procuring energy on the energy spot market is a highly specialist field, the framework should have the following key requirements:</p> <ul style="list-style-type: none"> • Experience of flexible purchasing in the public sector, with a range of risk products and entry dates • Regular updates on purchases and prices to support budgeting during the purchase window and beyond. • A transparent, not-for-profit charging structure • Managed, prompt and timely site registration • A dedicated single point of contact within organisation, once registered
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		<ul style="list-style-type: none"> • Savings on administration costs/cost to serve through significant aggregation • Professional supplier and contract management • Long-term confidence from a leading edge procurement process • Access to energy from renewable sources
2.3	Commercial Pressures	Leaving the European Union may have currency fluctuations, since energy markets operate in \$ there is scope for significant prices rises, there are a number of unknowns yet to be negotiated and how the pound responses to these changes will be decided by the world markets.
2.4	Contractor Employment Status ²	N/A
2.5	Award Criteria	Framework contracts with a single supplier for electricity
2.6	Social Value	The opportunity to source 100% green electricity will be provided to members along with the cost implications
2.7	Previous Contract	Supply of Energy and Ancillary Services – RM6011 (Electricity and Gas)

² Use online self-assessment tool: <https://www.gov.uk/guidance/check-employment-status-for-tax>

3.		FINANCIAL CONSIDERATIONS					
3.1	Previous Contract Cost	A 3% inflation factor has been applied to current costs					
3.2	Scope Changes	Is there any increase / decrease in scope that could impact costs?	No				
3.3	Annual Cost	Year	20/21 £000's	21/22 £000's	22/23 £000's	Later £000's	Total £000's
		Total Spend	£2,056	£2,117	£2,181	£2,246	£8,601
3.4	Funding Breakdown Identified	Revenue Budget	£2,056	£2,117	£2,181	£2,246	£8,601
		Capital Budget	£	£	£	£	£
		Other (Please State)	£	£	£	£	£
		Other (Please State)	£	£	£	£	£
		Total Funding	£2,056	£2,117	£2,181	£2,246	£8,601
3.5	Budget Code(s)	Enter budget codes					
3.6	Unsupported borrowing	N/A					
3.7	Other Financial Implications	Since energy markets operate in \$ there is scope for significant prices changes as there are a number of UK unknowns yet to be negotiated and how the pound responds to these changes will be decided by the world markets.					

4.		PROCUREMENT ROUTE
4.1	Procurement Route	Direct Award under Framework (waiver)
4.2	Procurement Route Rationale	Procurement have undertaken a review of the available frameworks and this is considered best value. The existing frameworks allows for a seamless continuous process with authority to continue being renewed. The energy frameworks only have one supplier appointed to them, thus allowing a direct award.
4.3	Does the contract require a waiver?	Select Yes or No
4.4	Single Source justification	N/A - not a single source
4.5	Waiver Rationale	Only a single supplier is on each framework

5.		PROCUREMENT TIMETABLE	
5.1	Procurement Timetable	Publish Contract Notice	N/A
		Selection Questionnaire Return	N/A
		Invitation to Tender Issue	N/A
		Invitation to Tender Return	N/A
		Notification of Result	N/A
		Standstill Period	N/A
		Expected Award Date	Continuation of framework contracts

		Contract Commencement	01 October 2021
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6. RISKS, CONSULTATION AND MANAGEMENT						
6.1	Tender Process Risks	Risk Level			Negative Impact	Mitigation
	No contract in Place	E - Very Low Likelihood	I - Critical Impact	EI - Low Risk	Out of contract rates can be upto 2 times the normal rate	The contract will continue until a termination notice is issued
	Supplier fails	E - Very Low Likelihood	II - Significant Impact	EII - Low Risk	Unknown cost with the new supplier, and potentially out of contract rates during the transition process	The current supplier is one of the big six suppliers and is too big to fail without the CCS having time to make alternative plans
	Click here to enter text.	Select Likelihood	Select Impact	Select Risk Level	Enter Negative Impact or N/A	Enter Mitigation or N/A
6.2	Contract Performance Risks	Risk Level			Negative Impact	Mitigation
	Billing systems inaccurate	D - Low Likelihood	II - Significant Impact	DII - Low Risk	Over payment	Lots of time validating invoices
	Supplier fails to make transfer	E - Very Low Likelihood	II - Significant Impact	EII - Low Risk	Out of contract rates incurred	CCS have a team to manage this with the suppliers
6.3	Contingency	As this is a continuation of an existing framework the process will continue unless a termination notices is sent to stop the current contract process. CCS will continue to provide framework suppliers who have been through their own EU compliant tendering process				
6.4	Consultation	This is a continuation of an existing electricity contracts all parties expect the process to continue in an uninteruped process. Finance has been involved in the requirement to centralise the payment of water under a framework contract. All independent bodies, schools and academies have recently been moved to their own customer access agreement and model contract, during this process the whole process of how the contract works was explained in detail all parties signed up to this process. They are now independent of the councils contracts.				
6.5	Project and Contract Management ³	Tier 1 - High Level Contract Management				
		Each EDI billing files will be validated through the Monitoring and Targeting software, any queries are raised with the supplier and any corrections implemented. Validated files will be exported into the finance system to allow bulky payments of the monthly bill. Energy Procurement & Efficiency Manager will manage this contract with all parties.				
6.6	Procurement Implications	This approach has been discussed with the Responsible Officer and approved by Procurement as the best option.				

³ Refer to the contract management framework or your category manager for guidance

7.	LEGAL, FINANCE AND PROCUREMENT APPROVAL	
7.1	Procurement	I confirm that I have been consulted and agree with the information contained in this report in so far as it relates to Procurement implications
		Name Angela Corsan
		Signed <u>Angela Corsan</u> Angela Corsan (Mar 18, 2021 16:10 GMT)
		Date Mar 18, 2021
7.2	Legal	I confirm that I have been consulted and agree with the information contained in this report in so far as it relates to Legal implications
		Name Kevin Molloy
		Signed <u>Kevin Molloy</u> Kevin Molloy (Mar 24, 2021 10:48 GMT)
		Date Mar 24, 2021
7.3	Finance	I confirm that I have been consulted and agree with the information contained in this report in so far as it relates to Financial implications
		Name Jonathan Wilson
		Signed <u>J D Wilson</u> J D Wilson (Apr 22, 2021 10:25 GMT+1)
		Date Apr 22, 2021

8.	APPROVAL TO PROCEED	
8.1	Approval Level	Select Contract Award delegation level
8.2	Responsible Officer	I confirm that this procurement will be carried out in accordance with Rule 5 of the Council's Contract Procedure Rules (Chapter 9, Part 2 of the Constitution) and in particular the following duties have been met: <ul style="list-style-type: none"> • Compliance will occur with all regulatory or statutory provisions and the Council's decision making requirements • The Contract will be included on the Council's Contract Register • Value for Money will be achieved • Advice has or will be sought from the Director of Finance and Corporate governance as to an appropriate security bond or guarantee • Document Retention Policy has and will be complied with • Financial Evaluation will be made of all the proposed tenders including the recommended bidder • Advice has been and will be sought and followed from Procurement, Legal and Finance as necessary
		Name Chris Licioni
		Signed <u>C Licioni</u> C Licioni (Mar 22, 2021 10:21 GMT)
		Date Mar 22, 2021
8.3	Assistant Director	In accordance with the Contract Procedure Rules, I confirm the accuracy of the information contained within this form and authorise this request to Proceed to Tender including, where relevant, the permitting of a Waiver from the Contract Procedure Rules in accordance with Rule 13.
		Name Michelle Thompson

		Signed	<u><i>m thompson</i></u> m thompson (May 6, 2021 09:07 GMT+1)
		Date	May 6, 2021
8.4	Corporate Director	In accordance with the Contract Procedure Rules, I confirm the accuracy of the information contained within this form and authorise this request to Proceed to Tender including, where relevant, the permitting of a Waiver from the Contract Procedure Rules in accordance with Rule 13. I confirm that the Portfolio Holder has been consulted as required	
		Name	Enter Name
		Signed	
		Date	
8.5	Director of Finance and IT (If waiver required)	In accordance with the Contract Procedure Rules, I confirm the accuracy of the information contained within this form and authorise this request to Proceed to Tender including, where relevant, the permitting of a Waiver from the Contract Procedure Rules in accordance with Rule 13.	
		Name	Sean Clark
		Signed	<u><i>Sean Clark</i></u> Sean Clark (May 6, 2021 10:59 GMT+1)
		Date	May 6, 2021
8.6	Cabinet	Minute Number	Enter approval minute reference
		Date	Click here to enter a date.
Now send complete form to Procurement Services signed and scanned			

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PROCUREMENT STAGE 1¹ – APPROVAL TO PROCEED TO TENDER

This form must be completed for all procurements above the tender threshold (£75,000 - Services and Supplies and £500,000 - Works)

If contract value is over Cabinet approval threshold (£750,000) this form shall be appended to the Cabinet report. This form will be “open” for publication.

1.	INTRODUCTION	
1.1	Contract Title	Procurement of Energy – Water and Sewerage service for Council Buildings 2021
1.2	Reference	<i>For completion by Procurement Services</i>
1.3	Directorate	Asset Management Finance, Governance & Property
1.4	Contract Cost	£ To be added when issues
1.5	Description	<p>Thurrock Council presently purchases water and sewerage services to its operational buildings, e.g. offices, public buildings and libraries. This procurement is to be completed under the CCS framework RM3790 of which there are 7 suppliers shown. It is anticipated that a further competition between the 7 suppliers will be conducted to ensure that the Council achieves value for money.</p> <p>The existing framework allows for a seamless continuous process with authority to continue being renewed by members every 4 years subject to a procurement review.</p>
1.6	Contract Term	This is a rolling contract through CCS frameworks, a four year authority is sought to secure continuation of water and sewerage supply at the best rates.
1.7	Political Sensitivity	NA
2.	BUSINESS CASE	

¹ Docusign Version, April 2019 onwards

2.1	Business Case	<p>This procurement process is to allow organisations to provide billing services through the existing suppliers, the normal suppliers fixed costs will not change only the billing costs. Since this represents between 5 to 15% of the total costs any savings are going to be minimal, CCS provide a simple way of delivering this service. The key savings will be in centralising the payment and allowing for full validation of this utility.</p> <p>Procurement have undertaken a review of the possible framework suppliers that meet this requirement and the fee structures of CCS is still considered to be the best value provider for the council.</p> <p>The existing Crown Commercial Services (CCS) customer access agreement is evergreen which allows a seamless continuation of the framework contracts subject to member's approval.</p> <p>This continuous process avoids the risk of out of contract rates being incurred by the Council and simplifies future migration between any new framework suppliers appointed by CCS.</p> <p>Due to the continuing structural changes the council is going through flexible contracts which don't lock the council into long term commitments is seen as a key requirement.</p> <p>The continuous nature of the CCS access agreement means leaving the contract only requires a short termination notice, allowing accounts to leave the contract as circumstances change. This is a very flexible arrangement and only possible with the largest framework providers.</p> <p>Individual accounts can be migrated on and off the contract given suitable notice is given in the procurement cycle.</p>
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2.2	Key Deliverables	<p>To place a contract for the procurement of water & sewerage for the Councils portfolio of buildings including public offices, libraries and other public services outlets.</p> <p>Existing energy frameworks have been evaluated by Procurement to allow the most appropriate to be selected. The service will be set-up to deliver the following:</p> <p>1) An energy framework agreement will be used to deliver fully competitive OJEU compliant procurement process</p> <p>2) The payment terms of the suppliers will be explored to obtain the best conditions for the Council. Typically this is 21 days.</p> <p>3) Paper bills are to be eliminated moving to a fully digital payment process</p> <p>4) Electronic Data Interchange (EDI) files will be provided. This file will be processed by systemslink and finance will receive a formatted export file for payment. This will enable some validation to of the bill before it is paid. This new process will eliminate the manual downloading of invoices and simplify the payment process.</p> <p>5) Energy auditing software is used to operate a query management service to identify any issues and track the resolution through to conclusion.</p>
2.3	Commercial Pressures	Services is the key considerations as prices differences for this services will be minimal
2.4	Contractor Employment Status ²	N/A
2.5	Award Criteria	Framework contracts with a single supplier for water and sewerage services (or a single supplier for each of these two requirements)
2.6	Social Value	NA
2.7	Previous Contract	None


² Use online self-assessment tool: <https://www.gov.uk/guidance/check-employment-status-for-tax>

3.		FINANCIAL CONSIDERATIONS					
3.1	Previous Contract Cost	A 3% inflation factor has been applied to current costs					
3.2	Scope Changes	Is there any increase / decrease in scope that could impact costs?	No				
3.3	Annual Cost	Year	20/21 £000's	21/22 £000's	22/23 £000's	Later £000's	Total £000's
		Total Spend	£154	£161	£169	£177	£661
3.4	Funding Breakdown Identified	Revenue Budget	£154	£161	£169	£177	£661
		Capital Budget	£	£	£	£	£
		Other (Please State)	£	£	£	£	£
		Other (Please State)	£	£	£	£	£
		Total Funding	£154	£161	£169	£177	£661
3.5	Budget Code(s)	A central code will be setup when payment is centralied into a single payment.					
3.6	Unsupported borrowing	N/A					
3.7	Other Financial Implications	NA					

4.		PROCUREMENT ROUTE
4.1	Procurement Route	Direct Award under Framework (waiver)
4.2	Procurement Route Rationale	Procurement have undertaken a review of the available frameworks and this is considered best value. The framework allows for a seamless continuous process with authority to continue being renewed.
4.3	Does the contract require a waiver?	No
4.4	Single Source justification	N/A - not a single source
4.5	Waiver Rationale	n/a

5.		PROCUREMENT TIMETABLE	
5.1	Procurement Timetable	Publish Contract Notice	N/A
		Selection Questionnaire Return	N/A
		Invitation to Tender Issue	N/A
		Invitation to Tender Return	N/A
		Notification of Result	N/A
		Standstill Period	N/A
		Expected Award Date	01 August 2021
		Contract Commencement	01 October 2021

6. RISKS, CONSULTATION AND MANAGEMENT						
6.1	Tender Process Risks	Risk Level			Negative Impact	Mitigation
	No contract in Place	E - Very Low Likelihood	I - Critical Impact	EI - Low Risk	Out of contract rates can be upto 2 times the normal rate	The contract will continue until a termination notice is issued
	Supplier fails	E - Very Low Likelihood	II - Significant Impact	EII - Low Risk	Unknown cost with the new supplier, and potentially out of contract rates during the transition process	This is the same supplier, there is not change only the billing service is at risk
	Click here to enter text.	Select Likelihood	Select Impact	Select Risk Level	Enter Negative Impact or N/A	Enter Mitigation or N/A
6.2	Contract Performance Risks	Risk Level			Negative Impact	Mitigation
	Billing systems inaccurate	D - Low Likelihood	II - Significant Impact	DII - Low Risk	Over payment	Lots of time validating invoices
	Supplier fails to make transfer	E - Very Low Likelihood	II - Significant Impact	EII - Low Risk	Out of contract rates incurred	CCS have a team to manage this with the suppliers
6.3	Contingency	Remain with the current arrangements. CCS will continue to provide framework suppliers who have been through their own EU compliant tendering process				
6.4	Consultation	Finance has been involved in the requirement to centralise the payment of water under a framework contract.				
6.5	Project and Contract Management ³	Tier 1 - High Level Contract Management				
		Each EDI billing files will be validated through the Monitoring and Targeting software, any queries are raised with the supplier and any corrections implemented. Validated files will be exported into the finance system to allow bulky payments of the monthly bill. Energy Procurement & Efficiency Manager will manage this contract with all parties.				
6.6	Procurement Implications	This approach has been discussed with the Responsible Officer and approved by Procurement as the best option.				

7. LEGAL, FINANCE AND PROCUREMENT APPROVAL		
7.1	Procurement	I confirm that I have been consulted and agree with the information contained in this report in so far as it relates to Procurement implications
		Name Angela Corsan
		Signed  <small>Angela Corsan (Mar 18, 2021 16:13 GMT)</small>
		Date Mar 18, 2021

³ Refer to the contract management framework or your category manager for guidance

7.2	Legal	I confirm that I have been consulted and agree with the information contained in this report in so far as it relates to Legal implications	
		Name	Kevin Molloy
		Signed	<u>Kevin molloy</u> kevin molloy (Mar 24, 2021 10:47 GMT)
		Date	Mar 24, 2021
7.3	Finance	I confirm that I have been consulted and agree with the information contained in this report in so far as it relates to Financial implications	
		Name	Jonathan Wilson
		Signed	<u>J. D. Wilson</u> J. D. Wilson (Apr 23, 2021 17:45 GMT+1)
		Date	Apr 23, 2021

8.	APPROVAL TO PROCEED		
8.1	Approval Level	Select Contract Award delegation level	
8.2	Responsible Officer	I confirm that this procurement will be carried out in accordance with Rule 5 of the Council's Contract Procedure Rules (Chapter 9, Part 2 of the Constitution) and in particular the following duties have been met: <ul style="list-style-type: none"> • Compliance will occur with all regulatory or statutory provisions and the Council's decision making requirements • The Contract will be included on the Council's Contract Register • Value for Money will be achieved • Advice has or will be sought from the Director of Finance and Corporate governance as to an appropriate security bond or guarantee • Document Retention Policy has and will be complied with • Financial Evaluation will be made of all the proposed tenders including the recommended bidder • Advice has been and will be sought and followed from Procurement, Legal and Finance as necessary 	
		Name	Chris Licioni
		Signed	<u>C Licioni</u> C Licioni (Mar 22, 2021 10:20 GMT)
		Date	Mar 22, 2021
8.3	Assistant Director	In accordance with the Contract Procedure Rules, I confirm the accuracy of the information contained within this form and authorise this request to Proceed to Tender including, where relevant, the permitting of a Waiver from the Contract Procedure Rules in accordance with Rule 13.	
		Name	Michelle Thompson
		Signed	<u>m Thompson</u> m Thompson (May 6, 2021 09:09 GMT+1)
		Date	May 6, 2021
8.4	Corporate Director	In accordance with the Contract Procedure Rules, I confirm the accuracy of the information contained within this form and authorise this request to Proceed to Tender including, where relevant, the permitting of a Waiver from the Contract Procedure Rules in accordance with Rule 13. I confirm that the Portfolio Holder has been consulted as required	
		Name	Enter Name
		Signed	
		Date	

8.5	Director of Finance and IT (If waiver required)	In accordance with the Contract Procedure Rules, I confirm the accuracy of the information contained within this form and authorise this request to Proceed to Tender including, where relevant, the permitting of a Waiver from the Contract Procedure Rules in accordance with Rule 13.	
		Name	Sean Clark
		Signed	<u>Seán Clark</u> <small>Seán Clark (May 6, 2021 10:57 GMT+1)</small>
		Date	May 6, 2021
8.6	Cabinet	Minute Number	Enter approval minute reference
		Date	Click here to enter a date.
Now send complete form to Procurement Services signed and scanned			

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7 July 2021	ITEM: 20 Decision: 110575
Cabinet	
Thurrock Better Care Fund Section 75 Agreement	
Wards and communities affected: All	Key Decision: Key
Report of: Councillor Deborah Huelin, Cabinet Member for Adults and Communities	
Accountable Assistant Director: Les Billingham, Director Adult Social Care and Community Development	
Accountable Director: Ian Wake, Corporate Director of Adults, Housing and Health	
This report is Public	

Executive Summary

In March 2015, Cabinet approved Thurrock’s initial Better Care Fund Section 75 Agreement between the Council and NHS Thurrock Clinical Commissioning Group. The Agreement allowed the creation of a pooled fund, to be operated in line with the terms of the Agreement, to promote the integration of care and support services.

The Council is the ‘host’ organisation for the pooled fund, which means that once the Section 75 Agreement is agreed it allows the funding of community health care services provided in line with the Better Care Fund Plan.

The pooled fund is overseen by the Integrated Care Partnership (previously the Integrated Commissioning Executive) made up of officers from the Council and CCG. The Partnership receives regular reports on expenditure, quality and activity. The Partnership reports on the performance of the Fund to the Health and Wellbeing Board, as well as Cabinet and the Board of the Clinical Commissioning Group.

The focus of the Better Care Fund to date has been on adults aged 65 and over who are most at risk of admission to hospital or to a residential care home. Despite 2020/21 being a year of unprecedented challenge following the onset of the coronavirus pandemic, the targets in the BCF Scorecard were met by year-end.

This report sets out the arrangements for the Better Care Fund Section 75 Agreement between the Council and NHS Thurrock Clinical Commissioning Group for 2021/22 and subsequent years.

- 1. Recommendation(s):**
- 1.1 That Cabinet support and consider the continuation of Better Care Fund arrangements and plans in place for 2021/22, and approval of the Section 75 Agreement as set out in this paper.**
- 1.2 That Cabinet delegates authority for the 2021/22 Section 75 Agreements and Better Care Fund plans to be agreed by the Corporate Director Adults, Housing and Health in consultation with the Cabinet member for Adults and Communities.**
- 1.3 That Cabinet delegates authority to the Corporate Director Adults, Housing and Health in consultation with the Cabinet Portfolio Holder for Adults and Communities to agree annual Section 75 Agreements and Better Care Fund plans and proposals for applicable periods as required effective from 2021/22.**

2. Introduction and Background

- 2.1 The Better Care Fund requires Clinical Commissioning Groups and local authorities in upper-tier authority areas to pool budgets and agree an integrated spending plan in order to deliver their Better Care Fund allocation.
- 2.2 Section 75 of the NHS Act 2006 gives powers to local authorities and clinical commissioning groups to establish and maintain pooled funds out of which payment may be made towards expenditure incurred in the exercise of prescribed local authority functions and prescribed NHS functions.
- 2.3 The purpose of the Section 75 Agreement is to set out the terms on which the partners (in this case Thurrock Council and Thurrock NHS Clinical Commissioning Group) have agreed to collaborate and to establish a framework through which the partners can secure the future provision of health and social care services. It is also the means by which the partners will pool funds.
- 2.4 The initial Better Care Fund Section 75 was agreed by Cabinet at its meeting on the 11 March 2015 (Decision: 01104383). The intention was that it could be rolled over in to subsequent years with changes made to reflect the Better Care Fund for that year, and updated in line with guidance from NHS England as required.
- 2.5 The COVID-19 emergency meant in 2020 we had to set the matter aside and guidance from NHS England was received confirming local areas were not required to submit a Better Care Fund Plan for 2020/21. (NHS England approval for the Better Care Fund Plan has previously been a prerequisite for entering into the Section Agreement 75). Further, the guidance stipulated “for the duration of the current outbreak of COVID-19, systems should assume that spending from ring-fenced BCF funds, particularly on existing schemes

from 2019-20 and spending on activity to address demands in community health and social care, is approved.

2.6 Further guidance received in December 2020 confirmed:

- Systems will not be required to submit plans for assurance in 2020-21.
- Areas must ensure that the use of the money in their area meets the national conditions.
- The funding is placed in a section 75 agreement with appropriate governance.

2.7 This report has been prepared in response to that guidance.

3. Issues, Options and Analysis of Options

Changes to Guidance

3.1 Thurrock has had a Better Care Fund Plan and associated Section 75 Agreement in place since 2015-16. To date, the requirement has been to produce a yearly plan but this has been set aside during the COVID emergency. This report asks Cabinet to agree to the Council entering in to the Better Care Fund Section 75 Agreement for the current year 2021/22 in line with NHS England guidance. The Agreement which will also be required in subsequent years will be subject to the Council's annual budget setting arrangements, and any changes to the Section 75 can be made with agreement of both parties – Thurrock Council and NHS Thurrock CCG.

Value of the Better Care Fund

3.2 The value of Thurrock's Better Care Fund for 2021/22 currently remains at the 2020/21 level of £50.198m. This amount is made up of a £17.035m contribution from NHS Thurrock CCG, £5.046m from the Improved Better Care Fund grant and £27.758m contribution from the Council. The Fund consists of a mandatory amount, and an additional contribution agreed locally by the Council and CCG. The mandated amount for Thurrock's Fund in 2020/21 was £11.436m and we await updated guidance for 2021/22.

3.3 In future years, as part of preparations for the Better Care Fund, the Council and CCG will need to agree how much they are adding to the Fund over and above the mandated amount.

Focus of the Fund

3.4 The focus of the Better Care Fund to date has been on adults aged 65 and over who are most at risk of hospital admission or residential home admission. The schemes chosen for the Fund reflect this focus. The future plans are likely to continue this focus, and will include elements that are

population wide including initiatives linked to preventing, reducing and delaying the need for health and social care intervention.

3.5 Despite 2020/21 being a year of unprecedented challenge following the onset of the coronavirus pandemic, the targets in the BCF Scorecard were met by year-end:

- In particular, the percentage of older people (aged 65 and over) who were still at home 91 days after discharge from hospital into reablement services was 86.4% at year-end (Q4 snapshot), which is 0.1% above target and is significantly higher than the current national average of 82.0%.
- There was also a reduction in the number of older people (aged 65 and over) being permanently admitted to residential and nursing care homes in the year, with 149 admissions in the year compared to 178 in 2019/20. This equates to a rate of 619.2 per 100,000 population¹ compared to 739.7 last year, and is a reduction of 29 admissions. This is also 29 admissions under target.
- 2020/21 also saw a significant reduction in the number of long stay patients in hospital beds. In the year there has been a 38% reduction in the number of patients staying in hospital for 21 days or longer.
- Delayed transfers of care measures were suspended by NHS England throughout 2020/21 and for this reason it is not possible to report on the measures.

3.6 The year saw a reduction in non-elective activity (reduction of 14%) and A&E attendances for people aged 65+ (reduction of 26%) compared to last year. This has almost certainly been due to the impact of COVID-19 and lockdown restrictions imposed by Government which has reduced non-COVID-19 related admissions where many patients would have been advised to stay at home and self-isolate, as well as many people being reluctant to attend NHS services due to the risk of exposure to the virus.

Overspends and Underspends in the Better Care Fund

3.7 The Section 75 Agreement sets out arrangements for overspends and underspends to the Fund. The arrangements will continue and mean that any expenditure over and above the value of the Fund will be the responsibility of either the Council or CCG depending on whether the expenditure is incurred on social care functions or health functions. Arrangements for monitoring expenditure and managing any overspend in an individual scheme are set out in detail within the Section 75 Agreement. Underspends will stay within the Pooled Fund unless otherwise agreed by both parties.

Governance

¹ Please note that a new population figure is due to be published in June 2021 that will be used to calculate the official 2020/21 outturn for this indicator. As such the rate of 619.2 is provisional and is subject to amendment.

- 3.8 The Council continues to be the host for the pooled Fund. The management of the pooled Fund includes regular oversight by both the Council and CCG through the Integrated Care Partnership (previously the Integrated Commissioning Executive). The Partnership reports to the Health and Wellbeing Board who receive the meeting minutes at each Board meeting. A Pooled Fund Manager exists to provide regular reports covering performance, finance and risk.

Contracting arrangements

- 3.9 The Council, as host of the Fund, enters into contracts with third party providers – largely NHS providers. The standard NHS contract is used for these services with the Council becoming an equal commissioning partner.

4. Reasons for Recommendation

- 4.1 The Section 75 Agreement must be agreed for the Council to be able to pay providers of services contained within the Better Care Fund. In the absence of guidance for 2021/22, Cabinet are asked to agree to the Council entering into the Agreement based on the terms set out in the previous Agreement.
- 4.2 As Thurrock's Better Care Fund Plan will be developed and finalised when Guidance has been received, Cabinet is asked to agree that any final changes are delegated to the Corporate Director of Adults, Health and Housing and the Portfolio Holder for Children and Adult Social Care. A report detailing the final Agreement and detailing changes made can be brought back to Cabinet as requested.

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

- 5.1 A specific consultation on the establishment of the pooled fund to drive through the integration of health and social care services, as required under the terms of the Health and Social Care Act 2012, was held in September and October 2014.

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

- 6.1 A key aim of the Better Care Fund is to reduce emergency admissions, which brings within it the potential to invest in services closer to home to prevent, reduce or delay the need for health and social care services or from the deterioration of health conditions requiring intensive health and care services. This will contribute to the priority of 'Improve Health and Wellbeing' and the vision set out within the refreshed Health and Wellbeing Strategy 2016-2021.
- 6.2 Achieving closer integration and improved outcomes for patients, services users and carers is also seen to be a significant way of managing demand for health and social care services, and so manage financial pressures on both the CCG and the Council.

7. Implications

7.1 Financial

Implications verified by: **Jo Freeman**
Finance Manager

The Better Care Fund consists of contributions from the Council and Thurrock CCG and are included in the body of this report. The mandated amount consists of £11.436m from NHS Thurrock CCG. Additional contributions have yet to be confirmed by will not be less than the previous year.

The nature of the expenditure is an agreed ring-fenced fund. Financial risk is therefore minimised and governed by the terms set out in the Agreement. Paragraph 3.6 refers.

The Fund will be accounted for in accordance with the relevant legislation and regulations, and the agreement between the Local Authority and CCG.

Financial monitoring arrangements are in place, ensuring that auditing requirements are met, as well as disclosure in the financial statements.

7.2 Legal

Implications verified by: **Courage Emovon**
Principal Lawyer / Contracts Team Manager

This report outlines the arrangements for a Better Care Fund Section 75 Agreement between the Council and NHS Thurrock Clinical Commissioning Group. The Council and the NHS Thurrock Clinical Commissioning Group can pursuant to regulations made by the Secretary of State as provided by Sec 75 of the National Health Service Act 2006 enter into prescribed arrangements in relation to the exercise of prescribed functions of NHS bodies and prescribed health related functions of local authorities. This arrangement can include establishment and maintenance of a pooled fund made up of contributions by one or more NHS bodies and one or more local authorities out of which payments may be made towards expenditure incurred in the exercise of both prescribed functions of the NHS body and prescribed health related functions of the local authority. Legal Services is available to advice on any specific issues arising from this report.

7.3 Diversity and Equality

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

The vision of the Better Care Fund is improved outcomes for patients, service users and carers through the provision of better co-ordinated health and social care services. The commissioning plans developed to realise this vision will be developed with due regard to the equality and diversity considerations.

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

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):

- None

9. **Appendices to the report**

- Draft Better Care Fund Section 27 Agreement 2021-22

Report Author:

Christopher Smith

Programme Manager

Adults, Housing and Health

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Dated _____ **2021**

THURROCK BOROUGH COUNCIL

and

**NHS THURROCK CLINICAL COMMISSIONING
GROUP**

**FRAMEWORK PARTNERSHIP AGREEMENT
RELATING TO THE COMMISSIONING OF
HEALTH AND SOCIAL CARE SERVICES
BETTER CARE FUND PROGRAMME AND THE
HOSPITAL DISCHARGE INITIATIVE**

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- g) Commission and provide health care services tailored around the outcomes the individual wishes to achieve;
 - h) Focus on prevention and timely intervention that supports people to be healthy and live independently for as long as possible, and
 - i) Develop systems and structures that enable and deliver a co-ordinated and seamless response.
- (G) The Partners have jointly carried out consultations on the proposals for this Agreement with all those persons likely to be affected by the arrangements.
- (H) The Partners are entering into this Agreement in exercise of the powers referred to in Section 75 of the 2006 Act and/or Section 13Z(2) and 14Z(3) of the 2006 Act as applicable, to the extent that exercise of these powers is required for this Agreement.

1 DEFINED TERMS AND INTERPRETATION

1.1 In this Agreement, save where the context requires otherwise, the following words, terms and expressions shall have the following meanings:

1998 Act means the Data Protection Act 1998.

2000 Act means the Freedom of Information Act 2000.

2004 Regulations means the Environmental Information Regulations 2004.

2006 Act means the National Health Service Act 2006.

Affected Partner means, in the context of Clause 24, the Partner whose obligations under the Agreement have been affected by the occurrence of a Force Majeure Event

Agreement means this agreement including its Schedules and Appendices.

Approved Expenditure means any additional expenditure approved by the Partners in relation to an Individual Service above any Contract Price and Performance Payments.

Authorised Officers means an officer of each Partner appointed to be that Partner's representative for the purpose of this Agreement.

Better Care Fund means the Better Care Fund as described in NHS England Publications Gateway Ref. No.00314 and NHS England Publications Gateway Ref. No.00535 as relevant to the Partners.

Better Care Fund Plan means the plan attached at Schedule 6 setting out the Partners plan for the use of the Better Care Fund.

CCG Statutory Duties means the Duties of the CCG pursuant to Sections 14P to 14Z2 of the 2006 Act

Change in Law means the coming into effect or repeal (without re-enactment or consolidation) in England of any Law, or any amendment or variation to any Law, or any judgment of a relevant court of law which changes binding precedent in England after the date of this Agreement

Commencement Date means 00:01 hrs on 1 April 2021

Confidential Information means information, data and/or material of any nature which any Partner may receive or obtain in connection with the operation of this Agreement and the Services and:

- (a) which comprises Personal Data or Sensitive Personal Data or which relates to any patient or his treatment or medical history;
- (b) the release of which is likely to prejudice the commercial interests of a Partner or the interests of a Service User respectively; or
- (c) which is a trade secret.

Contract Price means any sum payable to a Provider under a Service Contract as consideration for the provision of Services and which, for the avoidance of doubt, does not include any Default Liability or Performance Payment

Default Liability *means any sum which is agreed or determined by Law or in accordance with the terms of a Services Contract) to be payable by any Partner(s) to the Provider as a consequence of (i) breach by any or all of the Partners of an obligation(s) in whole or in part) under the relevant Services Contract or (ii) any act or omission of a third party for which any or all of the Partners are, under the terms of the relevant Services Contract, liable to the Provider.*

Financial Contributions means the financial contributions made by each Partner to the Pooled Fund in any Financial Year.

Financial Year means each financial year running from 1 April in any year to 31 March in the following calendar year.

Force Majeure Event means one or more of the following:

- (a) war, civil war (whether declared or undeclared), riot or armed conflict;
- (b) acts of terrorism;
- (c) acts of God;
- (d) fire or flood;
- (e) industrial action;
- (f) prevention from or hindrance in obtaining raw materials, energy or other supplies;
- (g) any form of contamination or virus outbreak; and

(h) any other event,
in each case where such event is beyond the reasonable control of the Partner claiming relief

Functions means the NHS Functions and the Health Related Functions

Health Related Functions means those of the health related functions of the Council, specified in Regulation 6 of the Regulations as relevant to the commissioning of the Services and which may be further described in the relevant Scheme Specification.

Host Partner means for the Pooled Fund the Partner that will host the Pooled Fund

Health and Wellbeing Board means the Health and Wellbeing Board established by the Council pursuant to Section 194 of the Health and Social Care Act 2012.

Indirect Losses means loss of profits, loss of use, loss of production, increased operating costs, loss of business, loss of business opportunity, loss of reputation or goodwill or any other consequential or indirect loss of any nature, whether arising in tort or on any other basis.

Individual Scheme means one of the schemes which is agreed by the Partners to be included within this Agreement using the powers under Section 75 as documented in a Scheme Specification in Schedule 2.

Integrated Care Partnership means the partnership board responsible for review of performance and oversight of this Agreement as set out in Schedule 2.

Law means:

- (d) any statute or proclamation or any delegated or subordinate legislation;
- (e) any enforceable community right within the meaning of Section 2(1) European Communities Act 1972;
- (f) any guidance, direction or determination with which the Partner(s) or relevant third party (as applicable) are bound to comply to the extent that the same are published and publicly available or the existence or contents of them have been notified to the Partner(s) or relevant third party (as applicable); and
- (g) any judgment of a relevant court of law which is a binding precedent in England.

Losses means all damage, loss, liabilities, claims, actions, costs, expenses (including the cost of legal and/or professional services), proceedings, demands and charges whether arising under statute, contract or at common law but excluding Indirect Losses and "Loss" shall be interpreted accordingly.

Month means a calendar month.

National Conditions mean the national conditions as set out in the NHS England Planning Guidance as are amended or replaced from time to time.

NHS Functions means those of the NHS functions listed in Regulation 5 of the Regulations as are exercisable by the CCG as are relevant to the commissioning of the Services and which may be further described in each Scheme Specification.

Non-Recurrent Payments means funding provided by a Partner to the Pooled Fund in addition to the Financial Contributions.

Overspend means any expenditure from the Pooled Fund in relation to an Individual Scheme in a Financial Year which exceeds the Financial Contributions for that Individual Scheme for that Financial Year.

Partner means each of the CCG and the Council, and references to "**Partners**" shall be construed accordingly.

Performance Payment Arrangement means any arrangement agreed with a Provider and one or more Partners in relation to the cost of providing Services on such terms as agreed in writing by all Partners.

Performance Payments means any sum over and above the relevant Contract Price which is payable to the Provider in accordance with a Performance Payment Arrangement.

Permitted Budget means in relation to a Service where the Council is the Provider, the budget that the Partners have set in relation to the particular Service.

Permitted Expenditure has the meaning given in Clause 7.3.

Personal Data means Personal Data as defined by the 1998 Act.

Pooled Fund means any pooled fund established and maintained by the Partners as a pooled fund in accordance with the Regulations, and as set out in the relevant Scheme Specification.

Pooled Fund Manager means such officer of the Host Partner for the Pooled Fund established under an Individual Scheme as is nominated from time to time to manage the Pooled Fund in accordance with Clause 8.

Provider means a provider of any Services commissioned under the arrangements set out in this Agreement.

Provider Contracts means those contracts entered into by a Partner in order to deliver the Individual Schemes

Public Health England means the SOSH trading as Public Health England.

Quarter means each of the following periods in a Financial Year:

1 April to 30 June

1 July to 30 September

1 October to 31 December

1 January to 31 March

and "**Quarterly**" shall be interpreted accordingly.

Regulations means the NHS Bodies and Local Authorities Partnership Arrangements Regulations 2000 No 617 (as amended).

Scheme Specification means a specification setting out the arrangements for an Individual Scheme agreed by the Partners to be commissioned under this Agreement.

Sensitive Personal Data means Sensitive Personal Data as defined in the 1998 Act.

Services means such health and social care services as agreed from time to time by the Partners as commissioned under the arrangements set out in this Agreement and more specifically defined in each Scheme Specification.

Services Contract means an agreement for the provision of Services entered into with a Provider by one or more of the Partners in accordance with the relevant Individual Scheme.

Service Users means those individual for whom the Partners have a responsibility to commission the Services.

SOSH means the Secretary of State for Health.

Third Party Costs means all such third party costs (including legal and other professional fees) in respect of each Individual Scheme as a Partner reasonably and properly incurs in the proper performance of its obligations under this Agreement and as agreed by the **Integrated Care Partnership**.

TUPE means the Transfer of Undertakings (Protection of Employment) Regulations 2006

Working Day means 8.00am to 6.00pm on any day except Saturday, Sunday, Christmas Day, Good Friday or a day which is a bank holiday (in England) under the Banking & Financial Dealings Act 1971.

1.2 In this Agreement, all references to any statute or statutory provision shall be deemed to include references to any statute or statutory provision which amends, extends, consolidates or replaces the same and shall include any orders, regulations, codes of practice, instruments or other subordinate legislation made thereunder and any conditions attaching thereto. Where relevant, references to English statutes and statutory provisions shall be construed as references also to equivalent statutes, statutory provisions and rules of law in other jurisdictions.

1.3 Any headings to Clauses, together with the front cover and the index are for convenience only and shall not affect the meaning of this Agreement. Unless the contrary is stated, references to Clauses and Schedules shall mean the clauses and schedules of this Agreement.

1.4 Any reference to the Partners shall include their respective statutory successors, employees and agents.

- 1.5 In the event of a conflict, the conditions set out in the Clauses to this Agreement shall take priority over the Schedules.
- 1.6 Where a term of this Agreement provides for a list of items following the word "including" or "includes", then such list is not to be interpreted as being an exhaustive list.
- 1.7 In this Agreement, words importing any particular gender include all other genders, and the term "person" includes any individual, partnership, firm, trust, body corporate, government, governmental body, trust, agency, unincorporated body of persons or association and a reference to a person includes a reference to that person's successors and permitted assigns.
- 1.8 In this Agreement, words importing the singular only shall include the plural and vice versa.
- 1.9 In this Agreement, "staff" and "employees" shall have the same meaning and shall include reference to any full or part time employee or officer, director, manager and agent.
- 1.10 Subject to the contrary being stated expressly or implied from the context in these terms and conditions, all communication between the Partners shall be in writing.
- 1.11 Unless expressly stated otherwise, all monetary amounts are expressed in pounds sterling but in the event that pounds sterling is replaced as legal tender in the United Kingdom by a different currency then all monetary amounts shall be converted into such other currency at the rate prevailing on the date such other currency first became legal tender in the United Kingdom.
- 1.12 All references to the Agreement include (subject to all relevant approvals) a reference to the Agreement as amended, supplemented, substituted, novated or assigned from time to time.

2 TERM

- 2.1 This Agreement shall come into force on the Commencement Date.
- 2.2 This Agreement shall continue until it is terminated in accordance with Clause 22.
- 2.3 The duration of the arrangements for each Individual Scheme shall be as set out in the relevant Scheme Specification.

3 GENERAL PRINCIPLES

- 3.1 Nothing in this Agreement shall affect:
 - 3.1.1 the liabilities of the Partners to each other or to any third parties for the exercise of their respective functions and obligations (including the Functions); or
 - 3.1.2 any power or duty to recover charges for the provision of any services (including the Services) in the exercise of any local authority function.

- 3.2 The Partners agree to:
- 3.2.1 treat each other with respect and an equality of esteem;
 - 3.2.2 be open with information about the performance and financial status of each; and
 - 3.2.3 provide early information and notice about relevant problems.
- 3.3 For the avoidance of doubt, the aims and outcomes relating to an Individual Scheme may be set out in the relevant Scheme specification.

4 PARTNERSHIP FLEXIBILITIES

- 4.1 This Agreement sets out the mechanism through which the Partners will work together to establish the Pooled Fund in relation to the Individual Schemes (“the Flexibilities”)
- 4.2 The Council delegates to the CCG and the CCG agrees to exercise, on the Council's behalf, the Health Related Functions to the extent necessary for the purpose of performing its obligations under this Agreement in conjunction with the NHS Functions.
- 4.3 The CCG delegates to the Council and the Council agrees to exercise on the CCG's behalf the NHS Functions to the extent necessary for the purpose of performing its obligations under this Agreement in conjunction with the Health Related Functions.
- 4.4 Where the powers of a Partner to delegate any of its statutory powers or functions are restricted, such limitations will automatically be deemed to apply to the relevant Scheme Specification and the Partners shall agree arrangements designed to achieve the greatest degree of delegation to the other Partner necessary for the purposes of this Agreement which is consistent with the statutory constraints.

5 FUNCTIONS

- 5.1 The purpose of this Agreement is to establish a framework through which the Partners can secure the provision of health and social care services in accordance with the terms of this Agreement.
- 5.2 This Agreement shall include such functions as shall be agreed from time to time by the Partners.
- 5.3 Where the Partners add a new Individual Scheme to this Agreement a Scheme Specification for each Individual Scheme shall be in the form set out in Schedule 1 shall be completed and agreed between the Partners. The initial scheme specifications are set out in schedule 1 part 2.
- 5.4 The Partners shall not enter into a Scheme Specification in respect of an Individual Scheme unless they are satisfied that the Individual Scheme in question will improve health and well-being in accordance with this Agreement.

5.5 The introduction of any Individual Scheme will be subject to business case approval by the Integrated Care Partnership, subject to any further requirement to report back to the Health and Wellbeing Board as set out in Schedule 2.

6 COMMISSIONING ARRANGEMENTS

6.1 The Partners shall comply with the arrangements in respect of commissioning as set out in the relevant Scheme Specification.

6.2 The Integrated Care Partnership will report back to the Health and Wellbeing Board as required by its terms of reference.

7 ESTABLISHMENT OF A POOLED FUND

7.1 In exercise of their respective powers under Section 75 of the 2006 Act, the Partners have agreed to establish and maintain such pooled funds for revenue expenditure as set out in the Scheme Specifications.

7.2 Pooled Fund shall be managed and maintained in accordance with the terms of this Agreement.

7.3 It is agreed that the monies held in a Pooled Fund may only be expended on the following:

7.3.1 *the Contract Price;*

7.3.2 *where the Council is to be the Provider, the Permitted Budget;*

7.3.3 *Performance Payments;*

7.3.4 *Third Party Costs;*

7.3.5 *Approved Expenditure*

("Permitted Expenditure")

7.4 The Partners may only depart from the definition of Permitted Expenditure to include or exclude other revenue expenditure with the express written agreement of each Partner.

7.5 For the avoidance of doubt, monies held in the Pooled Fund may not be expended on Default Liabilities unless this is agreed by all Partners.

7.6 Pursuant to this Agreement, the Partners agree to appoint a Host Partner for the Pooled Fund as set out in the Scheme Specifications. The Host Partner shall be the Partner responsible for:

7.6.1 *holding all monies contributed to the Pooled Fund on behalf of itself and the other Partners;*

7.6.2 *providing the financial administrative systems for the Pooled Fund; and*

7.6.3 *appointing the Pooled Fund Manager;*

- 7.6.4 ensuring that the Pooled Fund Manager complies with its obligations under this Agreement.

8 POOLED FUND MANAGEMENT

- 8.1 When introducing a Pooled Fund in respect of an Individual Scheme, the Partners shall agree:
 - 8.1.1 which of the Partners shall act as Host Partner for the purposes of Regulations 7(4) and 7(5) and shall provide the financial administrative systems for the Pooled Fund;
 - 8.1.2 which officer of the Host Partner shall act as the Pooled Fund Manager for the purposes of Regulation 7(4) of the Regulations.
- 8.2 The Pooled Fund Manager in respect of each Individual Scheme where there is a Pooled Fund shall have the following duties and responsibilities:
 - 8.2.1 the day to day operation and management of the Pooled Fund;
 - 8.2.2 ensuring that all expenditure from the Pooled Fund is in accordance with the provisions of this Agreement and the relevant Scheme Specification;
 - 8.2.3 maintaining an overview of all joint financial issues affecting the Partners in relation to the Services and the Pooled Fund;
 - 8.2.4 ensuring that full and proper records for accounting purposes are kept in respect of the Pooled Fund;
 - 8.2.5 reporting to the Integrated Care Partnership as required by the Integrated Care Partnership and the relevant Scheme Specification;
 - 8.2.6 ensuring action is taken to manage any projected under or overspends relating to the Scheme Specifications in accordance with this Agreement;
 - 8.2.7 preparing and submitting to the Integrated Care Partnership Quarterly reports (or more frequent reports if required by the Integrated Care Partnership) and an annual return about the income and expenditure from the Pooled Fund together with such other information as may be required by the Partners and the Integrated Care Partnership to monitor the effectiveness of the Pooled Fund and to enable the Partners to complete their own financial accounts and returns. The Partners agree to provide all necessary information to the Pooled Fund Manager in time for the reporting requirements to be met.
 - 8.2.8 preparing and submitting reports to the Health and Wellbeing Board as required by it.
- 8.3 In carrying out their responsibilities as provided under Clause 8.2 the Pooled Fund Manager shall have regard to the recommendations of the Integrated Care Partnership and shall be accountable to the Partners.

8.4 The Integrated Care Partnership may agree to the virement of funds between Individual Schemes.

9 NON POOLED FUNDS - NOTE THIS CLAUSE HAS BEEN DELETED AS NON-POOLED FUNDS WILL NOT BE UTILISED

10 FINANCIAL CONTRIBUTIONS

10.1 The Financial Contribution of the CCG and the Council to the Pooled Fund for the first Financial Year of operation of each Individual Scheme shall be as set out in the relevant Scheme Specification.

10.2 The Financial Contributions in each Financial Year, as set out in section 7 shall be paid to the fund in twelve (12) equal instalments receivable on the fourth working day of the month commencing April 2021.

10.3 The value of Thurrock's Better Care Fund for 2021/22 currently remains at the 2020/21 level of £50.198m and no amount of the Better Care Fund is described as 'at risk'. Financial resources in subsequent years are to be determined in accordance with the Agreement.

10.4 The Financial Contributions of the Council will be mad/e as set out in the each Scheme Specification.

10.5 With the exception of Clause 13, no provision of this Agreement shall preclude the Partners from making additional contributions of Non-Recurrent Payments to the Pooled Fund from time to time by mutual agreement. Any such additional contributions of Non-Recurrent Payments shall be explicitly recorded in Integrated Care Partnership minutes and recorded in the budget statement as a separate item.

11 FURTHER CONTRIBUTIONS

11.1 The Scheme Specification shall set out any further contributions of each Partner to cover including staff (including the Pooled Fund Manager), premises, IT support and other non-financial resources necessary to perform its obligations pursuant to this Agreement (including, but not limited to, management of service contracts and the Pooled Fund).

12 RISK SHARE ARRANGMENTS, OVERSPENDS AND UNDERSPENDS

Risk share arrangements

12.1 The partners have agreed risk share arrangements as set out in schedule 3, which provide for financial risks arising within the Individual Schemes of the Pooled Fund.

Overspends in Pooled Fund

12.2 Subject to Clause 12.1, the Host Partner for the Pooled Fund shall manage expenditure from the Pooled Fund within the Financial Contributions and shall ensure that the expenditure is limited to Permitted Expenditure.

- 12.3 The Host Partner shall not be in breach of its obligations under this Agreement if an Overspend of an Individual Scheme occurs PROVIDED THAT the only expenditure from that Individual Scheme has been in accordance with Permitted Expenditure and it has informed the Integrated Care Partnership in accordance with Clause 12.4.
- 12.4 In the event that the Pooled Fund Manager identifies an actual or projected Overspend the Pooled Fund Manager must ensure that the Integrated Care Partnership is informed as soon as reasonably possible and the provisions of the relevant Scheme Specification and Schedule 3 shall apply.

Underspend

- 12.5 In the event that expenditure from the Pooled Fund in any Financial Year is less than the aggregate value of the Financial Contributions made for that Financial Year the Partners shall agree how the surplus monies shall be spent, carried forward and/or returned to the Partners. Such arrangements shall be subject to the Law and the Standing Orders and Standing Financial Instructions (or equivalent) of the Partners.

13 CAPITAL EXPENDITURE

The Pooled Fund shall not normally be applied towards any one-off expenditure on goods and/or services, which will provide continuing benefit and would historically have been funded from the capital budgets of one of the Partners. If a need for capital expenditure is identified this must be agreed by the Partners.

14 VAT

The Partners shall agree the treatment of the Pooled Fund for VAT purposes in accordance with any relevant guidance from HM Customs and Excise.

15 AUDIT AND RIGHT OF ACCESS

- 15.1 All Partners shall promote a culture of probity and sound financial discipline and control. The Host Partner shall arrange for the audit of the accounts of the Pooled Fund.
- 15.2 All internal and external auditors and all other persons authorised by the Partners will be given the right of access by them to any document, information or explanation they require from any employee, member of the Partner in order to carry out their duties. This right is not limited to financial information or accounting records and applies equally to premises or equipment used in connection with this Agreement. Access may be at any time without notice, provided there is good cause for access without notice.

16 LIABILITIES AND INSURANCE AND INDEMNITY

- 16.1 Subject to Clause 16.2, and 163, if a Partner ("First Partner") incurs a Loss arising out of or in connection with this Agreement or the Services Contract as a consequence of any act or omission of another Partner ("Other Partner") which constitutes negligence, fraud or a breach of contract in relation to this Agreement or the Services Contract then the Other Partner shall be liable to the First Partner for that Loss and shall indemnify the First Partner accordingly.

- 16.2 Clause 16.1 shall only apply to the extent that the acts or omissions of the Other Partner contributed to the relevant Loss. Furthermore, it shall not apply if such act or omission occurred as a consequence of the Other Partner acting in accordance with the instructions or requests of the First Partner or the Integrated Care Partnership.
- 16.3 If any third party makes a claim or intimates an intention to make a claim against either Partner, which may reasonably be considered as likely to give rise to liability under this Clause 16. the Partner that may claim against the other indemnifying Partner will:
- 16.3.1 as soon as reasonably practicable give written notice of that matter to the Other Partner specifying in reasonable detail the nature of the relevant claim;
 - 16.3.2 not make any admission of liability, agreement or compromise in relation to the relevant claim without the prior written consent of the Other Partner (such consent not to be unreasonably conditioned, withheld or delayed);
 - 16.3.3 give the Other Partner and its professional advisers reasonable access to its premises and personnel and to any relevant assets, accounts, documents and records within its power or control so as to enable the Indemnifying Partner and its professional advisers to examine such premises, assets, accounts, documents and records and to take copies at their own expense for the purpose of assessing the merits of, and if necessary defending, the relevant claim.
- 16.4 Each Partner shall ensure that they maintain policies of insurance (or equivalent arrangements through schemes operated by the National Health Service Litigation Authority) in respect of all potential liabilities arising from this Agreement.
- 16.5 Each Partner shall at all times take all reasonable steps to minimise and mitigate any loss for which one party is entitled to bring a claim against the other pursuant to this Agreement.
- 16.6 A Partner will take all reasonable steps to require that a Provider has suitable insurance cover in place, and that the Provider will maintain same, prior to that Partner entering into a Provider Contract with that Provider.

17 STANDARDS OF CONDUCT AND SERVICE

- 17.1 The Partners will at all times comply with Law and ensure good corporate governance in respect of each Partner (including the Partners respective Standing Orders and Standing Financial Instructions).
- 17.2 The Council is subject to the duty of Best Value under the Local Government Act 1999. This Agreement and the operation of the Pooled Fund is therefore subject to the Council's obligations for Best Value and the other Partners will co-operate with all reasonable requests from the Council which the Council considers necessary in order to fulfil its Best Value obligations.
- 17.3 The CCG is subject to the CCG Statutory Duties and these incorporate a duty of clinical governance, which is a framework through which they are accountable for

continuously improving the quality of its services and safeguarding high standards of care by creating an environment in which excellence in clinical care will flourish. This Agreement and the operation of the Pooled Fund is therefore subject to ensuring compliance with the CCG Statutory Duties and clinical governance obligations.

- 17.4 The Partners are committed to an approach to equality and equal opportunities as represented in their respective policies. The Partners will maintain and develop these policies as applied to service provision, with the aim of developing a joint strategy for all elements of the service.

18 CONFLICTS OF INTEREST

The Partners shall comply with the agreed policy for identifying and managing conflicts of interest as set out in schedule 7.

19 GOVERNANCE

- 19.1 Overall strategic oversight of partnership working between the partners is vested in the Health and Well Being Board, which for these purposes shall make recommendations to the Partners as to any action it considers necessary.
- 19.2 The Partners have established an Integrated Care Partnership to meet the roles and obligations set out in schedule 2.
- 19.3 The Integrated Care Partnership is based on a joint working group structure. Each member of the Integrated Care Partnership shall be an officer of one of the Partners and will have individual delegated responsibility from the Partner employing them to make decisions which enable the Integrated Care Partnership to carry out its objects, roles, duties and functions as set out in this Clause 19 and Schedule 2.
- 19.4 The terms of reference of the Integrated Care Partnership shall be as set out in Schedule 2.
- 19.5 Each Partner has secured internal reporting arrangements to ensure the standards of accountability and probity required by each Partner's own statutory duties and organisation are complied with.
- 19.6 The Integrated Care Partnership shall be responsible for the overall approval of the Individual Scheme and Services, ensuring compliance with the Better Care Fund Plan and the strategic direction of the Better Care Fund.
- 19.7 Each Scheme Schedule shall confirm the governance arrangements in respect of the Individual Scheme (and related Service) and how that Individual Scheme (and related Service) is reported to the Integrated Care Partnership and Health and Wellbeing Board.
- 19.8 Each Scheme Schedule shall confirm the governance arrangements in respect of the Individual Scheme (and related Service) and how that Individual Scheme (and related Service) is reported to the Integrated Care Partnership and Health and Wellbeing Board.

20 REVIEW

- 20.1 Save where the Integrated Care Partnership agree alternative arrangements (including alternative frequencies) the Partners shall undertake an annual review (“**Annual Review**”) of the operation of this Agreement, the Pooled Fund, and the provision of the Services within 3 Months of the end of each Financial Year.
- 20.2 Subject to any variations to this process required by the Integrated Care Partnership, Annual Reviews shall be conducted in good faith and, where applicable, in accordance with the governance arrangements set out in Schedule 2.
- 20.3 The Partners shall within 20 Working Days of the Annual Review prepare a joint annual report documenting the matters referred to in this Clause 20. A copy of this report shall be provided to the Integrated Care Partnership.
- 20.4 In the event that the Partners fail to meet the requirements of the Better Care Fund Plan and NHS England the Partners shall provide full co-operation with NHS England to agree a recovery plan.

21 COMPLAINTS

The Partners’ own complaints procedures shall apply to this Agreement. The Partners agree to assist one another in the management of complaints arising from this Agreement or the provision of the Services, in accordance with the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.

22 TERMINATION & DEFAULT

- 22.1 This Agreement may be terminated by any Partner giving not less than 3 Months’ notice in writing to terminate this Agreement provided that such termination shall not take effect prior to the termination or expiry of all Individual Schemes.
- 22.2 Each Individual Scheme may be terminated in accordance with the terms set out in the relevant Scheme Specification provided that the Partners ensure that the Better Care Fund requirements continue to be met.
- 22.3 If any Partner (“Relevant Partner”) fails to meet any of its obligations under this Agreement, the other Partner may by notice require the Relevant Partner to take such reasonable action within a reasonable timescale as the other Partner may specify to rectify such failure. Should the Relevant Partner fail to rectify such failure within such reasonable timescale, the matter shall be referred for resolution in accordance with Clause 23.
- 22.4 Termination of this Agreement (whether by effluxion of time or otherwise) shall be without prejudice to the Partners’ rights in respect of any antecedent breach and the provisions of Clauses 16, 22.6, 23, 25, 26, 27 and 28.
- 22.5 In the event of termination of this Agreement, the Partners agree to cooperate to ensure an orderly wind down of their joint activities and to use their best endeavours to minimise disruption to the health and social care which is provided to the Service Users.
- 22.6 Upon termination of this Agreement for any reason whatsoever the following shall apply:

- 22.6.1 the Partners agree that they will work together and co-operate to ensure that the winding down and disaggregation of any integrated and joint activities to the separate responsibilities of the Partners is carried out smoothly and with as little disruption as possible to service users, employees, the Partners and third parties, so as to minimise costs and liabilities of each Partner in doing so;
- 22.6.2 where either Partner has entered into a Service Contract which continues after the termination of this Agreement, both Partners shall continue to contribute to the Contract Price in accordance with the agreed contribution for that Service prior to termination and will enter into all appropriate legal documentation required in respect of this;
- 22.6.3 the Host Partner shall make reasonable endeavours to amend or terminate a Service Contract (which shall for the avoidance of doubt not include any act or omission that would place the Host Partner in breach of the Service Contract) where the other Partner requests the same in writing Provided that the Host Partner shall not be required to make any payments to the Provider for such amendment or termination unless the Partners shall have agreed in advance who shall be responsible for any such payment.
- 22.6.4 where a Service Contract held by a Host Partner relates all or partially to services which relate to the other Partner's Functions then provided that the Service Contract allows the other Partner may request that the Host Partner assigns the Service Contract in whole or part upon the same terms mutatis mutandis as the original contract.
- 22.6.5 the Integrated Care Partnership shall continue to operate for the purposes of functions associated with this Agreement for the remainder of any contracts and commitments relating to this Agreement; and
- 22.6.6 Termination of this Agreement shall have no effect on the liability of any rights or remedies of either Partner already accrued, prior to the date upon which such termination takes effect.
- 22.7 In the event of termination in relation to an Individual Scheme or Service the provisions of Clause 22.6 shall apply mutatis mutandis in relation to the Individual Scheme or Service (as though references as to this Agreement were to that Individual Scheme or Service).

23 DISPUTE RESOLUTION

- 23.1 In the event of a dispute between the Partners arising out of this Agreement, either Partner may serve written notice of the dispute on the other Partner, setting out full details of the dispute.
- 23.2 The Authorised Officers shall meet in good faith as soon as possible and in any event within seven (7) days of notice of the dispute being served pursuant to Clause 23.1, at a meeting convened for the purpose of resolving the dispute.

- 23.3 If the dispute remains after the meeting detailed in Clause 23.1 has taken place, the Chief Executive of the Council (or nominee) and the Accountable Officer of the CCG (or nominee) shall meet in good faith as soon as possible after the relevant meeting and in any event with fourteen (14) days of the date of the meeting, for the purpose of resolving the dispute.
- 23.4 If the dispute remains after the meeting detailed in Clause 23.3 has taken place, then the Partners will attempt to settle such dispute by mediation in accordance with the Centre for Effective Dispute Resolution (CEDR) Model Mediation Procedure or any other model mediation procedure as agreed by the Partners. To initiate a mediation, either Partner may give notice in writing (a "**Mediation Notice**") to the other requesting mediation of the dispute and shall send a copy thereof to CEDR or an equivalent mediation organisation as agreed by the Partners asking them to nominate a mediator. The mediation shall commence within twenty (20) Working Days of the Mediation Notice being served. Neither Partner will terminate such mediation until each of them has made its opening presentation and the mediator has met each of them separately for at least one (1) hour. Thereafter, paragraph 14 of the CEDR Model Mediation Procedure will apply (or the equivalent paragraph of any other model mediation procedure agreed by the Partners). The Partners will co-operate with any person appointed as mediator, providing him with such information and other assistance as he shall require and will pay his costs as he shall determine or in the absence of such determination such costs will be shared equally.
- 23.5 Nothing in the procedure set out in this Clause 23 shall in any way affect either Partner's right to terminate this Agreement in accordance with any of its terms or take immediate legal action.

24 FORCE MAJEURE

- 24.1 Neither Partner shall be entitled to bring a claim for a breach of obligations under this Agreement by the other Partner or incur any liability to the other Partner for any losses or damages incurred by that Partner to the extent that a Force Majeure Event occurs and it is prevented from carrying out its obligations by that Force Majeure Event.
- 24.2 On the occurrence of a Force Majeure Event, the Affected Partner shall notify the other Partner as soon as practicable. Such notification shall include details of the Force Majeure Event, including evidence of its effect on the obligations of the Affected Partner and any action proposed to mitigate its effect.
- 24.3 As soon as practicable, following notification as detailed in Clause 24.2, the Partners shall consult with each other in good faith and use all best endeavours to agree appropriate terms to mitigate the effects of the Force Majeure Event and, subject to Clause 24.4, facilitate the continued performance of the Agreement.
- 24.4 If the Force Majeure Event continues for a period of more than sixty (60) days, either Partner shall have the right to terminate the Agreement by giving fourteen (14) days written notice of termination to the other Partner. For the avoidance of doubt, no compensation shall be payable by either Partner as a direct consequence of this Agreement being terminated in accordance with this Clause.

25 CONFIDENTIALITY

- 25.1 In respect of any Confidential Information a Partner receives from another Partner (the "**Discloser**") and subject always to the remainder of this Clause 25, each Partner (the "**Recipient**") undertakes to keep secret and strictly confidential and shall not disclose any such Confidential Information to any third party, without the Discloser's prior written consent provided that:
- 25.1.1 the Recipient shall not be prevented from using any general knowledge, experience or skills which were in its possession prior to the Commencement Date; and
 - 25.1.2 the provisions of this Clause 25 shall not apply to any Confidential Information which:
 - (i) is in or enters the public domain other than by breach of the Agreement or other act or omission of the Recipient; or
 - (ii) is obtained by a third party who is lawfully authorised to disclose such information.
- 25.2 Nothing in this Clause 25 shall prevent the Recipient from disclosing Confidential Information where it is required to do so in fulfilment of statutory obligations or by judicial, administrative, governmental or regulatory process in connection with any action, suit, proceedings or claim or otherwise by applicable Law.
- 25.3 Each Partner:
- 25.3.1 may only disclose Confidential Information to its employees and professional advisors to the extent strictly necessary for such employees to carry out their duties under the Agreement; and
 - 25.3.2 will ensure that, where Confidential Information is disclosed in accordance with Clause 25.3.1, the recipient(s) of that information is made subject to a duty of confidentiality equivalent to that contained in this Clause 25;
 - 25.3.3 shall not use Confidential Information other than strictly for the performance of its obligations under this Agreement.

26 FREEDOM OF INFORMATION AND ENVIRONMENTAL PROTECTION REGULATIONS

- 26.1 The Partners agree that they will each cooperate with each other to enable any Partner receiving a request for information under the 2000 Act or the 2004 Act to respond to a request promptly and within the statutory timescales. This cooperation shall include but not be limited to finding, retrieving and supplying information held, directing requests to other Partners as appropriate and responding to any requests by the Partner receiving a request for comments or other assistance.
- 26.2 Any and all agreements between the Partners as to confidentiality shall be subject to their duties under the 2000 Act and 2004 Act. No Partner shall be in breach of Clause 26 if it makes disclosures of information in accordance with the 2000 Act and/or 2004 Act.

27 OMBUDSMEN

The Partners will co-operate with any investigation undertaken by the Health Service Commissioner for England or the Local Government Commissioner for England (or both of them) in connection with this Agreement.

28 INFORMATION SHARING

The Partners will follow the Information Governance Protocol set out in schedule 8, and in so doing will ensure that the operation of this Agreement complies with Law, in particular the 1998 Act.

29 NOTICES

29.1 Any notice to be given under this Agreement shall either be delivered personally or sent by first class post or electronic mail. The address for service of each Partner shall be as set out in Clause 29.3 or such other address as each Partner may previously have notified to the other Partner in writing. A notice shall be deemed to have been served if:

29.1.1 personally delivered, at the time of delivery;

29.1.2 posted, at the expiration of forty eight (48) hours after the envelope containing the same was delivered into the custody of the postal authorities; and

29.1.3 if sent by electronic mail, at the time of transmission and a telephone call must be made to the recipient warning the recipient that an electronic mail message has been sent to him (as evidenced by a contemporaneous note of the Partner sending the notice) and a hard copy of such notice is also sent by first class recorded delivery post (airmail if overseas) on the same day as that on which the electronic mail is sent.

29.2 In proving such service, it shall be sufficient to prove that personal delivery was made, or that the envelope containing such notice was properly addressed and delivered into the custody of the postal authority as prepaid first class or airmail letter (as appropriate), or that the electronic mail was properly addressed and no message was received informing the sender that it had not been received by the recipient (as the case may be).

29.3 The address for service of notices as referred to in Clause 29.1 shall be as follows unless otherwise notified to the other Partner in writing:

29.3.1 if to the Council, addressed to the Corporate Director, Adults, Housing and Health, Thurrock Borough Council, Civic Offices, New Road Grays, Essex, RM17 6SL;

Tel: 01375 364029

E.Mail: iwake@thurrock.gov.uk

and

29.3.2 if to the CCG, addressed to the Chief Operating Officer, Thurrock CCG, 2nd Floor Civic Offices, New Road Grays, Essex, RM17 6SL;

Tel: 01375 365810

Email: thurrock.ccg@nhs.net

30 VARIATION

No variations to this Agreement will be valid unless they are recorded in writing and signed for and on behalf of each of the Partners.

31 CHANGE IN LAW

31.1 The Partners shall ascertain, observe, perform and comply with all relevant Laws, and shall do and execute or cause to be done and executed all acts required to be done under or by virtue of any Laws.

31.2 On the occurrence of any Change in Law, the Partners shall agree in good faith any amendment required to this Agreement as a result of the Change in Law subject to the Partners using all reasonable endeavours to mitigate the adverse effects of such Change in Law and taking all reasonable steps to minimise any increase in costs arising from such Change in Law.

31.3 In the event of failure by the Partners to agree the relevant amendments to the Agreement (as appropriate), the Clause 23 (Dispute Resolution) shall apply.

32 WAIVER

No failure or delay by any Partner to exercise any right, power or remedy will operate as a waiver of it nor will any partial exercise preclude any further exercise of the same or of some other right to remedy.

33 SEVERANCE

If any provision of this Agreement, not being of a fundamental nature, shall be held to be illegal or unenforceable, the enforceability of the remainder of this Agreement shall not thereby be affected.

34 ASSIGNMENT AND SUB CONTRACTING

The Partners shall not sub contract, assign or transfer the whole or any part of this Agreement, without the prior written consent of the other Partners, which shall not be unreasonably withheld or delayed. This shall not apply to any assignment to a statutory successor of all or part of a Partner's statutory functions.

35 EXCLUSION OF PARTNERSHIP AND AGENCY

35.1 Nothing in this Agreement shall create or be deemed to create a partnership under the Partnership Act 1890 or the Limited Partnership Act 1907, a joint venture or the

relationship of employer and employee between the Partners or render either Partner directly liable to any third party for the debts, liabilities or obligations of the other.

35.2 Except as expressly provided otherwise in this Agreement or where the context or any statutory provision otherwise necessarily requires, neither Partner will have authority to, or hold itself out as having authority to:

35.2.1 act as an agent of the other;

35.2.2 make any representations or give any warranties to third parties on behalf of or in respect of the other; or

35.2.3 bind the other in any way.

36 THIRD PARTY RIGHTS

Unless the right of enforcement is expressly provided, no third party shall have the right to pursue any right under this Contract pursuant to the Contracts (Rights of Third Parties) Act 1999 or otherwise.

37 ENTIRE AGREEMENT

37.1 The terms herein contained together with the contents of the Schedules constitute the complete agreement between the Partners with respect to the subject matter hereof and supersede all previous communications representations understandings and agreement and any representation promise or condition not incorporated herein shall not be binding on any Partner.

37.2 No agreement or understanding varying or extending or pursuant to any of the terms or provisions hereof shall be binding upon any Partner unless in writing and signed by a duly authorised officer or representative of the parties.

38 COUNTERPARTS

This Agreement may be executed in one or more counterparts. Any single counterpart or a set of counterparts executed, in either case, by all Partners shall constitute a full original of this Agreement for all purposes.

39 GOVERNING LAW AND JURISDICTION

39.1 This Agreement and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the laws of England and Wales.

39.2 Subject to Clause 23 (Dispute Resolution), the Partners irrevocably agree that the courts of England and Wales shall have exclusive jurisdiction to hear and settle any action, suit, proceedings, dispute or claim, which may arise out of, or in connection with, this Agreement, its subject matter or formation (including non-contractual disputes or claims).

IN WITNESS WHEREOF this Agreement has been executed by the Partners on the date of this Agreement

Signed for on behalf of **THURROCK COUNCIL**

Authorised Signatory

Signed for on behalf of **THURROCK
CLINICAL COMMISSIONING
GROUP**

Authorised Signatory

Part 1 – SCHEME SPECIFICATION
– Template Scheme Schedule

TEMPLATE SCHEME SCHEDULE

Unless the context otherwise requires, the defined terms used in this Scheme Specification shall have the meanings set out in the Agreement.

1 OVERVIEW OF INDIVIDUAL SCHEME

Insert details including:

- (a) *Name of the Individual Scheme*
- (b) *Relevant context and background information*
- (c) *Whether there are Pooled Funds:*

The Host Partner for Pooled Fund X is [] and the Pooled Fund Manager, being an officer of the Host Partner is []

2 AIMS AND OUTCOMES

Insert agreed aims of the Individual Scheme

3 THE ARRANGEMENTS

Set out which of the following applies in relation to the Individual Scheme:

- (1) *Lead Commissioning;*
- (2) *Integrated Commissioning;*
- (3) *Joint (Aligned) Commissioning;*
- (4) *the establishment of one or more Pooled Funds as may be required.*

4 FUNCTIONS

Set out the Council's Functions and the CCG's Functions which are the subject of the Individual Scheme including where appropriate the delegation of such functions for the commissioning of the relevant service.

Consider whether there are any exclusions from the standard functions included (see definition of NHS Functions and Council Health Related Functions)

5 SERVICES

*What Services are going to be provided within this Scheme. ?
Are there contracts already in place?
Are there any plans or agreed actions to change the Services?
Who are the beneficiaries of the Services? ¹*

¹ This may be limited by service line –i.e. individuals with a diagnosis of dementia. There is also a significant issue around individuals who are the responsibility of the local authority but not the CCG and Vice versa See note [] above

6 COMMISSIONING, CONTRACTING, ACCESS

Commissioning Arrangements

Set out what arrangements will be in place in relation to Lead Commissioning/Joint (Aligned) commissioning. How will these arrangements work?

Contracting Arrangements

Insert the following information about the Individual Scheme:

relevant contracts

arrangements for contracting. Will terms be agreed by both partners or will the Lead Commissioner have authority to agree terms

what contract management arrangements have been agreed?

What happens if the Agreement terminates? Can the partner terminate the Contract in full/part?

Can the Contract be assigned in full/part to the other Partner?

Access

Set out details of the Service Users to whom the Individual Scheme relates. How will individuals be assessed as eligible.

7 FINANCIAL CONTRIBUTIONS

Financial Year 201.../201

	CCG contribution	Council Contribution
Non-Pooled Fund A		
Non-Pooled Fund B		
Non-Pooled Fund C		
Pooled Fund X		
Pooled Fund Y		

Financial Year 201.../201

	CCG contribution	Council Contribution
Non-Pooled Fund A		

	CCG contribution	Council Contribution
Non-Pooled Fund B		
Non-Pooled Fund C		
Pooled Fund X		
Pooled Fund Y		

Financial resources in subsequent years to be determined in accordance with the Agreement

8 FINANCIAL GOVERNANCE ARRANGEMENTS

[(1) As in the Agreement with the following changes:

(2) Management of the Pooled Fund

Are any amendments required to the Agreement in relation to the management of Pooled Fund

Have the levels of contributions been agreed?

How will changes to the levels of contributions be implemented?

Have eligibility criteria been established?

What are the rules about access to the pooled budget?

Does the pooled fund manager require training?

Have the pooled fund managers delegated powers been determined?

Is there a protocol for disputes?

(3) Audit Arrangements

What Audit arrangements are needed?

Has an internal auditor been appointed?

Who will liaise with/manage the auditors?

Whose external audit regime will apply?

(4) Financial Management

Which financial systems will be used?

What monitoring arrangements are in place?

Who will produce monitoring reports?

Has the scale of contributions to the pool been agreed?

What is the frequency of monitoring reports?

What are the rules for managing overspends?

Do budget managers have delegated powers to overspend?

Will delegated powers allow underspends recurring or non-recurring, to be transferred between budgets?

How will overspends and underspends be treated at year end?

Will there be a facility to carry forward funds?

How will pay and non pay inflation be financed?
 Will a contingency reserve be maintained, and if so by whom?
 How will efficiency savings be managed?
 How will revenue and capital investment be managed?
 Who is responsible for means testing?
 Who will own capital assets?
 How will capital investments be financed?
 What management costs can legitimately be charged to pool?
 What re the arrangement for overheads?
 What will happen to the existing capital programme?
 What will happen on transfer where if resources exceed current liability
 (i.e. commitments exceed budget) immediate overspend secure?
 Has the calculation methodology for recharges been defined?
 What closure of accounts arrangement need to be applied?]

9 VAT

Set out details of the treatment of VAT in respect of the Individual Service consider the following:

- Which partner’s VAT regime will apply?
- Is one partner acting as ‘agent’ for another?
- Have partners confirmed the format of documentation, reporting and
- accounting to be used?

10 GOVERNANCE ARRANGEMENTS FOR THE PARTNERSHIP

Will there be a relevant Committee/Board/Group that reviews this Individual Scheme?
 Who does that group report to?
 Who will report to that Group?

Pending arrangements agreed in the Partnership Agreement, including the role of the Health & Wellbeing Board, Partners to confirm any bespoke management arrangements for the Individual Scheme

11 FURTHER RESOURCES

Council contribution

	Details	Charging arrangements ³	Comments
Premises			

² We note that some of the information overlaps with the information that is included in the main body of Agreement, however, we consider it is appropriate that this is considered for each Scheme in order to determine whether the overarching arrangements should apply.

³ Are these to be provided free of charge or is there to a charge made to a relevant fund. Where there are aligned budgets any recharge will need to be allocated between the CCG Budget and the Council Budget on such a basis that there is no “mixing” of resources

	Details	Charging arrangements ³	Comments
Assets and equipment			
Contracts			
Central support services			

CCG Contribution

	Details	Charging arrangements ⁴	Comments
Premises			
Assets and equipment			
Contracts			
Central support services			

12 STAFF

Consider:

- *Who will employ the staff in the partnership?*
- *Is a TUPE transfer secondment required?*
- *How will staff increments be managed?*
- *Have pension arrangements been considered?*

Council staff to be made available to the arrangements

Please make it clear if these are staff that are transferring under TUPE to the CCG.

If the staff are being seconded to the CCG this should be made clear

CCG staff to be made available to the arrangements

Please make it clear if these are staff that are transferring under TUPE to the Council.

If the staff are being seconded to the Council this should be made clear.

13 ASSURANCE AND MONITORING

⁴ Are these to be provided free of charge or is there to a charge made to a relevant fund. Where there are aligned budgets any recharge will need to be allocated between the CCG Budget and the Council Budget on such a basis that there is no "mixing" of resources

Set out the assurance framework in relation to the Individual Scheme. What are the arrangements for the management of performance? Will this be through the agreed performance measures in relation to the Individual Scheme.

In relation to the Better Care Fund you will need to include the relevant performance outcomes. Consider the following:

- What is the overarching assurance framework in relation to the Individual Scheme?
- Has a risk management strategy been drawn up?
- Have performance measures been set up?
- Who will monitor performance?
- Have the form and frequency of monitoring information been agreed?
- Who will provide the monitoring information? Who will receive it?

14 LEAD OFFICERS

Partner	Name of Lead Officer	Address	Telephone Number	Email Address	Fax Number
Council					
CCG					

15 INTERNAL APPROVALS

- Consider the levels of authority from the Council's Constitution and the CCG's standing orders, scheme of delegation and standing financial instructions in relation to the Individual Scheme;
- Consider the scope of authority of the Pool Manager and the Lead Officers
- Has an agreement been approved by cabinet bodies and signed?

16 RISK AND BENEFIT SHARE ARRANGEMENTS

Has a risk management strategy been drawn up?

Set out arrangements, if any, for the sharing of risk and benefit in relation to the Individual Scheme.

17 REGULATORY REQUIREMENTS

Are there any regulatory requirements that should be noted in respect of this particular Individual Scheme?

18 INFORMATION SHARING AND COMMUNICATION

What are the information/data sharing arrangements?

How will charges be managed (which should be referred to in Part 2 above)

What data systems will be used?

*Consultation – staff, people supported by the Partners, unions, providers, public, other agency
Printed stationary*

19 DURATION AND EXIT STRATEGY

*What are the arrangements for the variation or termination of the Individual Scheme.
Can part/all of the Individual Scheme be terminated on notice by a party? Can part/all of
the Individual Scheme be terminated as a result of breach by either Partner?
What is the duration of these arrangements?*

*Set out what arrangements will apply upon termination of the Individual Service, including
without limitation the following matters addressed in the main body of the Agreement*

- (1) maintaining continuity of Services;*
- (2) allocation and/or disposal of any equipment relating to the Individual Scheme;*
- (3) responsibility for debts and on-going contracts;*
- (4) responsibility for the continuance of contract arrangements with Service Providers
(subject to the agreement of any Partner to continue contributing to the costs of the
contract arrangements);*
- (5) where appropriate, the responsibility for the sharing of the liabilities incurred by the
Partners with the responsibility for commissioning the Services and/or the Host
Partners.*

*Consider also arrangements for dealing with premises, records, information sharing (and
the connection with staffing provisions set out in the Agreement.*

20 OTHER PROVISIONS

Consider, for example:

- Any variations to the provisions of the Agreement*
- Bespoke arrangements for the treatment of records*
- Safeguarding arrangements*

PART 2 – AGREED SCHEME SPECIFICATIONS

SCHEDULE 1 – PART 2 AGREED SCHEME SPECIFICATION

BCF SCHEME 1 PREVENTION AND EARLY INTERVENTION

21 OVERVIEW OF INDIVIDUAL SCHEME

(a) **BCF Scheme 1 Prevention and Early Intervention** (as set out in the Thurrock Better Care Fund Plan)

(b)

The objective of the Scheme is to provide an integrated response to individuals using a number of successful existing and developing initiatives. The result will be a cohesive prevention and early intervention offer spanning the community, public health, health and adult social care system. This is an enhancement of the Scheme first introduced in 2015-16 (then as BCF Scheme 4) and focused on demand management and crisis prevention.

Further details are contained in pages 28-31 of the Better Care Fund Plan (Schedule 6 of this agreement).

(c) This Scheme is funded by the Thurrock BCF Pooled Fund in 2021/22.

22 THE ARRANGEMENTS

The Council as Host Partner will commission Services in relation to the Scheme, in exercise of both NHS Functions and Council Functions under the terms of the Pooled Fund by means of:

- A variation to the Standard NHS Contract with North East London Foundation Trust for which Thurrock Clinical Commissioning Group is a Co-ordinating Commissioner and
- A Service Level Agreement for Thurrock Council's Provider Services.
- Contracts with various voluntary and private sector providers

23 FUNCTIONS

See Section 4 PARTNERSHIP FLEXIBILITIES PARAGRAPH 4.3 and 4.5

24 SERVICES

The Services are set out in the Provider Contracts and the Service Level Agreement with Thurrock Council Provider Services.

25 COMMISSIONING, CONTRACTING, ACCESS ***Commissioning Arrangements***

The Council will become an associate to the CCG Health Contract with North London Foundation Trust for the first year to allow for continuity and the opportunity to develop an integrated commissioning model and approach for subsequent years

Contracting Arrangements

relevant contracts

- North East London Foundation Trust
- Thurrock Council Provider Services
- Voluntary and private sector providers

The Commissioners have authority to agree contract terms in line with the terms of this agreement including

- contract management arrangements
- termination
- assignment

Access

Details of how Patients and Service Users will be assessed as eligible for services will be as set out in the Provider's contract and Operational Guidelines for services provided by Thurrock Council Provider Services.

26 FINANCIAL CONTRIBUTIONS

Financial Year 2021/22

[Table to be updated]

Health and Well-Being Board Investment	Total £
Community Equipment	900,625
Assistive Technology	80,000
Community Equipment	543,552
Exercise Referral Scheme	33,000
Increase the uptake of flu vaccination (17-18 only)	6,000
Integrated Data Set	125,000
Local Area Co-ordination	499,998
Public Health	250,000
Social Prescribing (recurrent)	137,500
Stretched QOF in Tilbury and Chadwell (17-18 only)	68,000
Stroke Prevention	25,141
Voluntary Sector Organisations	566,402
Scheme 1 - Prevention and Early Intervention	3,235,218

Financial resources in subsequent years are to be determined in accordance with the Agreement.

27 FINANCIAL GOVERNANCE ARRANGEMENTS

If during the course of monthly monitoring of activity and expenditure, a risk of overspend is identified in any of the Schemes, the Pooled Fund Manager will require a Remedial Action Plan to be produced by the provider and this will be presented to the Integrated Care Partnership within 21 days. The Integrated Care Partnership, where appropriate in consultation with the Health and Well-being Board will then consider whether it needs to agree the action plan in order to reduce expenditure.

28 VAT

The Council's VAT regime will apply to Provider Contracts

The Council is not acting as 'agent' for NHS Thurrock CCG

29 GOVERNANCE ARRANGEMENTS FOR THE PARTNERSHIP

See Schedule 2 - Governance

30 NON FINANCIAL RESOURCES

Council contribution – Not Applicable

CCG Contribution – Not Applicable

31 STAFF

TUPE transfers and secondments are not expected to be required in order to deliver this Scheme.

Staff increments and pension arrangements of employees of the Partners will be administered in line with the relevant terms and conditions of employment under the existing contract of employment of the particular staff member.

Council staff to be made available to the arrangements

- Strategic Lead - Commissioning and Procurement
- Integrated Commissioner Unplanned Care and Re-ablement
- Commissioner for dementia and older people
- Team Manager - Contract compliance & Brokerage

CCG staff to be made available to the arrangements

- Director of Commissioning
- Joint Unplanned Care Commissioning Officer
- Chief Finance Officer
- Executive Nurse
- Head of Performance
- Senior Commissioning Manager

32 ASSURANCE AND MONITORING

See Schedule 5 – Performance arrangements

33 LEAD OFFICERS

Partner	Name of Lead Officer	Address	Telephone Number	Email Address	Fax Number
Council	Catherine Wilson	Thurrock Council, Civic Offices	01375 652068	cwilson@thurrock.gov.uk	
CCG	Mark Tebbs	Thurrock CCG, Civic Offices	01375 365810	Mark.tebbs@nhs.net	

34 INTERNAL APPROVALS

The Pooled Fund will be administered in accordance with the Better Care Fund Plan, this Agreement and the Constitution of the Council. In relation to this Individual Scheme and the Services it contains; the levels of authority from the Council's Constitution, scheme of delegation and standing financial instructions will apply.

35 RISK AND BENEFIT SHARE ARRANGEMENTS

See Schedule 3 – Risk Share and Overspends

36 REGULATORY REQUIREMENTS

The regulatory requirements for NHS services are set out within the NHS standard contract and the intention is therefore to continue to use the NHS contract.

The regulatory requirements for local authority provided services are as set out within the Care Act.

37 INFORMATION SHARING AND COMMUNICATION

In addition to the general Better Care Fund consultation and engagement process, the Partners will engage with stakeholders as part of each scheme. The purpose of this work is to promote integrated services and therefore communication and engagement is at the heart of the redesign work.

Both the Partners will be involved in contract negotiations for these services and will therefore develop the required activity and performance schedules. These will be shared via the Partners' contract management teams.

Further details are contained in page 58 of the Better Care Fund Plan (Schedule 6 of this agreement).

38 DURATION AND EXIT STRATEGY

Subject to the provisions of Section 22 of this agreement this scheme or any service contained within in it may be terminated with the agreement of both the Partners.

39 OTHER PROVISIONS

- There are none.

SCHEDULE 1 – PART 2 AGREED SCHEME SPECIFICATION

BCF SCHEME 2 OUT OF HOSPITAL COMMUNITY INTGRATION

40 OVERVIEW OF INDIVIDUAL SCHEME

(a) **BCF Scheme 2 Out of Hospital Community Integration** (as set out in the Thurrock Better Care Fund Plan)

(b)

This scheme is aimed at improving the coordination of community health and adult social care services so that care delivered in the community is person centred whatever the provider or the nature of the service required.

Further details are contained in pages 31-35 of the Better Care Fund Plan (Schedule 6 of this agreement).

(c) This Scheme is funded by the Thurrock BCF Pooled Fund in 2021/22.

41 THE ARRANGEMENTS

The Council as Host Partner will commission Services in relation to the Scheme, in exercise of both NHS Functions and Council Functions under the terms of the Pooled Fund by means of:

A variation to the Standard NHS Contracts with North East London Foundation Trust for which Thurrock Clinical Commissioning Group is a Co-ordinating Commissioner and for Essex Partnership University NHS Foundation Trust (EPUT) for which Castle Point and Rochford CCG is a Co-ordinating Commissioner, and

A Service Level Agreement for Thurrock Council's Provider Services.

- Contracts with various voluntary and private sector providers

42 FUNCTIONS

See Section 4 PARTNERSHIP FLEXIBILITIES PARAGRAPH 4.3 and 4.5

43 SERVICES

The Services are set out in the Provider Contracts and the Service Level Agreement with Thurrock Council Provider Services.

44 COMMISSIONING, CONTRACTING, ACCESS

Commissioning Arrangements

The Council will become an associate to the CCG Health Contract with North London Foundation Trust for the first year to allow for continuity and the opportunity to develop an integrated commissioning model and approach for subsequent years

Contracting Arrangements

relevant contracts

- North East London Foundation Trust
- Essex Partnership University NHS Foundation Trust (EPUT)

- Thurrock Council Provider Services
- Various voluntary and private sector providers

The Commissioners have authority to agree contract terms in line with the terms of this agreement including

- contract management arrangements
- termination
- assignment

Access

Details of how Patients and Service Users will be assessed as eligible for services will be as set out in the Provider's contract and Operational Guidelines for services provided by Thurrock Council Provider Services.

45 FINANCIAL CONTRIBUTIONS

Financial Year 2021/22

[Table to be updated]

Health and Well-Being Board Investment	HWB Total £
Community based social work (recurrent)	60,000
Community Geriatricians	174,430
Day Hospital Assessment & Treatment	779,477
Integrated Community Teams	4,419,830
Long Term Conditions	407,733
Primary Care MDT Coordinator	47,944
RRAS	538,423
RRAS - Community Carers/Support Workers (3.00 WTE Band 3)	97,000
RRAS - Dementia Nurses (Band 6 & 7)	110,000
RRAS Joint manager & admin support (recurrent)	49,000
Telehealth	31,027
Continence Service	65,421
Carers Grant –CARIADS	117,513
Carers Grant - x2 carer posts	48,052
Carers Grant -commissioning post	47,582
Complex Care (was Care Act Implementation)	547,852
Day Care Services	949,599
Direct Payments	31,384
Early Intervention Teams	1,241,481
Elizabeth Gardens	225,132
External Purchasing – Homecare	4,346,947
External Purchasing - Non Homecare	9,263,527
Extra Care Housing	710,326
Integrated Care Director	118,445
Meals on Wheels	260,100
Mental Health Support	300,283
RRAS	239,926
Safeguarding Strategy & Legal Intervention	445,149
Sensory Worker	38,852
Thurrock Care at Home	1,992,776
Thurrock First	556,044
DTOC	0
Scheme 2 - Out of Hospital Community Integration	28,261,255

Financial resources in subsequent years are to be determined in accordance with the Agreement.

46 FINANCIAL GOVERNANCE ARRANGEMENTS

If during the course of monthly monitoring of activity and expenditure, a risk of overspend is identified in any of the Schemes, the Pooled Fund Manager will require a Remedial Action Plan to be produced by the provider and this will be presented to the Integrated Care Partnership within 21 days. Integrated Care Partnership, where appropriate in consultation with the Health and Well-being Board will then consider whether it needs to agree the action plan in order to reduce expenditure.

47 VAT

- The Council's VAT regime will apply to Provider Contracts
- The Council is not acting as 'agent' for NHS Thurrock CCG

48 GOVERNANCE ARRANGEMENTS FOR THE PARTNERSHIP

See Schedule 2 - Governance

49 NON FINANCIAL RESOURCES

Council contribution – Not Applicable

CCG Contribution – Not Applicable

50 STAFF

TUPE transfers and secondments are not expected to be required in order to deliver this Scheme.

Staff increments and pension arrangements of employees of the Partners will be administered in line with the relevant terms and conditions of employment under the existing contract of employment of the particular staff member.

Council staff to be made available to the arrangements

- Strategic Lead - Commissioning and Procurement
- Integrated Commissioner Unplanned Care and Re-ablement
- Commissioner for dementia and older people
- Team Manager - Contract compliance & Brokerage

CCG staff to be made available to the arrangements

- Director of Commissioning
- Joint Unplanned Care Commissioning Officer
- Chief Finance Officer
- Executive Nurse
- Head of Performance
- Senior Commissioning Manager

51 ASSURANCE AND MONITORING

See Schedule 5 – Performance arrangements

52 LEAD OFFICERS

Partner	Name of Lead Officer	Address	Telephone Number	Email Address	Fax Number
Council	Catherine Wilson	Thurrock Council, Civic Offices	01375 652068	cwilson@thurrock.gov.uk	
CCG	Mark Tebbs	Thurrock CCG, Civic Offices	01375 365810	Mark.tebbs@nhs.net	

53 INTERNAL APPROVALS

The Pooled Fund will be administered in accordance with the Better Care Fund Plan, this Agreement and the Constitution of the Council. In relation to this Individual Scheme and the Services it contains; the levels of authority from the Council's Constitution, scheme of delegation and standing financial instructions will apply.

54 RISK AND BENEFIT SHARE ARRANGEMENTS

See Schedule 3 – Risk Share and Overspends

55 REGULATORY REQUIREMENTS

The regulatory requirements for NHS services are set out within the NHS standard contract and the intention is therefore to continue to use the NHS contract.

The regulatory requirements for local authority provided services are as set out within the Care Act.

56 INFORMATION SHARING AND COMMUNICATION

In addition to the general Better Care Fund consultation and engagement process, the Partners will engage with stakeholders as part of each scheme. The purpose of this work is to promote integrated services and therefore communication and engagement is at the heart of the redesign work.

Both the Partners will be involved in contract negotiations for these services and will therefore develop the required activity and performance schedules. These will be shared via the Partners' contract management teams.

Further details are contained in page 58 of the Better Care Fund Plan (Schedule 6 of this agreement).

57 DURATION AND EXIT STRATEGY

Subject to the provisions of Section 22 of this agreement this scheme or any service contained within in it may be terminated with the agreement of both the Partners.

58 OTHER PROVISIONS

- There are none.

SCHEDULE 1 – PART 2 AGREED SCHEME SPECIFICATION

BCF SCHEME 3 INTERMEDIATE CARE

59 OVERVIEW OF INDIVIDUAL SCHEME

(a) **BCF Scheme 3 Intermediate Care** (as set out in the Thurrock Better Care Fund Plan)

(b)

Our vision is to improve the current intermediate care pathways in Thurrock. Thurrock adults who do not need to be in a hospital bed, but are not fit to be discharged home (Intermediate Care) can find themselves in any one of six locations across south west Essex. Thurrock residents can be discharged from hospital to intermediate care beds which can be a long way from home. We aim to simplify the inpatient options so that more people can be seen closer to home. Where a bed is not the best solution in helping to maintain independence and wellness, patients will be given support, by neighbourhood (locality based) integrated health and care community teams. These teams will aim to provide the right care, in the right place, at the right time, every time. This new care model will be facilitated by existing community health and care teams which will be developed and enhanced to increase and capability to provide a wider skill mix to enable the ethos and delivery of care closer to or at home whenever it is clinically possible.

Further details are contained in pages 35-38 of the Better Care Fund Plan (Schedule 6 of this agreement).

(c) This Scheme is funded by the Thurrock BCF Pooled Fund in 2021/22.

60 THE ARRANGEMENTS

The Council as Host Partner will commission Services in relation to the Scheme, in exercise of both NHS Functions and Council Functions under the terms of the Pooled Fund by means of:

- A variation to the Standard NHS Contracts for 2016/17 with North East London Foundation Trust for which Thurrock Clinical Commissioning Group is a Co-ordinating Commissioner and for Essex Partnership University NHS Foundation Trust (EPUT) for which Castle Point and Rochford CCG is a Co-ordinating Commissioner, and
- A Service Level Agreement for Thurrock Council's Provider Services.
- Contracts with various voluntary and private sector providers

61 FUNCTIONS

See Section 4 PARTNERSHIP FLEXIBILITIES PARAGRAPH 4.3 and 4.5

62 SERVICES

The Services are set out in the Provider Contracts and the Service Level Agreement with Thurrock Council Provider Services.

63 COMMISSIONING, CONTRACTING, ACCESS ***Commissioning Arrangements***

The Council will become an associate to the CCG Health Contract with North London Foundation Trust for the first year to allow for continuity and the opportunity to develop an integrated commissioning model and approach for subsequent years

Contracting Arrangements

relevant contracts

- North East London Foundation Trust
- Essex Partnership University NHS Foundation Trust (EPUT)
- Thurrock Council Provider Services
- Various voluntary and private sector providers

The Commissioners have authority to agree contract terms in line with the terms of this agreement including

- (i) contract management arrangements
- (ii) termination
- (iii) assignment

Access

Details of how Patients and Service Users will be assessed as eligible for services will be as set out in the Provider's contract and Operational Guidelines for services provided by Thurrock Council Provider Services.

64 FINANCIAL CONTRIBUTIONS

Financial Year 2021/22

[Table to be updated]

Health and Well-Being Board Investment	HWB Total £
Intermediate Care Beds	3,480,633
Joint Reablement Team (JRT)	109,748
Medical Cover - One PA every Sat, Sun & BH	24,750
Physio & OT - Enhanced MDT	104,000
Mountnessing Court	0
Bridging Service (17-18 only)	64,000
Red Bag initiative (recurrent)	2,000
Acute & Comm beds - Social Worker	40,000
Collins House Intermediate Care Beds	1,829,331
Home from Hospital (1 Year Pilot)	75,000
Hospital Social Work Team	576,151
Hospital Social Work Team - 7 day service (recurrent)	80,000
Joint Reablement Team (JRT)	1,014,668
JRT - Carers (Band 3)	66,000
Night Service -enhancement to John Stanley service (recurrent)	50,000
Older People Mental Health (prev Mountnessing)	100,000
Winter Pressures -include Pickwick (recurrent)	269,074
Scheme 3 - Delivering Good Discharge	7,885,355

Financial resources in subsequent years are to be determined in accordance with the Agreement.

65 FINANCIAL GOVERNANCE ARRANGEMENTS

If during the course of monthly monitoring of activity and expenditure, a risk of overspend is identified in any of the Schemes, the Pooled Fund Manager will require a Remedial Action Plan to be produced by the provider and this will be presented to the Integrated Care Partnership within 21 days. The Integrated Care Partnership,

where appropriate in consultation with the Health and Well-being Board will then consider whether it needs to agree the action plan in order to reduce expenditure.

66 VAT

The Council's VAT regime will apply to Provider Contracts

The Council is not acting as 'agent' for NHS Thurrock CCG

67 GOVERNANCE ARRANGEMENTS FOR THE PARTNERSHIP

See Schedule 2 - Governance

68 NON FINANCIAL RESOURCES

Council contribution – Not Applicable

CCG Contribution – Not Applicable

69 STAFF

TUPE transfers and secondments are not expected to be required In order to deliver this Scheme.

Staff increments and pension arrangements of employees of the Partners will be administered in line with the relevant terms and conditions of employment under the existing contract of employment of the particular staff member.

Council staff to be made available to the arrangements

- Strategic Lead - Commissioning and Procurement
- Integrated Commissioner Unplanned Care and Re-ablement
- Commissioner for dementia and older people
- Team Manager - Contract compliance & Brokerage

CCG staff to be made available to the arrangements

- Director of Commissioning
- Joint Unplanned Care Commissioning Officer
- Chief Finance Officer
- Executive Nurse
- Head of Performance
- Senior Commissioning Manager

70 ASSURANCE AND MONITORING

See Schedule 5 – Performance arrangements

71 LEAD OFFICERS

Partner	Name of Lead Officer	Address	Telephone Number	Email Address	Fax Number
Council	Catherine Wilson	Thurrock Council, Civic Offices	01375 652068	cwilson@thurrock.gov.uk	
CCG	Mark Tebbs	Thurrock CCG, Civic Offices	01375 365810	Mark.tebbs@nhs.net	

72 INTERNAL APPROVALS

The Pooled Fund will be administered in accordance with the Better Care Fund Plan, this Agreement and the Constitution of the Council. In relation to this Individual Scheme and the Services it contains; the levels of authority from the Council's Constitution, scheme of delegation and standing financial instructions will apply.

73 RISK AND BENEFIT SHARE ARRANGEMENTS

See Schedule 3 – Risk Share and Overspends

74 REGULATORY REQUIREMENTS

The regulatory requirements for NHS services are set out within the NHS standard contract and the intention is therefore to continue to use the NHS contract.

The regulatory requirements for local authority provided services are as set out within the Care Act.

75 INFORMATION SHARING AND COMMUNICATION

In addition to the general Better Care Fund consultation and engagement process, the Partners will engage with stakeholders as part of each scheme. The purpose of this work is to promote integrated services and therefore communication and engagement is at the heart of the redesign work.

Both the Partners will be involved in contract negotiations for these services and will therefore develop the required activity and performance schedules. These will be shared via the Partners' contract management teams.

Further details are contained in page 58 of the Better Care Fund Plan (Schedule 6 of this agreement).

76 DURATION AND EXIT STRATEGY

Subject to the provisions of Section 22 of this agreement this scheme or any service contained within in it may be terminated with the agreement of both the Partners.

77 OTHER PROVISIONS

There are none.

SCHEDULE 1 – PART 2 AGREED SCHEME SPECIFICATION

BCF SCHEME 4 DISABLED FACILITIES GRANT

78 OVERVIEW OF INDIVIDUAL SCHEME

(a) **BCF Scheme 4 Disabled Facilities Grant** (as set out in the Thurrock Better Care Fund Plan)

(b)

The Disabled Facilities Grant (DFGs) helps to pay for major adaptations for owner occupiers, private tenants or housing association tenants.

Further details are contained in pages 38-39 of the Better Care Fund Plan (Schedule 6 of this agreement).

(c) This Scheme is funded by the Thurrock BCF Pooled Fund in 2021/22

79 THE ARRANGEMENTS

The Council as Host Partner will commission Services in relation to the Scheme, in exercise of both NHS Functions and Council Functions under the terms of the Pooled Fund by means of:

- A Service Level Agreement for Thurrock Council's Housing Services and Adults Health and Commissioning.

80 FUNCTIONS

See Section 4 PARTNERSHIP FLEXIBILITIES PARAGRAPH 4.3 and 4.5

81 SERVICES

The Services are set out in the Provider Contracts and the Service Level Agreement with Thurrock Council Provider Services.:

82 COMMISSIONING, CONTRACTING, ACCESS ***Commissioning Arrangements***

The Council will become an associate to the CCG Health Contract with North London Foundation Trust for the first year to allow for continuity and the opportunity to develop an integrated commissioning model and approach for subsequent years

Contracting Arrangements

relevant contracts
Thurrock Council Provider Services

The Commissioners have authority to agree contract terms in line with the terms of this agreement including

- (iv) contract management arrangements
- (v) termination
- (vi) assignment

Access

Details of how Patients and Service Users will be assessed as eligible for services will be as set out in the Provider's contract and Operational Guidelines for services provided by Thurrock Council Provider Services.

83 FINANCIAL CONTRIBUTIONS

Financial Year 2021/22

[Table to be updated]

Health and Well-Being Board Investment	HWB Total £
DFG & Capital Grant	988,004
Scheme 4 - Disabled Facilities Grant	988,004

Financial resources in subsequent years are to be determined in accordance with the Agreement.

84 FINANCIAL GOVERNANCE ARRANGEMENTS

If during the course of monthly monitoring of activity and expenditure, a risk of overspend is identified in any of the Schemes, the Pooled Fund Manager will require a Remedial Action Plan to be produced by the provider and this will be presented to the Integrated Care Partnership within 21 days. The Integrated Care Partnership, where appropriate in consultation with the Health and Well-being Board will then consider whether it needs to agree the action plan in order to reduce expenditure.

85 VAT

The Council's VAT regime will apply to Provider Contracts

The Council is not acting as 'agent' for NHS Thurrock CCG

86 GOVERNANCE ARRANGEMENTS FOR THE PARTNERSHIP

See Schedule 2 - Governance

87 NON FINANCIAL RESOURCES

Council contribution – Not Applicable

CCG Contribution – Not Applicable

88 STAFF

TUPE transfers and secondments are not expected to be required in order to deliver this Scheme.

Staff increments and pension arrangements of employees of the Partners will be administered in line with the relevant terms and conditions of employment under the existing contract of employment of the particular staff member.

Council staff to be made available to the arrangements

- Strategic Lead - Commissioning and Procurement
- Integrated Commissioner Unplanned Care and Re-ablement
- Commissioner for dementia and older people
- Team Manager - Contract compliance & Brokerage

CCG staff to be made available to the arrangements

- Director of Commissioning
- Joint Unplanned Care Commissioning Officer
- Chief Finance Officer
- Executive Nurse
- Head of Performance
- Senior Commissioning Manager

89 ASSURANCE AND MONITORING

See Schedule 5 – Performance arrangements

90 LEAD OFFICERS

Partner	Name of Lead Officer	Address	Telephone Number	Email Address	Fax Number
Council	Catherine Wilson	Thurrock Council, Civic Offices	01375 652068	cwilson@thurrock.gov.uk	
CCG	Mark Tebbs	Thurrock CCG, Civic Offices	01375 365810	Mark.tebbs@nhs.net	

91 INTERNAL APPROVALS

The Pooled Fund will be administered in accordance with the Better Care Fund Plan, this Agreement and the Constitution of the Council. In relation to this Individual Scheme and the Services it contains; the levels of authority from the Council's Constitution, scheme of delegation and standing financial instructions will apply.

92 RISK AND BENEFIT SHARE ARRANGEMENTS

See Schedule 3 – Risk Share and Overspends

93 REGULATORY REQUIREMENTS

The regulatory requirements for NHS services are set out within the NHS standard contract and the intention is therefore to continue to use the NHS contract.

The regulatory requirements for local authority provided services are as set out within the Care Act.

94 INFORMATION SHARING AND COMMUNICATION

In addition to the general Better Care Fund consultation and engagement process, the Partners will engage with stakeholders as part of each scheme. The purpose of this work is to promote integrated services and therefore communication and engagement is at the heart of the redesign work.

Both the Partners will be involved in contract negotiations for these services and will therefore develop the required activity and performance schedules. These will be shared via the Partners' contract management teams.

Further details are contained in page 58 of the Better Care Fund Plan (Schedule 6 of this agreement).

95 DURATION AND EXIT STRATEGY

Subject to the provisions of Section 22 of this agreement this scheme or any service contained within in it may be terminated with the agreement of both the Partners.

96 OTHER PROVISIONS

There are none.

SCHEDULE 1 – PART 2 AGREED SCHEME SPECIFICATION

BCF SCHEME 5 HOSPITAL DISCHARGE INITIATIVE

97 OVERVIEW OF INDIVIDUAL SCHEME

(a) **BCF Scheme 5 Hospital Discharge Initiative** (as set out in the COVID-19 Hospital Discharge Service Requirements Published 19 March 2020)

(b)

97.1 The Scheme is being introduced in response to the global Covid-19 pandemic and more specifically the Government's Discharge Requirements guidance to reduce pressure on those hospitals providing acute services.

97.2 The Partners have reviewed the Discharge Requirements and determined that the arrangements as set out in this Scheme Specification will permit them to implement the Discharge Requirements.

97.3 The Council will be the lead commissioner for this scheme and shall comply with the requirements of this Scheme Specification.

97.4 A Pooled Fund will be established into which the funding for this scheme will be paid.

97.5 The Host Partner for the Pooled fund is Thurrock Council and the Pooled Fund Manager, being an officer of the Host Partner is Catherine Wilson.

(c) This Scheme is funded by the Thurrock BCF and HDI Pooled Fund in 2021/22

98 AIMS AND OUTCOMES

The agreed aims of the Scheme are:

- facilitating quick discharge of patients who are clinically suitable for discharge;
- facilitating rapid mobilisation of care and support packages;
- maintaining capacity in acute and community hospitals for the care of patients with Covid-19 who require hospitalisation;
- implementing the revised funding model for care and support packages in the Enhanced Discharge Services period.

99 THE ARRANGEMENTS

The Council as Host Partner will commission Services in relation to the Scheme, in exercise of both NHS Functions and Council Functions under the terms of the Pooled Fund by means of:

- A Service Level Agreement for Thurrock Council's Provider Services.
- Contracts with various voluntary and private sector providers

100 FUNCTIONS

See Section 4 PARTNERSHIP FLEXIBILITIES PARAGRAPH 4.3 and 4.5

101 SERVICES

The Council shall arrange the provision of the Enhanced Discharge Support Services for the benefit of:

- 101.1.1 those persons the CCG has responsibility to provide services for under Sections 3(1A) and 3(1B) of the 2006 Act; and
- 101.1.2 those persons the Council has responsibility to provide services for and whose requirement for a Funded Package arises during the Enhanced Discharge Services Period.

102 COMMISSIONING, CONTRACTING, ACCESS

Commissioning Arrangements

- 102.1.1 The Council shall ensure that when commissioning Funded Packages it makes the patient and their families and/or carers aware that following the end of the Enhanced Discharge Services Period the patient may be required to pay for all or some of their future care needs.

The Council will become an associate to the CCG Health Contract with North London Foundation Trust for the year to allow for continuity and the opportunity to develop an integrated commissioning model and approach for subsequent years

Contracting Arrangements

relevant contracts

- North East London Foundation Trust
- Essex Partnership University NHS Foundation Trust (EPUT)
- Thurrock Council Provider Services
- Various voluntary and private sector providers

The Commissioners have authority to agree contract terms in line with the terms of this agreement including

- contract management arrangements
- termination
- assignment

- 6.2.1 The Council shall ensure that it reimburses those providers providing the Enhanced Discharge Support Services in a timely fashion paying particular attention to the financial pressures on providers during the Covid-19 pandemic. In complying with this obligation the Council shall refer to guidance issued by the Local Government Association, ADASS, and the Care Provider Alliance on social care provider resilience during Covid-19.

Access

Details of how Patients and Service Users will be assessed as eligible for services will be as set out in the Provider's contract and Operational Guidelines for services provided by Thurrock Council Provider Services.

103 FINANCIAL CONTRIBUTIONS

Financial Year 2021/22

- 103.1 The Covid-19 Hospital Discharge Scheme is being implemented in response to the Covid-19 pandemic and to give effect to the Discharge Requirements.
- 103.2 During the Enhanced Discharge Services Period there will no eligibility assessments for beneficiaries of the services provided under the Covid-19 Hospital Discharge Scheme and the cost of care packages or enhancements to existing packages under the Covid-19 Hospital Discharge Scheme shall be fully funded from central funding provided to the CCGs by NHS England & Improvement.
- 103.3 The Partners shall:

- 103.3.1 comply with any requirements and any guidance issued by HM Government and/or the NHS relating to the funding of the Covid-19 Hospital Discharge Scheme after the end of the Enhanced Discharge Services Period; and
- 103.3.2 work together in good faith to give effect to any such requirements and/or guidance.
- 103.4 The exact level of the CCGs' contribution to the COVID-19 Pooled Fund is not known at this time. The CCGs' contributions will be based on the monthly expenditure submissions to NHS E&I and completed by the CCGs and the Council and more specifically, NHS England's monthly contribution to the Pooled Fund will be the total of the agreed monthly qualifying Council's expenditure, and less the amount that the partnership would ordinarily have expected to spend on reablement, intermediate care, and domiciliary care in lieu of reablement during the period already included within other schedules of the Countywide BCF agreement.
- 103.5 The CCG shall transfer the contribution into the COVID-19 Pooled Fund within 10 working days of those funds being received by the CCG from NHS England.

Financial resources in subsequent years are to be determined in accordance with the Agreement.

104 FINANCIAL GOVERNANCE ARRANGEMENTS

If during the course of monthly monitoring of activity and expenditure, a risk of overspend is identified in any of the Schemes, the Pooled Fund Manager will require a Remedial Action Plan to be produced by the provider and this will be presented to the Integrated Care Partnership within 21 days. The Integrated Care Partnership, where appropriate in consultation with the Health and Well-being Board will then consider whether it needs to agree the action plan in order to reduce expenditure.

105 VAT

The Council's VAT regime will apply to Provider Contracts

The Council is not acting as 'agent' for NHS Thurrock CCG

106 GOVERNANCE ARRANGEMENTS FOR THE PARTNERSHIP

See Schedule 2 - Governance

107 NON FINANCIAL RESOURCES

Council contribution – Not Applicable

CCG Contribution – Not Applicable

108 STAFF

TUPE transfers and secondments are not expected to be required in order to deliver this Scheme.

Staff increments and pension arrangements of employees of the Partners will be administered in line with the relevant terms and conditions of employment under the existing contract of employment of the particular staff member.

Council staff to be made available to the arrangements

- Strategic Lead - Commissioning and Procurement
- Integrated Commissioner Unplanned Care and Re-ablement
- Commissioner for dementia and older people
- Team Manager - Contract compliance & Brokerage

CCG staff to be made available to the arrangements

- Director of Commissioning
- Joint Unplanned Care Commissioning Officer
- Chief Finance Officer
- Executive Nurse
- Head of Performance
- Senior Commissioning Manager

109 ASSURANCE AND MONITORING

See Schedule 5 – Performance arrangements

110 LEAD OFFICERS

Partner	Name of Lead Officer	Address	Telephone Number	Email Address	Fax Number
Council	Catherine Wilson	Thurrock Council, Civic Offices	01375 652068	cwilson@thurrock.gov.uk	
CCG	Mark Tebbs	Thurrock CCG, Civic Offices	01375 365810	Mark.tebbs@nhs.net	

111 INTERNAL APPROVALS

The Pooled Fund will be administered in accordance with the Hospital Discharge Service Requirements 2019, this Agreement and the Constitution of the Council. In relation to this Individual Scheme and the Services it contains; the levels of authority from the Council's Constitution, scheme of delegation and standing financial instructions will apply.

112 RISK AND BENEFIT SHARE ARRANGEMENTS

See Schedule 3 – Risk Share and Overspends

113 REGULATORY REQUIREMENTS

The regulatory requirements for NHS services are set out within the NHS standard contract and the intention is therefore to continue to use the NHS contract.

The regulatory requirements for local authority provided services are as set out within the Care Act.

114 INFORMATION SHARING AND COMMUNICATION

In addition to the general Better Care Fund and Hospital Discharge Initiative consultation and engagement process, the Partners will engage with stakeholders as part of each scheme. The purpose of this work is to promote integrated services and therefore communication and engagement is at the heart of the redesign work.

Both the Partners will be involved in contract negotiations for these services and will therefore develop the required activity and performance schedules. These will be shared via the Partners' contract management teams.

Further details are contained in page 58 of the Better Care Fund Plan (Schedule 6 of this agreement).

115 DURATION AND EXIT STRATEGY

- 19.1 The arrangements for the Covid-19 Hospital Discharge Scheme may only be varied:
- 19.1.1 in accordance with the variation provisions in the Partnership Agreement; and
 - 19.1.2 where such variation complies with the requirements of the Discharge Requirements and/or any Future Discharge Requirements.
- 19.2 This Scheme may not be terminated otherwise than in accordance with paragraph 19.3.
- 19.3 The Covid-19 Hospital Discharge Scheme shall, unless varied to give effect to Future Discharge Requirements, terminate on the date on which the Discharge Requirements cease to apply.
- 19.4 The Partners acknowledge that as at the date of this Agreement they are not in a position to determine all the exit arrangement for the Covid-19 Hospital Discharge Scheme. The Partners agree that except as otherwise set out in this clause they shall:
- 19.4.1 keep under review the Discharge Requirements and any Future Discharge Requirements;
 - 19.4.2 consider how to give effect to the requirements of any Future Discharge Requirements, where relevant; and
 - 19.4.3 develop and agree an exit/transfer plan in relation to the end/variation of the Enhanced Discharge Services Scheme no later than []⁵ which shall take into account and identify, where relevant:
 - (a) appropriate mechanisms for maintaining service provision;
 - (b) allocation and/or disposal of equipment;
 - (c) responsibilities for debts and ongoing service contracts;
 - (d) responsibility for any liabilities which have been accrued by the Host Partner/Lead Commissioner;
 - (e) premises arrangements;
 - (f) record keeping arrangements;
 - (g) information sharing arrangements and requirements;
 - (h) staffing arrangements;
 - (i) appropriate processes to be initiated in the run up to and following the end of the Enhanced Discharge Services Period.
- 19.5 The Partners further agree that they shall within [] days⁶ of being notified of the end date for the Enhanced Discharge Support Service the Partners shall [meet to]:
- 19.5.1 implement any agreed [exit/transfer plan] or in the absence of an agreed exit/transfer plan agree and implement such a plan which shall include, as a minimum, arrangements to transfer to the existing Funded Packages onto the future funding arrangements; and
 - 19.5.2 consider the need for any other Individual Schemes to be introduced as a result of this termination of this Individual Scheme.

⁵ You may wish to include a longstop date.

⁶ Insert what is considered to be a reasonable timescale.

19.6 The monies in the Pooled Fund which have been made available by the NHS pursuant to the Discharge Requirements may only be used to pay for the costs of those services which are listed in Annex A to the Covid-19 Financial Reporting Guidance as being eligible for this funding.

116 OTHER PROVISIONS

There are none.

Part 2 – GOVERNANCE

0.1 Integrated Care Partnership

The membership of the Integrated Care Partnership will be as follows:

CCG:

- Mark Tebbs (NHS Alliance Director for Thurrock) or his successor
- Tendai Mwangagwa (Deputy Chief Finance Officer) or her successor

or a deputy to be notified to the other members in advance of any meeting;

the Council:

- Ian Wake (Corporate Director of Adults, Housing and Health) or his successor
- Sean Clark (Director of Finance and Information Technology) or his successor
- Catherine Wilson (Strategic Lead Commissioning and Procurement) or her successor

or a deputy to be notified in writing to Chair in advance of any meeting;

0.2 Role of the Integrated Care Partnership

0.3 The Integrated Care Partnership shall:

- Provide strategic direction on the Individual Schemes
- receive the financial and activity information;
- review the operation of this Agreement, including by way of formal Annual Review, and performance manage the Individual Services;
- agree such variations to this Agreement from time to time as it thinks fit;
- review risks Quarterly and agree annually a risk assessment and a Performance Payment protocol;
- review and agree annually revised Schedules as necessary; and
- request such protocols and guidance as it may consider necessary in order to enable the Pooled Fund Manager to approve expenditure from the Pooled Fund;

0.4 Integrated Care Partnership Support

The Integrated care Partnership will be supported by officers from the Partners from time to time.

0.5 Meetings

The Integrated Care Partnership will meet at least quarterly at a time to be agreed within following receipt of each Quarterly report or other reports of the Pooled Fund Manager.

The quorum for meetings of the Integrated Care Partnership shall be a minimum of two representatives from each of the Partner organisations. Attendees may attend meetings via telephone or teleconference facility.

Decisions of the Integrated Care Partnership shall be made unanimously. Where unanimity is not reached then the item in question will in the first instance be referred to the next meeting of the Integrated Care Partnership. If no unanimity is reached on the second occasion it is discussed then the matter shall be dealt with in accordance with the dispute resolution procedure set out in the Agreement.

Minutes of all decisions shall be kept and copied to the Authorised Officers within seven (7) days of every meeting.

0.6 Delegated Authority

The Integrated Care Partnership is authorised within the limit of delegated authority for its members (which is received through their respective organisation's own financial scheme of delegation) to authorise an officer of the Host Partner to enter into any contract for services necessary for the provision of Services under an Individual Scheme.

0.7 Information and Reports

The Pooled Fund Manager shall supply to the Integrated Care Partnership on a Quarterly basis the financial and activity information as required under the Agreement.

0.8 Post-termination

The Integrated Care Partnership shall continue to operate in accordance with this Schedule following any termination of this Agreement but shall endeavour to ensure that the benefits of any contracts are received by the Partners in the same proportions as their respective contributions at that time.

9 Extra-Ordinary or Urgent Meetings

If there are urgent or extra-ordinary matters to be considered the Integrated Care Partnership may choose to meet between the Quarterly interval in order to take decisions on urgent issues.

10. Annual Governance Statement

The Integrated Care Partnership will prepare an annual governance statement, which will be included in a report to the Health and Wellbeing Board, on an annual basis.

Part 3 – RISK SHARE AND OVERSPENDS

Pooled Fund Management

Overspend

- 1 The Integrated Care Partnership shall consider what action to take in respect of any actual or potential Overspends
- 1.1 The Integrated Care Partnership shall acting reasonably having taken into consideration all relevant factors including, where appropriate the Better Care Fund Plan and any agreed outcomes and any other budgetary constraints agree appropriate action in relation to Overspends which may include the following:
 - whether there is any action that can be taken in order to contain expenditure;
 - whether there are any underspends that can be dealt with by virement to or from any Individual Scheme maintained under this Agreement;
 - Subject to clause 3 below, how any Overspend shall be apportioned between the Partners, such apportionment to be just and equitable taking into consideration all relevant factors.
- 1.2 The Partners will adopt the position agreed by the Health and Wellbeing Board, that the Better Care Fund for 2015/16 (and any subsequent years if extended) should be fixed at the agreed value of the Pooled Fund (as set out in the Scheme Specifications), with the effect that any expenditure above the value of the Pooled Fund should fall to the Council or the CCG depending on whether the expenditure is incurred on the Health Related Functions (in which case the Council will be liable) or NHS Functions (in which case the CCG will be liable).

5 Reputational Risk

Both Partners have plans and policies in place to manage reputational issues. Each Partner will co-operate with the other in managing any reputational risk that may arise with that other Partner.

6. Clinical Liability

For the avoidance of doubt, the Partners will put in place insurance to cover Losses or Default Liability arising from clinical negligence by their respective organisations or contracts.

Part 4 – JOINT WORKING OBLIGATIONS

– CO-ORDINATING COMMISSIONER OBLIGATIONS

Terminology used in this Schedule shall have the meaning attributed to it in the NHS Standard Form Contract save where this Agreement or the context requires otherwise.

- 1 The Co-ordinating Commissioner shall notify the other Partners if it receives or serves:
 - a Change in Control Notice;
 - a Notice of an Event of Force Majeure;
 - a Contract Query;
 - Exception Reports
 - and provide copies of the same.
- 1.1 The Co-ordinating Commissioner shall provide the other Partners with copies of any and all:
 - CQUIN Performance Reports;
 - Monthly Activity Reports;
 - Review Records; and
 - Remedial Action Plans;
 - JI Reports;
 - Service Quality Performance Report.
- 1.2 The Co-ordinating Commissioner shall invite the other Partners to attend any and all:
 - Activity Management Meetings;
 - Contract Management Meetings;
 - Review Meetings;and, to raise issues reasonably at those meetings in line with the objectives of this agreement.
- 1.3 The Co-ordinating Commissioner shall not:
 - vary any Provider Plans (excluding Remedial Action Plans);
 - agree (or vary) the terms of a Joint Investigation or a Joint Action Plan;
 - give any approvals under the Service Contract;
 - agree to or propose any variation to the Service Contract (including any Schedule or Appendices);
 - suspend all or part of the Services;
 - serve any notice to terminate the Service Contract (in whole or in part);
 - serve any notice;
 - agree (or vary) the terms of a Succession Plan;without the prior approval of the other Partners (acting through the Integrated Care Partnership) such approval not to be unreasonably withheld or delayed.
- 1.4 The Co-ordinating Commissioner shall advise the other Partners of any matter which has been referred for dispute and agree what (if any) matters will require the prior approval of one or more of the other Partners as part of that process.

- 1.5 The Co-ordinating Commissioner shall notify the other Partners of the outcome of any Dispute that is agreed or determined by Dispute Resolution.
- 1.6 The Co-ordinating Commissioner shall share copies of any reports submitted by the Service Provider to the Lead Commissioner pursuant to the Service Contract (including audit reports).
- 1.7 The Co-ordinating Commissioner shall report to the other Partners on the performance of the Individual Schemes in relation to:
 - reduction in non-elective activity (general and acute)
 - admissions to residential care homes
 - effectiveness of re-ablement
 - delayed transfers of care
 - patient/ service user experience

– OBLIGATIONS OF THE OTHER PARTNER

Terminology used in this Schedule shall have the meaning attributed to it in the NHS Standard Form Contract save where this Agreement or the context requires otherwise.

- 1.8 The other Partner shall (at its own cost) provide such cooperation, assistance and support to the Co-ordinating Commissioner (including the provision of data and other information) as is reasonably necessary to enable the Co-ordinating Commissioner to:
 - resolve disputes pursuant to a Service Contract;
 - comply with its obligations pursuant to a Service Contract and this Agreement;
 - ensure continuity and a smooth transfer of any Services that have been suspended, expired or terminated pursuant to the terms of the relevant Service Contract;
- 1.9 No Partner shall unreasonably withhold or delay consent requested by the Co-ordinating Commissioner.
- 1.10 Each Partner (other than the Co-ordinating Commissioner) shall:
 - comply with the requirements imposed on the Co-ordinating Commissioner pursuant to the relevant Service Contract in relation to any information disclosed to the other Partners;
 - notify the Co-ordinating Commissioner of any matters that might prevent the Co-ordinating Commissioner from giving any of the warranties set out in a Services Contract or which might cause the Co-ordinating Commissioner to be in breach of warranty.

Part 5 – PERFORMANCE ARRANGMENTS

1. Introduction and context

Thurrock Council and Thurrock Clinical Commissioning Group (CCG) have expressed a clear intention to develop a more integrated approach to performance that encompasses the achievement of key objectives contained within the Better Care Fund (BCF) and other related enabling strategies.

This schedule outlines the approach to implementing a new health and social care performance scorecard. The primary aim of the scorecard will be to monitor the BCF core measures and related health, social care and public health measures contained within local strategies. It will also ensure a clear alignment with national outcomes frameworks.

The scorecard will provide a regular update to the Thurrock Integrated Care Partnership and Council / CCG Boards on the performance of the BCF and related priorities. It will also be presented to the Health and Well-Being Board to enable a line of sight into health and social care performance.

2. Principles

- The Integrated Care Partnership will be accountable for the scorecard and report
- Clear ownership and accountability will be established for performance measures
- Main performance monitoring tool for the Better Care Fund – replacing those currently in use
- Support integration between social care, health and public health performance measures
- Collaboration in production of the scorecard to facilitate provision of insightful commentary
- Accessible and proportionate
- Enable benchmarking with other areas

3. Alignment with national outcomes frameworks

The health and social care scorecard adopts relevant measures from the NHS, ASC and Public Health outcome frameworks where these align with local priorities. The core BCF measures also correlate with the outcome frameworks.

4. Commissioned services

Clear expectations for commissioned services and schemes from the start of the Better Care Fund in April 2015 will be set out in formal performance specifications as part of contract agreements (s75). Services / providers will be held to account for delivery of key performance measures and outcomes in relation to relevant schemes/services. Where appropriate and of benefit, these will link into the reporting process.

5. Suggested content and measures

The scorecard is attached in appendix 1.

The first four Schemes of the BCF relate to health and social care transformation and scaling up integration between health and social care. These are

BCF Scheme 1 - Prevention and Early Intervention

BCF Scheme 2 - Out of Hospital Community Integration

BCF Scheme 3 - Intermediate Care

BCF Scheme 3 - Disabled Facilities Grant.

6. Proposed reporting structure and process

The proposed reporting process is set out in the table below.

The Council and the CCG are in the process of forming an “Integrated Data Users Forum”. The forum will be cross-organisational, potentially including representatives from any organisation that collects/uses data associated with the Thurrock Health and Social care system, and wider determinants of health. The forum will be formed alongside the planning and implementation of the integrated data set and will contribute to its successful implementation. The purpose of the forum is:

- 1) To ensure the successful implementation of the integrated data set
- 2) To facilitate the use of the above, ensuring that experts of specific data sets are aware of what the data is being used for, are consulted regarding data limitations and caveats, and analyses are conducted as robustly as possible
- 3) To share and support each other in use of data, analytics and statistics
- 4) To facilitate any further data sharing
- 5) To build relationships

Formal terms of reference will be developed. Although Public Health will initiate the forum, it is not envisaged that Public Health or any one organisation will have “ownership” and outputs will not be needed to be shared with any board or executive.

Reporting process

When	What	Where
Monthly	<ul style="list-style-type: none"> • BCF core measures scorecard • Key health, adult social care and public health measures • Monthly progress/highlights plus commentary on core measures 	<ul style="list-style-type: none"> • Integrated Commissioning Executive (ICE)
Quarterly	<ul style="list-style-type: none"> • BCF core measures scorecard • Key health, adult social care and public health measures • Expanded report taking into account: <ul style="list-style-type: none"> • Additional commentary and analysis • Improvement actions e.g. scope for more detailed service input • Supplementary information e.g. from commissioned services 	<ul style="list-style-type: none"> • Integrated Commissioning Executive (ICE) • ASC DMT • CCG Board • Health & Well-Being Board
Mid Year / Annual	<ul style="list-style-type: none"> • BCF core measures scorecard • Key health, adult social care and public health measures • Expanded report taking into account: <ul style="list-style-type: none"> • Nationally available data • Benchmarking and comparative analysis e.g. trends • Additional commentary and analysis • Improvement actions e.g. scope for more detailed service input • Supplementary information e.g. from commissioned services 	<ul style="list-style-type: none"> • Integrated Commissioning Executive (ICE) • ASC DMT • CCG Board • Health & Well-Being Board

Better Care Fund Scorecard 2021/22

[Table to be updated]

No	Indicator	Freq.	16/17 Outturn	Nation al Avg. 15/16	17/18 Target	Apr- 17	May- 17	Jun- 17	Jul- 17	Aug- 17	Sep- 17	Oct- 17	Nov- 17	Dec- 17	Jan- 18	Feb- 18	Mar- 18	YTD	RAG	DOT
5.1	Total non-elective admissions in to hospital (general & acute), all age	M	11,710	N/A	12,351															
5.2	Long-term support needs of older people (aged 65 and over) met by admission to residential and nursing care homes, per 100,000	M	708	628.2	708 (168)															
5.3	Proportion of older people (65 and over) who were still at home 91 days after discharge from hospital into reablement / rehabilitation	Q	88%	82.7	91%															
5.4	Overall delayed transfers of care – Number of delayed days from hospital (per month)	M	4,255	N/A	3,997	382	383	359	358	347	325	324	297	310	313	283	313	3997		
5.4 a	NHS delayed transfers of care – number of delayed days from hospital (per month)	M	2,222 (4.9)	N/A	2,295	206	209	199	201	197	187	189	177	185	187	169	187	2295		
5.4 b	ASC delayed transfers of care – Number of delayed days from hospital (per month)	M	1,813 (4.0)	N/A	1,315	126	126	118	118	114	107	107	98	102	103	93	103	1315		
5.4 c	Joint delayed transfers of care – Number of delayed days from hospital (per month)	M	220 (0.5)	N/A	386	50	47	42	39	36	31	28	22	23	23	21	23	386		

Part 6– BETTER CARE FUND PLAN

The Plan is available via the following link:

www.thurrock.gov.uk/how-care-is-changing/better-care-fund-plan

SCHEDULE 7 – INFORMATION GOVERNANCE PROTOCOL

The Parties will be inserting the Protocol as soon as possible after entering in to the Agreement.

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7 July 2021		ITEM: 21
		Decision: 110576
Cabinet		
Thames Freeport Outline Business Case (OBC) and Full Business Case (FBC) to government		
Wards and communities affected: All	Key Decision: Key	
Report of: Cllr Mark Coxshall, Cabinet Member for Regeneration, Strategic Planning and External Relationships		
Accountable Assistant Director: Gerard McCleave, Assistant Director for Economic Growth & Partnerships		
Accountable Director: Karen Wheeler, Director of Strategy, Engagement & Growth		
This report is Public		

Executive Summary

The Thames Freeport submission bid, previously endorsed by Cabinet at its meeting on 13 January 2021, was successful and was confirmed by the Chancellor in his Budget 2021 (March). The announcement confirmed the Thames Freeport as one of only eight successful bids (out of a total of 18 submitted to government). There has been significant progress in moving forward to the next stage in the process towards formal designation and operation of the new Thames Freeport by the end of 2021.

The anticipated benefits from the Thames Freeport are significant and include over 25,000 new jobs with an additional 30,000 jobs indirectly through supply chains, significant investment in training and skills, targeted interventions to tackle deprivation and disadvantage in communities funded through retained business rates, over £4.5 billion in new public and private investment, improved trade and productivity for local businesses as well as contributing to many of the Council's policy objectives including around economic growth, regeneration, levelling up and net zero. Overall, it is anticipated that the Thames Freeport will contribute £5.1 billion to GVA.

The successful submission and approval of an outline business case (OBC) and full business case (FBC) by Government is required before a Freeport receives formal designation and can commence operations.

Thames Freeport is private sector led (Forth Ports, DP World and Ford). Thurrock Council is the Lead Authority for Thames Freeport. Lead Authority main

responsibilities include managing and being accountable for public money, participation in the Freeport governance arrangements, liaison with Government and public sector leadership. As Lead Authority for Thames Freeport, the Council has a principal role in ensuring the completion of the OBC and FBC and submission to Government.

Work on the OBC is moving forward at pace to meet the MHCLG submission date of 30 July 2021 in order to be one of the first fully operational Freeports this year. A delay in meeting this submission date could result in the Freeport not being operational in 2021 and the subsequent negative knock on to addressing the national public policy outcomes and net benefits to the private sector partner businesses.

Government will publish further guidance on the FBC by September. A formal date of submission for the FBC will be confirmed in this guidance however, a provisional first submission date of 8th October has been identified by MHCLG.

1. Recommendation(s)

That Cabinet:

- 1.1 Supports in principle the development and submission of the OBC (July 2021) and FBC (Autumn 2021) to Government.**
- 1.2 Endorses the continued engagement of officers with partners to develop the OBC and FBC and delegates authority to the Chief Executive, in consultation with the Leader, Deputy Leader and PFH for Regeneration, Strategy Planning and External Relationships as well as Director of Resources and Place Delivery, and Monitoring Officer, to sign-off and submit the final OBC and FBC to Government for approval.**
- 1.3 Delegate authority to the Chief Executive, in consultation with the Leader, Deputy Leader and PFH for Regeneration, Strategy Planning and External Relationships as well as Director of Resources and Place Delivery, and Monitoring Officer, to sign-off and to agree to the formal arrangements for the Council's role in the Freeport's governance structure and enter into appropriate agreements.**

2. Introduction and Background

- 2.1 In February 2021 Thames Freeport submitted its bid for Freeport status to Government. The bid was successful and announced by the Chancellor in Budget 2021 as one of eight successful bids across England.**

The next stage of the process – the set-up phase, involves the development and submission of an Outline Business Case (OBC) and Full Business Case (FBC) to Government for assurance and approval before formal Freeport designation and commencement of Thames Freeport operations.

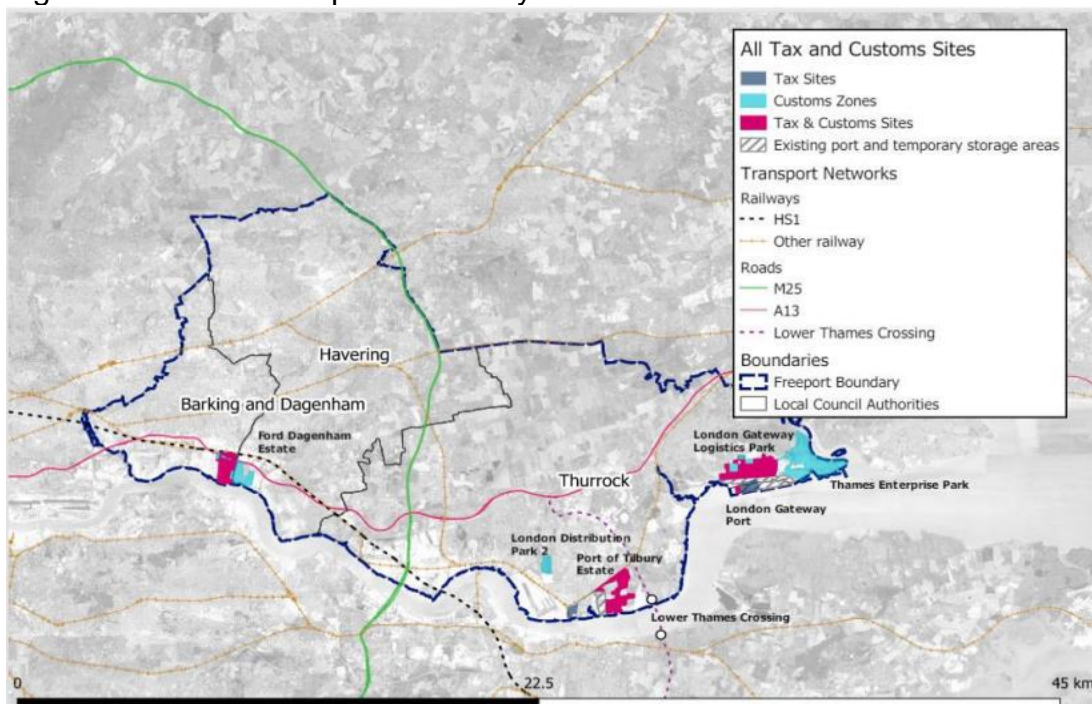
The Ministry of Housing, Communities and Local Government (MHCLG) has confirmed that OBCs are to be assessed in two windows – OBCs submitted on 30 July and OBCs submitted from 10 September.

An OBC submitted in the July window will facilitate an FBC process in early autumn and subject to quality assurance and approval by Government will allow a Freeport to commence operations by the end of this year. This is aligned with the tax site process planned by Government. Thames Freeport is aiming to submit a compliant OBC to Government by 30 July which demonstrates the ambition of the Thames Freeport partnership.

2.2 Thames Freeport Geography

The geography of the Thames Freeport outer boundary is shown in Figure 1 below. The boundary covers a 34 km wide economic corridor. The main or core tax and customs sites are located within the Thurrock Council area, the main sites being London Gateway, Port of Tilbury and Thames Enterprise Park. Included within the Freeport boundary are the London Borough of Barking and Dagenham and the London Borough of Havering, the location for Ford’s Dagenham plant custom and tax site.

Figure 1: Thames Freeport Boundary



2.3 Thames Freeport Economic Benefits

The Thames Freeport bid identified a number of potential economic and other benefits from Freeport policy and investment. Headline points are outlined below. The potential benefits will be tested as part of the OBC economic and financial modelling and analysis:

- £5.1 billion additional GVA
- Over £4.5 billion in new public and private investment
- 25,000+ new jobs with many more across supply chains
- 1,700 acres of development land – much with planning consent
- £400 million port investment into some of the most deprived areas
- A skills accelerator and skills fund: multi-million pound investment to equip local workforce with the skills required to access Freeport jobs
- Innovation Hub: to support collaboration, R&D and positive spill-overs across advanced manufacturing, advanced logistics and clean energy
- Retained business rates gives Thurrock Council opportunity to invest £300m in projects to accelerate levelling-up outcomes:
 - Active Travel – between existing and new communities
 - Community Investment – health, wellbeing and cultural improvements, as well as education and skills investment to ensure local residents have access to new high-quality jobs
 - Multi-modal Travel – improvements to rail and river infrastructure (supporting net-zero)
 - Infrastructure to Unlock Growth – new roads and upgrades to existing network
 - Digital and Green – expansion of high speed internet and enabling the hydrogen opportunity

3. The Outline Business Case and Full Business Case

Outline Business Case (OBC)

3.1 The OBC process for Thames Freeport is underway. The OBC is being developed in line with HM Treasury's 5 case model and 'The Green Book' and additional guidance issued by MHCLG. Specifically, HM Treasury's Better Business Cases: for better outcomes and the 'Green Book'. The main component parts of the OBC are:

- **The Strategic Case** – rationale for the project, vision, case for change, proposed activity, outputs and outcomes, contribution to wider policy and strategy
- **The Economic Case** – econometric modelling, social cost-benefit analysis, options analysis, additionality and displacement analysis, value for money assessment, risk appraisal, wider impacts – environmental, equality, viability, social etc.
- **The Financial Case** – analysis of all associated costs (infrastructure, skills, governance, communications, security, innovation etc.), affordability, year-by-year financial profile / modelling, scenario planning, capital and revenue requirements for all elements of the Thames Freeport, financial risk assessment
- **The Commercial Case** – longer-term tax site management: policy delivery, attracting investment, additional economic activity, management

and reinvestment of business rates, distribution of seed capital, governance arrangements

- **The Management Case** – long-term governance arrangements and structure (memberships, powers, delegations, accountabilities and responsibilities etc.), delivery team structure, stakeholder management and engagement, shared learning and building expertise, risk management, arrangements for dealing with security and illicit activity, key milestones

3.2 An important part of developing the OBC will be the assessment of additionality, i.e. the amount of new growth and economic benefit to address deprivation rather than any displaced growth. Additionally and critically, the extent to which Freeport policy and investment promotes regeneration and job creation, particularly in areas that need it most. In following the five case model, the outline business case will demonstrate the economic and social value of the Thames Freeport and include a robust analysis on additionality and assessment of displacement. Alongside the assessment of the risks of displacement of economic activity, the OBC will identify mitigation strategies and actions which can be taken to maximise the additional economic and social benefits of the Freeport activity, particularly in helping transform those areas most in need of levelling up.

3.3 Given the multi-faceted nature of developing the OBC and FBC for Thames Freeport, the activity has been divided into 5 interconnected work streams:

- Place Shaping / Levelling Up
- Engagement Network
- OBC/FBC drafting
- Trade, Customs and Tax Sites
- Transition, Implementation and Operation

The work streams are led by a senior officer or private sector counterpart and report to the Interim Governing Board on progress during this set-up phase of Thames Freeport.

3.4 The broad timeline for OBC completion and approval to move to FBC is:

Task	Target Completion Date
OBC development	June and July 2021
OBC submission to Government for Quality Assurance	30 July 2021
Government Quality Assurance / Assessment and Feedback / Clarifications	From 2nd August 2021 and expected to take around 6-8 weeks
OBC Approval by Government	September 2021
Commence FBC	September 2021

Full Business Case (FBC)

- 3.5 The FBC is largely firming-up, revising and updating the 5 case model of the OBC, taking account of Government feedback on the OBC as well as any new information or analysis. The FBC will be more focused on the detail and assessment of seed funding for Freeport infrastructure as well as finalising elements such as management arrangements, risk management plans, benefits realisation and monitoring and evaluation.
- 3.6 The initial Bidding Prospectus required a monitoring and evaluation plan, along with a commitment to annually review and submit to government the pace of development within the Freeport and associated impacts on the surrounding community. Further guidance from MHCLG on the process for monitoring and evaluation including the type of data and information required to be submitted to MHCLG at gateway points will be issued in due course.
- 3.7 As outlined in the previous Cabinet report (January 2021), while this is a truly transformational opportunity for the borough and beyond it is not without risks or capacity demands across a number of areas. For example, to complete the OBC and FBC during this set-up phase in line with Government guidance requires input and expertise from across the Council (finance, strategy, economic development, communities, legal, skills, place delivery, planning), our private sector partners and specialist external economic and financial modelling support. Vivid Economics and Amion Consulting have been appointed to support our work on the OBC and are funded from the Government's revenue support to freeports.

4. Reasons for Recommendation

- 4.1 The successful initial bid has allowed Thames Freeport to progress to the set-up phase – the development of governance proposals and the Outline Business Case. Securing business case approval from Government is a critical next step towards formal Freeport designation.
- 4.2 The approval of the OBC / FBC and the awarding of Freeport status is a decision for central government and not for the Council, therefore this report enables the support of the OBC process and endorses the continued efforts and engagement of officers to further align the OBC and FBC to local priorities, as expected by government, recognising that the Thames Freeport is Private Sector-led.
- 4.3 The timeframe for completion of the OBC and submission to Government on 30th July is very ambitious, but achievable. Meeting this deadline will require continued development and refinement of the OBC to the end of July. As Lead Local Authority for Thames Freeport, accountable for public monies and for ensuring the OBC is completed in line with guidance, delegated authority is sought for the Chief Executive in consultation with the Leader, Deputy Leader and PFH for Regeneration, Strategy Planning and External Relationships as well as Corporate Director of Resources and Place Delivery, and Monitoring Officer to sign-off the OBC and the submission to

Government, engage with MHCLG over the summer to refine the OBC where required and commence and submit the FBC thereafter.

- 4.4 This is an emerging policy area offering the potential for significant opportunities where details are still in development. However, there are a number of currently unquantifiable opportunities and risks which the Council could potentially face, as referred to in the implications below, details of which will be identified and mitigated where possible through the development and implementation of the policy over the course of this set-up phase and as Thames Freeport moves into the operational phase.

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

- 5.1 Thames Freeport partners, Forth Ports, DP World, Ford, Thurrock Council, LB Barking and Dagenham and LB Havering have engaged with a wide range of stakeholder groups throughout the Freeport process including businesses and regional bodies such as SELEP, OSE, ASELA and the Thames Estuary Growth Board. This engagement is continuing and will intensify during the OBC and FBC processes including through the dedicated Thames Freeport engagement network led by Thurrock as well as representation on the MHCLG Freeports Forum. In particular, the connected work by ASELA on the growth agenda has been a key element of the bid which has demonstrated that the Thames Freeport has understood the wider geographical impact expected of the bid beyond the boundaries of the actual designated area.

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

- 6.1 The vision for Thurrock is: **An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future.**
- 6.2 The opportunity created by the Thames Freeport to further support the delivery of this vision and corporate priorities is significant. The government's policy objective to promote regeneration and job creation through the Freeport model is directly aligned to the Council's ambitions and place shaping agenda.
- 6.3 Under the corporate priority banner People, Place, Prosperity, the council is creating a place where people want to live and are proud of, and where businesses want to stay and thrive, and where investors and talent want to locate.
- 6.4 The successful delivery of the Thames Freeport has the ability to support a number of the Council's Place and Prosperity priorities:
- 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
- A borough ambitious for its future – clean environments, roads, housing and public spaces that connect people and places

- 6.5 The successful delivery of the Thames Freeport in Thurrock will also significantly contribute to achieving wider place agenda ambitions by bringing together physical, economic, social and environmental renewal to improve the well-being of communities, provide opportunities and help ensure places are fit for the future. This will be reflected in the Council's overall corporate strategy later in the year including communicating and promoting the economic strengths, successes and opportunities in Thurrock, a key part of delivering successful economic growth and aligned to the formal designation and commencement of Thames Freeport operational activity.
- 6.6 It also relates to the development of the Local Plan and the implementation of the Economic Development Strategy, Backing Thurrock. The Government's Freeport initiative is evolving and includes a wide range of policy levers which has been or is being factored into the development on those policies and priorities.

7. Implications

7.1 Financial

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

The development of a Freeport in the borough enables access to additional funding sources including grants and the retention of business rates relating to new business that locate within the Freeport Tax Sites. This funding can then be utilised to support the wider development of the Freeport area.

The Council continues to assess the potential funding streams to understand the proposed level of investment available to support the process. The OBC under the 'Financial Case' strand will assess all monetary costs and benefits associated with Thames Freeport including capital and revenue requirements. This will include an assessment of the financial risks associated with the capital programme and a sensitivity analysis of the projections of retained business rates. Whilst a headline of Freeports is the ability to retain 100% of new business rates within the designated areas, it cannot be assumed that this falls to the Council as additional income just to maintain services. Government require that this funding be largely used for additional activity such as infrastructure and environmental enhancements and other "levelling up" activity including investment in skills, as it relates to the Freeport objectives.

Subsequent investment decisions for which the Council will be responsible will be subject to a business case process and will follow the Council reporting and decision making processes.

7.2 Legal

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

There has been substantial development and understanding of the structures and frameworks governing the Freeport model. There remain however a number of areas where detailed government guidance and legislation are awaited. This creates some residual uncertainty and risk in relation to the delivery and implementation of proposals, however this can be mitigated through ongoing development of the programme and the active consideration of risk.

The detail of the full legal and governance structure remains under development and is subject to agreement with both partners and government. The governance arrangements will however be subject to both transparency and scrutiny adopting principles of transparency and the Nolan principles for standards of behaviours.

The submission of the OBC and FBC in themselves are not legally binding, however the commitments within these will become obligations which the Council will have to ensure delivery either directly or with partners as the Accountable Body.

The Council is being asked to be the accountable body for significant public funds from government, the use of which will be managed by partner organisations, the majority of which are private sector. Whilst risk can be mitigated through the use of appropriate contracts the ultimate risk will remain with the Council if deliverables are not met. There is scope for the Council to have to repay funds or ensure delivery of projects with the resultant implications. This type of arrangement exists in a number of settings, and can be managed effectively.

The Council has the necessary general statutory powers to engage in these arrangements at this point. However it must be recognised that in doing so it is not making determinations under specific statutory frameworks particularly around matters such as planning policy where future decision making will be necessary. It is clear that to deliver some of the prospectuses elements there will need to be regulatory change and we will need to monitor the ongoing process to ensure that the Council remains within its powers.

7.3 Diversity and Equality

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

As part of the OBC process, specifically within the Economic Case, the business case is required to set out the wider impact of short-listed options including equality impact considerations.

The equality impact will be assessed in line with Council's Community Equality Impact Assessment process with a focus on both the construction (initial) and fully operational phases and consider the extent to which Thames Freeport can positively impact on reducing inequalities overall, not least employment, income and health and well-being.

Aligning the equality impact of Thames Freeport to the Council's Community Equality Impact Assessment process will support the Council in meeting our duties under the:

- Equality Act 2010
- Public Sector Equality Duty
- The Best Value Guidance
- The Public Service (Social Value) 2012 Act

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

Freeport policy is also a significant part of the government's goal of net-zero carbon emissions, and will be used to develop new technologies and advanced manufacturing to bring forward decarbonisation.

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):

Cabinet Report – 13 January 2021
<https://democracy.thurrock.gov.uk/documents/s29328/Thames%20Freeport%20Bid%20to%20Government.pdf>

9. Appendices to the report

None.

Report Author:

Gerard McCleave, Asst. Director for Economic Growth & Partnerships Strategy, Engagement and Growth Directorate

7 July 2021		ITEM: 22 Decision: 110577
Cabinet		
Grays South: Delivering the Pedestrian Underpass – Project Progress		
Wards and communities affected: Grays Riverside	Key Decision: Key	
Report of: Councillor Mark Coxshall, Cabinet Member for Regeneration, Strategic Planning and External Relationships		
Accountable Assistant Director: Dr Colin Black, Interim Assistant Director, Regeneration and Place Delivery		
Accountable Director: Sean Clark, Corporate Director Resources and Place Delivery		
This report is public with exempt appendices 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: 8 June 2021		

Executive Summary

Cabinet have agreed a scheme that will deliver an alternative to the level crossing in Grays High Street as a means of crossing the rail line.

The most recent Cabinet report supported a preferred design option but highlighted a potential budget issue and suggested that a further update would be presented after the next iteration of the cost plan. Design work has progressed and the next cost plan has been received. This report outlines the output of the cost plan and the next steps required to progress the project to delivery.

There are two reports relating to this project on the July Cabinet agenda. This report provides an update on project progress, sets out the project costs and budget and the next steps to design and construction. The following report seeks Cabinet approval to commence a Compulsory Purchase Order to ensure the required land can be acquired to enable scheme delivery. The second report relies on this report to confirm that there are no foreseen impediments to delivery so that when approving the use of Compulsory Purchase powers decision makers can be confident in the deliverability of the scheme.

1. Recommendation(s)

Cabinet are asked to;

- a) Endorse the next steps in the programme for the project.**
- b) Delegate to the Corporate Director of Resources and Place Delivery, in consultation with the Portfolio Holder for Regeneration and External Affairs, the procurement for the next contract stages set out in the programme**
- c) Approve the latest iteration of the cost plan appended to this report, inc paragraphs 3.8 and 3.9 and note the efforts made to continue to drive cost efficiency.**

2. Introduction and Background

2.1. Members will be aware of the safety concerns related to the level crossing in Grays and of the way in which the gate closures create a barrier to movement between the town centre and the southern side of the level crossing towards the riverfront. In response to these issues, in July 2013 Cabinet agreed to work up a scheme to replace the level crossing with a high quality pedestrian underpass. Since then Cabinet has been kept informed of progress as below:

- April 2017 – Agreement of a joint delivery approach with Network Rail, a funding strategy and a land assembly strategy.
- July 2020 – Approval in principle of the design output from the delivery agreement with Network Rail and selection of Option C – the Plaza as the preferred option.

2.2. The most recent report highlighted that the forecast costs were significantly in excess of the approved budget. An approach to cost mitigation was set out and it was noted that the next iteration of the cost plan would be reported to Cabinet once available. The following sections of this report describe the further design work, the output of the latest cost plan and outline the next steps required to continue progressing the delivery of the project.

2.3. NR have produced a revised cost plan which can be found at appendix 1. As the next stage of works is not yet in contract the breakdown remains commercially sensitive and is therefore exempt from publication. This cost plan is not a binding commitment but a foundation to move forward to the next project stage with NR, the GRIP (Governance for Railway Investment Projects process).

3. Issues, Options and Analysis of Options

Delivery Programme

- 3.1. The project continues to follow the NR GRIP programme. It is a multifaceted project, not just due to the proximity of the operational railway and adherence to railway standards, but due to the complex requirements/constraints of some key stakeholders. As a consequence the project has required a lengthy process for design thus far, and will continue to do so for land assembly, consents and construction. Option C remains the option that is being developed in further detail and the ongoing design of this option has informed the latest cost plan.
- 3.2. Key project milestones are as follows:

Description	Start	Finish
Procurement and contracts for next stages	01/06/2021	02/11/2021
Land Assembly ¹	Ongoing	28/11/2022
Single Option Development	03/11/2021	31/01/2022
Detailed design	01/02/2022	25/11/2022
Implementation ²	28/11/2022	21/03/2024
Project Handback	22/03/2024	19/06/2024
Project Close Out ³	20/06/2024	17/09/2024

Note:

¹: If CPO is required 6-12 months could be added to this part of the programme.

²: Assumes rail possessions not changed and subject to ground conditions

³: This date is for the completion of underpass, steps and ramps. Public squares complete after this date.

Cost Position

- 3.3. In 2017 Cabinet approved a budget of £27.4m to deliver the project. It was proposed that funding was drawn from a range of sources and the project was subsequently successful in securing £10.8m from SELEP's Local Growth Fund. This funding must be spent by the end of the 2021/22 financial year.
- 3.4. The budget was approved based upon an early feasibility work, an emerging design and what was known at this time relating to site constraints and risks to the project. The budget assumed a much quicker programme than it has been possible to achieve.
- 3.5. In July 2020 Cabinet was advised that the Network Rail cost plan suggested a cost estimate between £22.2 and £25.2m for the Infrastructure elements of the project (i.e. the elements proposed to be delivered via a contract with Network Rail). Additionally, land assembly and public realm costs, required to be delivered separately by the Council, brought the estimated total project costs to between £34.9m and £37.9m, with option C 'The Plaza' as the option being taken forward. It was reported at this time that these were only estimates and the cost plan would be revised as the design work continued to develop.
- 3.6. A cost mitigation plan was proposed and actioned. The impact of this plan can be found at paragraphs 3.15-3.24.

- 3.7. Based on further detailed design work and the completion of the latest contract with NR a revised cost plan has been produced which anticipates the infrastructure element being £21.2m in value. Adding in the wider project costs, that are outside of the NR contract such as land assembly and public realm, takes the expected project cost to £37.3m.
- 3.8. Whilst this remains at the top end of the budget range previously reported this is a much more robust budget and is reflective of the current scheme design and construction methodology. A breakdown of the total project budget is shown in appendix A. It should be noted that responsibility for some of the costs has moved between the parties so a like for like comparison is not appropriate.
- 3.9. The direct NR Project Management costs are higher than would be expected for a project of this size and this has been a key driver in the rising cost of the project. The Council will continue to challenge NR on the fees applied, so as to apportion costs in manner that reflects the benefits of the project for all stakeholders.

Risk

- 3.10. It is important to note that this cost plan is based upon a set of assumptions and unknowns which may change as the project progresses. GRIP 4 (Single Option Selection) and GRIP 5 (Detailed Design) tend to be where the assumptions are fixed and the amount of unknowns must be as close as possible to zero. The project is still in the development stage and further work is required to address these at project level. The following paragraphs highlight the key risk areas that are known at this time.
- 3.11. The latest cost estimate is based on a programme that assumes a start on site in late 2022. Any delay to this programme could increase the overall costs. The main risk at present is that the programme assumes all land assembly can be completed by negotiation. Much of the CPO process is outside of the Council's control and could add up to 12 months on to this programme. See Cabinet Report: Grays South: Delivering the Pedestrian Underpass – Land Assembly (part exempt) July 2021 for further information.
- 3.12. High level costs for utility diversion have been included but these costs still require further investigation and confirmation from the utilities providers. It is proposed that NR continue to be best placed to take on this risk and discussions are ongoing to ensure responsibility for this element is allocated to the best placed party.
- 3.13. The scheme is costed based on professional advice from cost consultants and has had some early engagement from the NR supply chain. However, the scheme has not yet been tendered and market forces at the point of tender could influence the costs that are returned.

- 3.14. The cost plan addresses the ongoing risk profile by allocating appropriate contingency amounts to the various elements of the scheme. The project team and NR are continuing to challenge the design, programme and construction methodology to ensure that assumptions continue to be refined, cost efficiency maximised and risk appropriately provided for.
- 3.15. Taking the above into account, against the budget approved in 2013 there is a funding gap of approximately £10m on this project. Should the recommendations in the Capital Programme Update (on the same agenda as this report) be approved additional funding for this project will be provided to close this gap.

Driving Cost and Budget Efficiency

- 3.16. The July 2020 cabinet report outlined a number of strategies to be employed to further reduce the cost and/or increase the budget from external sources. These continue to be progressed and an update on these approaches are detailed below.

Design Value Engineering

- 3.17. Value Engineering workshops were arranged within this contract stage. NR have identified £1.8m of opportunities that may be available to the project once the scheme is developed further.
- 3.18. At the next stage of design (GRIP 4: Single Option Development) further Value engineering workshops will be programmed to take place with the aim of promoting the substitution of materials and methods with less expensive alternatives, without sacrificing functionality and our project objectives.
- 3.19. It is still anticipated that the risk allowance percentage currently allocated can reduce as the design evolves and the uncertainty on the project reduces.

Challenge Network Rail Fees and Escalation

- 3.20. The project team continue to challenge NR on various aspects of their fees. Previous challenges on the level of fee cost required to project manage their involvement has identified savings of between £300k-£650k. A guarantee has been given from NR that the assumptions underpinning this cost plan are not binding, do form a foundation for a starting point for the next project stage and are open to discussion as the project progresses.

Future Contracting Strategy

- 3.21. Project Officers have been examining various alternative strategies for future contracts with Network Rail, and these are ongoing. It is recommended that decisions on future procurement are delegated to the Corporate Director of Resources and Place Delivery, in consultation with the Portfolio Holder for Regeneration and External Affairs.

Network Rail Contributions

- 3.22. NR committed to explore whether any further financial contributions could be made from their own internal funding sources. These conversations continue but to date NR have confirmed a financial contribution of £636K if the rail level crossing is closed before the end of March 2024, subject to contract.
- 3.23. It has also been agreed that necessary NR non-operational owned land will be contributed to the project at nil cost other than coverage of NR fees.
- 3.24. Officers are continuing to seek further financial contributions from the Rail Industry due to the significant benefits the closure of the level crossing brings to all parties and are challenging the allocation of costs that are not directly related to provision of the underpass (i.e. the removal of redundant level crossing infrastructure). Project officers have repeatedly informed Network Rail that the Council will not be liable to pick up these costs.

Additional Funding Opportunities

- 3.25. Other external funding opportunities to increase the original budget have been, and continue to be, explored such as the Levelling Up Fund and Town Fund.

Next steps

- 3.26. There is a good opportunity to build upon the positive momentum the project has recently undergone. Based on the latest information from NR, there is a clear rationale to justify continuation of the project.
Immediate priorities include:
 - a. Approve this latest iteration of the plan, noting the efforts that have been/continue to be made to drive cost efficiency. This marks the end of GRIP Stage 3.
 - b. Endorse the entering into contract with NR for the continued development and construction of the project at the appropriate time and delegate the decision making. This is proposed, due to plans in place to bridge the funding gap and the risk of added costs if the project is paused for any significant period of time.
 - c. Commence CPO – refer to Cabinet Report: Grays South: Delivering the Pedestrian Underpass – Land Assembly (part exempt). July 2021.

4. Reasons for Recommendation

- 4.1. The existing level crossing presents a clear safety risk. There have been no fatalities or serious injuries but the number of 'near misses' has increased significantly.

4.2. The cost plan, presented here, marks a milestone in the development of this scheme. Much technical work has been undertaken over the past year to get to this stage and refine this cost plan. It is time to progress the project to the next stages so as to stick to programme and further refine assumptions so as to deliver this project to both parties satisfaction.

4.3. Delegating the decisions for future procurement contracts enables the necessary further scrutiny of this cost plan at officer level and to ensure the best delivery route is selected ensuring value for money for the project.

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

5.1. The project has been considered at the following meetings of Cabinet;

- July 2013: Decision No. 01104224
- December 2014: Decision No. 01104345
- April 2017: Decision No. 011044419
- July 2020: Decision No 110515

5.2. The approach to the project has been reviewed by Planning Transport and Regeneration Overview and Scrutiny Committee;

- March 2014
- March 2017
- July 2020
- July 2021

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

6.1 The recommendations facilitate the delivery of a key regeneration project in Grays identified in the Councils strategies described at para 4.1 and the Capital Programme.

7. Implications

7.1. Financial

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

As outlined in the report, the latest cost plan is above the approved budget of £27.4m and there is no financial commitment required beyond the current contractual commitment for this design stage. However, the underpass cost plan endorsed by NR suggests a cost of between £21.2m for the infrastructure elements of the project. In addition to this, the Council needs to fund land assembly and the adjacent public realm bringing the total project estimated cost to £37.3m.

The report details mitigation options that have been deployed so far and the success of these along with mitigations that continue to be pursued to reduce the cost of the project and/or to secure additional external funds to support the budget.

There is a separate report on the Cabinet agenda for July 2021, namely the Capital Programme Update, which reviews the Capital Programme and funding for projects including this project and proposes a reallocation of funds to this project to close the funding gap.

7.2. Legal

Implications verified by: **Tim Hallam**
Strategic Lead – Legal Services

The Council is near the completion of a Development Services Agreement with Network Rail for this stage of design. A further agreement will be required for the later stages including detailed design and construction which still needs to be established.

The Council will need to comply with the Public Contract Regulations 2015 in any works contracts it awards for this project and the form of contract should be one that meets the requirements of the Council for such projects with robust works specifications.

The delivery of the underpass will require land assembly and possibly a CPO. The Council has already resolved to use its CPO powers if required. For details on land assembly please see Cabinet Report Grays South: Delivering the Pedestrian Underpass – Land Assembly, on Cabinet agenda for July 2021.

7.3. Diversity and Equality

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

The project has been the subject of stakeholder engagement summarised in previous reports to Cabinet, and further engagement will continue. There will be further detailed stages of design and submission of applications for planning permission and other consents. Further engagement activity will take place as the designs are developed which will include an Equalities Impact Assessment – details of which can be found in Cabinet Report Grays South: Delivering the Pedestrian Underpass – Land Assembly, on Cabinet agenda for July 2021.

The design will comply with all relevant legislation and standards for accessibility.

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

Completion of this project will remove a safety risk from the heart of Grays Town centre.

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):

- Cabinet Report: Grays Town Centre Framework Draft Report deposited in Members rooms. July 2015
- Grays Development Framework 2016
- Cabinet Report: Delivering the new Pedestrian Rail Crossing. Decision 01104419 April 2017.
- Cabinet Report. Grays Master Plan – Town Centre Framework. Decision 0110443 November 2017
- Planning, Transport, Regeneration Overview and Scrutiny Committee. Grays South Regeneration Project: Delivering the Pedestrian Underpass. ITEM 5 January 2019.
- Cabinet Report: Grays South Regeneration Area: Underpass and public realm option selection. Decision 110515 July 2020

9. Appendices to the report

- Appendix 1: Headline Cost Breakdown (exempt)

Report Author:

Neil Muldoon

Project Manager

Regeneration and Place Delivery

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

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7 July 2021	ITEM: 23 Decision: 110578
Cabinet	
Grays South: Delivering the Pedestrian Underpass – Land Assembly	
Wards and communities affected: Grays Riverside	Key Decision: Key
Report of: Councillor Mark Coxshall, Cabinet Member for Regeneration, Strategic Planning and External Relationships	
Accountable Assistant Director: Dr Colin Black Assistant Director for Regeneration	
Accountable Director: Sean Clark Corporate Director for Resources and Place Delivery	
This report is: Part exempt Information relating to any individual and Information that is likely to reveal the identity of an individual	
Date of notice given of exempt or confidential report: 8 th June 2021	

Executive Summary

Cabinet have agreed a scheme that will deliver an alternative to the level crossing in Grays High Street as a means of crossing the rail line.

In 2017 Cabinet agreed a land assembly strategy with an option to use its powers of compulsory purchase if necessary and subject to further consideration by Cabinet. All known affected owners have been contacted as described in this report, some are engaging with our advisers with a view to a negotiated sale of their interest, others have not engaged. Land assembly is a time critical element of delivery. While officers and the consultant team will continue to seek agreed purchases of land and rights, compulsory purchase may be required and can take around 18 months to complete if full process (including a public inquiry) is needed. This report therefore seeks authority to use the Council's powers of compulsory purchase in the event agreed purchase of all land and rights necessary is not possible for the delivery of the project. This report also seeks approval for the appropriation of land owned by the Council for the delivery of the project.

Deliverability depends on cost and available budget. These are addressed in detail in two other reports on the Cabinet's agenda;

- a. Capital Programme Update, which reviews the Capital Programme and funding for projects including this project; and
- b. Grays South: Delivering the Pedestrian Underpass – Project Progress, which sets out the project costs and budget and the next steps to design and construction.

1. Recommendation(s)

Cabinet are recommended to;

- 1.1 Resolve that the Council use its compulsory purchase powers pursuant to section 226(1)(a) of the Town and Country Planning Act 1990 to acquire all land and rights to deliver the scheme, and to issue appropriate notices as required to acquire land required to deliver the scheme;**
- 1.2 Note that the regeneration team is progressing negotiations to acquire the land and interests required by private treaty and to delegate authority to the Corporate Director, Resources and Place Delivery in consultation with the Portfolio Holder for Regeneration and External Affairs to approve and enter into agreements with the owners and/or occupiers of the land so as to facilitate acquisition;**
- 1.3 Note the progress on the land referencing exercise and, if required, delegate authority to the Corporate Director, Resources and Place Delivery in consultation with the Portfolio Holder for Regeneration and External Affairs and Assistant Director of Law and Governance to issue requisitions for information pursuant to section 5A of the Acquisition of Land Act 1981 to persons who have a potential legal interest in or who occupy the area in respect of which compulsory purchase powers are proposed to be used;**
- 1.4 Authorise the regeneration team under the direction of the Corporate Director, Resources and Place Delivery to undertake the work needed to prepare for the making of a Compulsory Purchase Order(s) (CPO) together with the supporting documentation and proceed to make the CPO(s);**
- 1.5 Resolve that any land acquired by the Council by private treaty within the area shown red on the plan at Appendix 1 that would be required in order to facilitate the Scheme shall be acquired for planning purposes pursuant to section 227 Town and Country Planning Act 1990;**
- 1.6 Note that pursuant to sections 203 and 204 of the Housing and Planning Act 2016, land acquired under sections 226 or 227 of the Town and Country Planning Act 1990 may then be developed and used in accordance with planning permission for the proposed scheme notwithstanding any interference with any subsisting interests, rights or restrictions (subject to the payment of compensation calculated in**

accordance with sections 7 and 10 of the Compulsory Purchase Act 1965);

- 1.7 In the event that Blight Notices under section 150 of the Town and Country Planning Act 1990 are served upon the Council, delegate authority to the Corporate Director, Resources and Place Delivery in consultation with the Portfolio Holder for Regeneration and External Affairs and the Director for Law and Governance to acquire land or reject the Blight Notices as appropriate;**
- 1.8 Delegate authority to the Corporate Director, Resources and Place Delivery in consultation with the Portfolio Holder for Regeneration and External Affairs and the Assistant Director for Law and Governance to grant any internal approvals necessary in order to allow the scheme to progress; and**
- 1.9 Approve the appropriation of the Council's current landholdings described in this report for the planning purpose to facilitate the scheme including:**
 - (i) Undertaking the required Advertising of the intention to appropriate land currently used as public open space and;
 - a. In the event that any objections are received, reporting the content and consideration of those objections to a future meeting of Cabinet;**
 - b. In the event that no objections are received, to continue with the appropriation with no further report to Cabinet.****
 - (ii) To note that it is necessary to use Section 203 of the Housing and Planning Act 2016 to facilitate the development and improvement of the land as will form part of the planning permission in order for any and all private rights and restrictions that affect the land to be overridden.**
 - (iii) To authorise Officers to take such necessary administrative and accounting steps to give effect to the appropriation (including settling claims for compensation arising out of the extinguishment of any rights in the appropriated land pursuant to Section 203 of the Housing and Planning Act 2016).**

2. Introduction and Background

- 2.1 This report focusses on the land assembly exercise required for delivery of the underpass and associated development. It should be read in conjunction with two other reports on the Cabinets agenda;**

- a. Capital Programme Update, which reviews the Capital Programme and funding for projects including this project; and
 - b. Grays South: Delivering the Pedestrian Underpass – Project Progress, which sets out the project costs and budget and the next steps to design and construction.
- 2.2 Members will be aware of the safety concerns related to the level crossing in Grays and of the way in which the gate closures create a barrier to movement between the town centre and the southern side of the level crossing towards the riverfront. In response to these issues, in July 2013 Cabinet agreed to work up a scheme to replace the level crossing with a high quality pedestrian underpass. Since then Cabinet has been kept informed of progress as below:
- April 2017 – Agreement of a joint delivery approach with Network Rail, a funding strategy and a land assembly strategy.
 - July 2020 – Approval in principle of the design output from the delivery agreement with Network Rail and selection of Option C – the Plaza as the preferred option.
- 2.3 A delivery agreement was completed with Network Rail and included C2C. In July 2020 Cabinet approved in principle the design for the underpass scheme that was the output from this collaboration to be taken to the next design stages. The programme and costs are discussed in the separate report on the agenda ‘Grays South: Delivering the Pedestrian Underpass – Project Progress’. The Council appointed Montagu Evans to implement the land assembly strategy on its behalf who have been in regular contact with landowners.
- 2.4 This report seeks approval for land assembly including the use of Compulsory Purchase powers as necessary to acquire land owned by third parties and Network Rail/C2C and the Appropriation of land owned by the Council, including land currently used as public open space, as set out in the recommendations. This appropriation is considered necessary to facilitate the development and improvement of the land as part of the CPO scheme and in order for any and all private rights and restrictions that affect the land to be overridden and resolved.
- 2.5 The extent of the scheme area has been reviewed and revised through the design process and constructability workshops by Network Rail. This is shown indicatively in the plan at appendix 1.
- 2.6 The Council is required to produce a Statement of Reasons for using its powers of Compulsory Purchase which will be affixed to any notice issued. A draft of that Statement is appended to this report at appendix 5 and will need to be updated prior to any CPO notices being served.
- 3. Issues, Options and Analysis of Options**

- 3.1 This section considers the justification for use of the Council's powers described in the recommendations. Reference for the detailed case should be made to the appendices and to the other reports on this agenda referred to at para 2.1, the case is summarised here under the following headings:
- a. Description of the scheme;
 - b. The land required;
 - c. Land referencing and discussions with landowners;
 - d. Funding Strategy: Cost and Budget;
 - e. Delivery Programme;
 - f. Justification for Use of CPO;
 - g. Human Rights; and
 - h. Equalities Impact Assessment.

Description of the scheme

- 3.2 The scheme agreed by Cabinet in July 2020 is illustrated in appendix 2 and is described in more detail in the draft Statement of Reasons in appendix 5. It includes:
- a) Replacement of the level crossing with a wide pedestrian underpass;
 - b) Creation of public squares at each end of the pedestrian underpass;
 - c) Land assembly;
 - d) Demolitions necessary to create the space required for the scheme;
 - e) Relocation of Station Approach to create the space required for the scheme;
 - f) Relocation/diversion of Crown Road closer to the rail line to enable the underpass section to be as short as possible and to reduce the land take required for delivery; and
 - g) A separate but closely related scheme for development of new commercial/retail/mixed use units around the public squares to replace those which will be lost as a consequence of land acquisition required for the scheme with the provision of additional residential units above these units.
- 3.3 The scheme has been the subject of public consultation which is summarised in appendix 6. The consultations to date indicate stakeholder support for the scheme with understandable concerns about issues such as lighting and safety. These issues have directed the design response including a wide thoroughfare with clear long views in and out. The design response to these issues has contributed to the extent of land required. Further stakeholder engagement will be undertaken in the next detailed design stages and as part of the process of determining the planning applications.

The Land required

- 3.4 The land required for the scheme is shown in appendix 1. This broadly falls in to one of four types:

- a. Land owned by the Council shown yellow on the plan: This includes the site of the former Station House, public open space and the subsoil of parts of the public highway. This land will need to be appropriated for the planning purpose of delivering the scheme as described under the recommendations. The appropriation of the land used as public open space will require public notices/advertising and consideration of responses received before the appropriation can be completed;
 - b. Land owned by Network Rail shown green on the plan. The rail line and fenced area either side of it are part of the operational railway and will remain in the ownership of Network Rail. The rest of the land is defined as non-operational land in that it lies outside of the operational rail line and is leased to C2C. Network Rail and C2C have agreed the transfer of their land interest for the delivery of the scheme and have started their internal process to enable this to happen. Within this area shop units are subject to leases which will need to be acquired. The station forecourt and parts of the car park would remain with network rail but are included as the land is required temporarily for enabling works during construction.
 - c. Land owned by others shown light pink on the plan: The Council will need to acquire these interests to enable the construction and delivery of the scheme; and
 - d. Unregistered land (light blue) and public highway (edges marked with a blue dashed line on the plan): These will need to be included within a CPO to ensure clean title to enable delivery of the scheme.
- 3.5 A draft Order Plan is in Appendix 3 and shows the plots of land required to deliver the scheme. A description of each plot of land required and a summary of the reasons for requiring each plot to deliver the scheme is in appendix 7.

Land Referencing and discussions with Land owners

- 3.6 Land referencing is required to identify all owners, tenants, occupiers, and other interests of the land required to deliver the scheme and those who would be likely to be qualifying persons under Section 12(1) of the Acquisition of Land Act 1981 in relation to the scheme. A full schedule of interests in the land proposed to be acquired will need to be prepared to accompany any Compulsory Purchase Order detailing the extent and description of the land and details of any qualifying person and their interests in the land.
- 3.7 Montagu Evans and Land Referencing Services are undertaking the required detailed Land Referencing. In line with the Land Assembly Strategy and principles of engagement agreed by Cabinet in their meeting of April 2017, The Council has, through Montagu Evans, maintained an open dialogue with the owners and occupiers of property and rights affected by the scheme. An overview of correspondence and conversations is contained in appendix 4.
- 3.8 It is important that this open dialogue continues throughout the acquisition, development and delivery of the scheme and Montagu Evans will continue to act on behalf of the Council to seek negotiated settlement for acquisition of interests. Compulsory Purchase will only be used as a last resort if necessary

for any acquisition that may be required for the delivery of the scheme. Appendix 4 shows that some owners are actively seeking a negotiated sale while others have so far chosen not to respond to the approaches made.

Funding Strategy: Cost and Budget

- 3.9 The total cost and budget for delivering the scheme are discussed in detail in the other reports on this agenda referenced at para 2.1. £6,758,000 would be required for land assembly assuming all land needs to be acquired by Compulsory Purchase including compensation costs set out in the Compensation Code.

Programme

- 3.10 The project is complex and, as a consequence, requires a lengthy process for design, land assembly, consents, planning and construction. The Cost estimate is based on a programme that assumes all land assembly can be completed by negotiation. Much of the CPO process is outside of the Council's control and if required could add up to 12 months on to this programme once the compulsory purchase order is made. The total cost for CPO is included in the cost estimate discussed in the report on the agenda for this meeting of Cabinet, 'Grays South: Delivering the Pedestrian Underpass – Project Progress'. That report includes consideration of any risks associated with the deliverability of the current cost estimate. Key milestones currently are;

Description	Start	Finish
Procurement and contracts for next stages	01/06/2021	02/11/2021
Land Assembly ¹	Ongoing	28/11/2022
Single Option Development	03/11/2021	31/01/2022
Detailed design	01/02/2022	25/11/2022
Implementation ²	28/11/2022	21/03/24
Project Handback	22/03/24	19/06/2024
Project Close Out ³	20/06/24	17/09/2024

Note:

- ¹: If CPO is required 6-12 months could be added to this part of the programme.
- ²: Assumes rail possessions not changed and subject to ground conditions
- ³: This date is for the completion of underpass, steps and ramps. Public squares complete after this date.

Use of CPO

- 3.11 The Council must have a relevant statutory power that authorises acquisition by Compulsory Purchase. The Council must also use the most appropriate power for the scheme which in this case is section 226 1 (a) of the Town and Country Planning Act 1990 (the Act) as the scheme would make a major positive contribution to the economic, social and/or environmental well-being of the area.

- 3.12 Detailed advice on the use of compulsory purchase powers is set out in the CPO Guidance which provides information on the matters which the Secretary of State will take into account when considering whether or not to confirm a CPO. These matters are addressed in detail in the draft Statement of Reasons at appendix 5. Similar considerations are applied to appropriations of the Council's land. In summary these are:
- a. Proposals must be Consistent with the Local Plan and national planning policy;
 - b. The Council must demonstrate a compelling case in the public interest and demonstrate that the public benefits arising from the scheme outweigh the interference with the rights of those affected. These benefits must fall in to at least one of 3 categories; economic and/or social and/or environmental;
 - c. Land cannot be acquired by mutual agreement;
 - d. There are no other impediments to proceeding with the scheme, for example the need for planning permission or other consents; and
 - e. The Council has the resources to implement the scheme and to pay appropriate compensation for land acquisitions.

Consistent with planning policy

- 3.13 The Core Strategy identifies Grays as a Growth Hub where regeneration activity will be concentrated (Policy CSSP1 and CSSP2). Paragraphs 3.29 to 3.33 set out the Council's vision for the Grays Regeneration Area as a focus for growth in jobs and homes, and for civic functions, culture and education and including a new transport zone around the rail station including an improved crossing of the rail line. Policies in the Core Strategy support delivery of this vision. In November 2017 the Council's Cabinet approved the Grays Town Centre Framework Refresh to guide its approach to town centre regeneration which includes the scheme.
- 3.14 The Transport Act and the Local Transport Act require Local Authorities to maintain a Local Transport Strategy. The Council adopted the current Transport Strategy in 2013 to support the delivery of the adopted core strategy and regeneration. Policy TTS1 Delivering Sustainable Growth identifies the formation of a Transport Zone around Grays Rail Station including an improved means of crossing the rail line.

Public Benefit

- 3.15 The scheme is expected to give rise to economic and social benefits which are set out in detail in the draft Statement of Reasons at appendix 5, along with marked improvement in the quality of the town centre environment. A Town Centre Health Check undertaken in 2020 to support the Council's application to the Future High Street Fund shows a long period of gradual decline in the town centre economy; low investor interest, high and rising yields, low and falling rents, rising vacancy, and poor environmental quality. The severance created by the rail line is identified as a key issue relating to

accessibility to and from the town centre. In this context the Full Business Case by KPMG to support the Council's LGF grant bid identified:

		Net benefits (in NPV terms) over 30 years
Economic impacts associated with the underpass	Journey time saving	£18.0m
	Reduction in accidents	£2.0m
	Reduced risk of premature death	£8.7m
	Absenteeism ⁱ	£4.4m
	Reduction in externalities from cars including vehicle operating costs	£5.3m
	Social impacts from public realm	£19.7m
Wider public realm and housing development	New homes delivered	84
	Land value uplift	£2.4m

Note ⁱ: Absenteeism is taken from the Dept. For Transport project assessment toolkit (Web tag/AMAT) and refers to health benefits arising from increased walking and cycling and reduced absence from work.

- 3.16 The net initial benefits from the project are estimated at £55.2m. This includes the benefits from the underpass itself as well as the benefits relating to the public realm.
- 3.17 The inclusion of the land value uplift from housing would increase the benefit to £60.6m. We did not include the temporary GVA uplift from construction impacts in our Benefit Cost Ratio (BCR) calculation, but these would add additional wider benefits of £5.5m (including the indirect and induced impacts as a result of the build phase of the project). The initial BCR for the project, relative to the Growth Deal funding request, is 5.5:1. Including all public sector contributions resulted in an adjusted BCR of 2.4:1.
- 3.18 There are no other reasonable alternatives for pedestrians to cross the rail line. The existing footbridge is too steep and many people prefer to jump the closed gates than to use the bridge. A road bridge (Derby Road Bridge) located c175 metres to the east would take people away from the clear desire line along High Street, it effectively by-passes many of the businesses in the High Street and with a gradient up to 1:18 is too steep for pedestrians with mobility difficulties. The project will remove a significant safety risk on the rail line by removing the perceived need to 'jump' the closed gates at the level crossing. People will no longer be required to wait when a train is passing through and so removes the severance between the town centre and a significant part of its local catchment area.
- 3.19 The design approach has sought to address concerns about underpasses by providing a wide-open space with clear views in and out which will be supplemented with lighting, CCTV, and active uses at either end. Direct stepped access will be supplemented with gently sloped ramps (c1:21) to ensure accessibility. These factors combined with ground levels and the depth of excavation required have determined the extent of land area required.

Land cannot be acquired by agreement

- 3.20 Paragraphs 3.5-3.7 and appendix 4 describe the communications with landowners from 2019. Some have not responded and some have not wanted to engage in discussions about sale of their land interests. A full CPO process can take around 18 months to complete and is therefore a critical time issue for delivery of the scheme. While some of this process would proceed at the same time as the rest of the programme, if full process is required it could add 6-12 months on to the programme. Given the extent of communications undertaken to date it is considered appropriate to now have the option of Compulsory Purchase, but also to continue dialogue to reach an agreed settlement if possible.

No other Impediments to delivery

- 3.21 Measures to resolve other potential impediments are included in the delivery programme. Key stakeholders are committed to delivery. Network Rail, C2C, the planning and highways authorities have been engaged in the design and development phases and will continue to be engaged. A planning application will be submitted in the summer of 2021, Highways approvals, Network Rail and C2C approvals are also provided for in the programme at the appropriate time.

Resources are available for delivery

- 3.22 The cost and budget available for delivery of the project are set out in detail in the other related reports on this agenda and referenced at para 2.1. The combined resources of the Council and Network Rail (Land, funding, and expertise) and with a grant of £10.8 million from the Local Growth Fund, are considered sufficient as described in the report 'Grays South: Delivering the Pedestrian Underpass – Project Progress' which sets out the project costs and budget and the next steps to design and construction. The land assembly costs are based on a property cost estimate by Montagu Evans and includes provision for compensation and disturbance costs as defined under the compensation code if a CPO is required.

Human Rights

- 3.23 The Human Rights Act 1998 places direct obligations on public bodies such as the Council to demonstrate that the use of compulsory purchase powers is in the public interest and that the use of such powers is proportionate to the ends being pursued.
- 3.24 When the Council decides to make a CPO, the Council will need to be sure that the purpose for which the land is required sufficiently justifies interfering with the human rights of those with an interest in the land affected. The compulsory acquisition of the land in the red line area may amount to an interference with the human rights of those with an interest in the land. These

include rights under Article 1 of the First Protocol of the European Convention on Human Rights (ECHR) (which provides that every natural or legal person is entitled to peaceful enjoyment of his possessions) and Article 8 of the ECHR (which provides that everyone has the right to respect for his private and family life, his home and his correspondence).

- 3.25 Members must be satisfied that any interference with these rights will be necessary and proportionate. “Proportionate” in this context means that the interference must be no more than is necessary to achieve the identified legitimate aim. Set out in this report and the draft Statement of Reasons at appendix 5 is the justification for and benefits of the scheme and consideration of the extent of land required to deliver the scheme.
- 3.26 Based on this information, officers are of the view that there is a compelling case in the public interest for compulsory acquisition of the various interests within the Order Land if they cannot be acquired by agreement. Therefore, the use of compulsory purchase powers in this case is considered to be proportionate and appropriate. Without the use of these powers, the much-needed regeneration and redevelopment of the land may not be achievable. Compensation will be available to those entitled to claim it under the relevant statutory provisions. Members are advised that the land is both suitable for and will facilitate the carrying out of development, redevelopment or improvement and will make a positive contribution to the promotion of the economic, social and/or environmental well-being of the area.

Equalities Impact Assessment

- 3.27 An Equalities Impact Assessment has been undertaken to support the use of compulsory purchase if required. The reports main conclusion is:
- “On balance, it is clear that the Intervention scenario is likely to have a positive impact on reducing inequalities, whereas the Non-intervention scenario is likely to have a negative impact. This is especially the case given the alternative of the closure of the level crossing, with no DDA compliant alternative within the immediate vicinity”.**
- 3.28 The report concludes that the project will benefit all people travelling by foot and will be an improvement for those using public transport. Closure of the level crossing with no alternative and temporary closures during construction will disproportionately negatively impact disabled people with physical mobility constraints and those with learning difficulties. The report emphasises the importance of mitigation and stakeholder engagement. Provision has been made to address these matters in the project delivery programme and further discussion will be required with Network Rail about closure durations and provisions for alternatives during construction.
- 3.29 The report reinforces the importance of safety in the design. The relocation of the taxi rank and set down bays has the potential to negatively impact users that are reliant on door to door travel. These matters will be addressed in the

next design stage.

4. Reasons for Recommendation

- 4.1 The project is consistent with the adopted Local Plan Core Strategy, the Council's Transport Strategy, and the Council's Grays Town Centre Framework.
- 4.2 The acquisition of land is a vital step in implementing a key regeneration project in Grays and reflects the resolutions of Cabinet at the meetings in April 2017 and July 2020.

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

- 5.1 Public consultation is summarised in Appendix 6.
- 5.2 The project has been considered at the following meetings of Cabinet;
 - July 2013: Decision No. 01104224
 - December 2014: Decision No. 01104345
 - April 2017: Decision No. 011044419
 - July 2020: Decision No 110515
- 5.3 The approach to the project has been reviewed by Planning Transport and Regeneration Overview and Scrutiny Committee;
 - March 2014
 - March 2017
 - July 2020
 - July 2021

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

- 6.1 The recommendations facilitate the delivery of a key regeneration project in Grays identified in the Councils strategies described at para 4.1 and the Capital Programme.

7. Implications

7.1 Financial

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

The project requires significant capital expenditure by the Council which is being met through the Capital Programme, S.106 funds and grant from the Local Growth Fund administered by the South East Local Enterprise

Partnership, with some funding from Network Rail. The details of the full project cost and budget are set out in two other reports on the agenda for this meeting of Cabinet (Capital Programme Update, and Grays South: Delivering the Pedestrian Underpass – Project Progress). In carrying out land acquisition and assembling land ahead of scheme delivery the Council will be responsible for holding and managing the property before it is required for the scheme, this could be for a number of years depending on when acquisition is completed.

7.2 Legal

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

As noted in the report, the making of the CPO and appropriation of Council land for the planning purpose of delivering the project are considered by officers to make a major positive contribution to the economic, social and/or environmental well-being of the area.

The making of a compulsory purchase Order under S.226 (1) (a) of the Town and Country Planning Act 1990 and the Acquisition of Land Act 1981 is a function which Cabinet may exercise in accordance with the provisions of the Council's Constitution.

Section 226 of the Town and Country Planning Act 1990 enables a local authority to exercise its compulsory purchase powers:

- a. If it considers that acquiring the land in question will facilitate the carrying out of development, redevelopment, or improvement on, or in relation to, the land being acquired (s.226(1)(a)); and
- b. Provided that it considers that the proposed development, redevelopment or improvement is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of its area (s.226 (1A)).

The Council must therefore be satisfied on both counts. In addition, it must take into account any human rights implications as well as the public sector equality duty in section 149 of the Equality Act 2010.

Appropriation of land owned by the Council from its current use for the purposes of delivering the scheme is required under Section 122 of the Local Government Act 1972 to facilitate the development and improvement of the land in order for any and all private rights and restrictions that affect the land to be overridden. In the case of land that has been used as public open space the intention to appropriate must be advertised and any responses to that consultation properly considered before the appropriation can be completed.

Confirmation of a CPO and Acquisition of the Land

The Order must be submitted to the Secretary of State for confirmation, notified to those persons affected by it and advertised in the local press. Any party who wishes to object to the making of the CPO has 21 days within which to do so from the date of notification. All statutory objectors have a right to be heard at a public inquiry although it is possible for the Secretary of State to deal with objections in writing. Although any Inquiry will be held on the earliest possible date, typically this could be six months or more after submission of the Order to the Secretary of State.

The Council cannot actually exercise its compulsory purchase powers until such time as the CPO has been confirmed by the Secretary of State or the Secretary of State permits the Council itself to confirm the CPO.

Following confirmation of a CPO the Council has three years within which to exercise the CPO powers. Once the interests included in the proposed CPO area have been acquired for planning purposes, the site will benefit from the operation of Section 203 of the Housing and Planning Act 2016, which (subject to the payment of compensation) extinguishes all existing third party rights that could prevent the development or use of the land from proceeding. The same applies with respect to any land acquired by agreement under section 227 of the Town and Country Planning Act 1990. In both cases, the costs of compensation will be limited to the statutory basis as provided by section 204 of the 2016 Act.

Legal Challenge

Decisions made in the Compulsory Purchase context are subject to challenge on public law grounds in the usual way.

7.3 Diversity and Equality

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

An Equalities Impact Assessment (EqIA) has been undertaken and public consultation has informed the design approach taken to date. The project team have undertaken to carry out further public engagement to inform the next stages of design. During these engagement exercises the diversity of respondents will be monitored to ensure we receive representation from those people with protected characteristics that have been identified as being negatively impacted during certain stages of the programme e.g. those with disabilities. These groups of individuals may be directly targeted for engagement where required through liaison with voluntary sector organisations, charities or local community groups as best suits.

The current level crossing has an uneven surface which can be difficult for people with impaired mobility or sight. The increasing frequency and duration of gate closures pre-Covid 19 could be a significant obstacle for anyone unable or unwilling to use the existing footbridge. This issue is expected to return post Covid 19. Closure of the level crossing with no alternative in the High Street would require a long diversion and includes a rail bridge that would be too steep for anyone with impaired mobility.

The EqIA concludes that the scheme will provide an overall benefit but will at the next design stage need to ensure the design and layout continue to address accessibility and safety.

Closure of the level crossing with no alternative and temporary closures during construction will disproportionately negatively impact disabled people with physical mobility constraints and those with learning difficulties and will need to be addressed.

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

None

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

- Full Business Case Local Growth Fund:
https://www.southeastlep.com/app/uploads/2018/07/Grays-South-FBC_Redacted.pdf
- Full Business Case Future High Street Fund:
<https://www.thurrock.gov.uk/sites/default/files/assets/documents/grays-future-high-street-fund-business-case-v01.pdf>

9. Appendices to the report

1. Scheme Area
2. Scheme plan
3. Compulsory Purchase Order Plan: Land affected and required
4. Summary Contacts with Land Owners (EXEMPT)
5. Draft Statement of Reasons
6. Summary of Public Consultation
7. Draft summary reasons for requiring each piece/plot of land

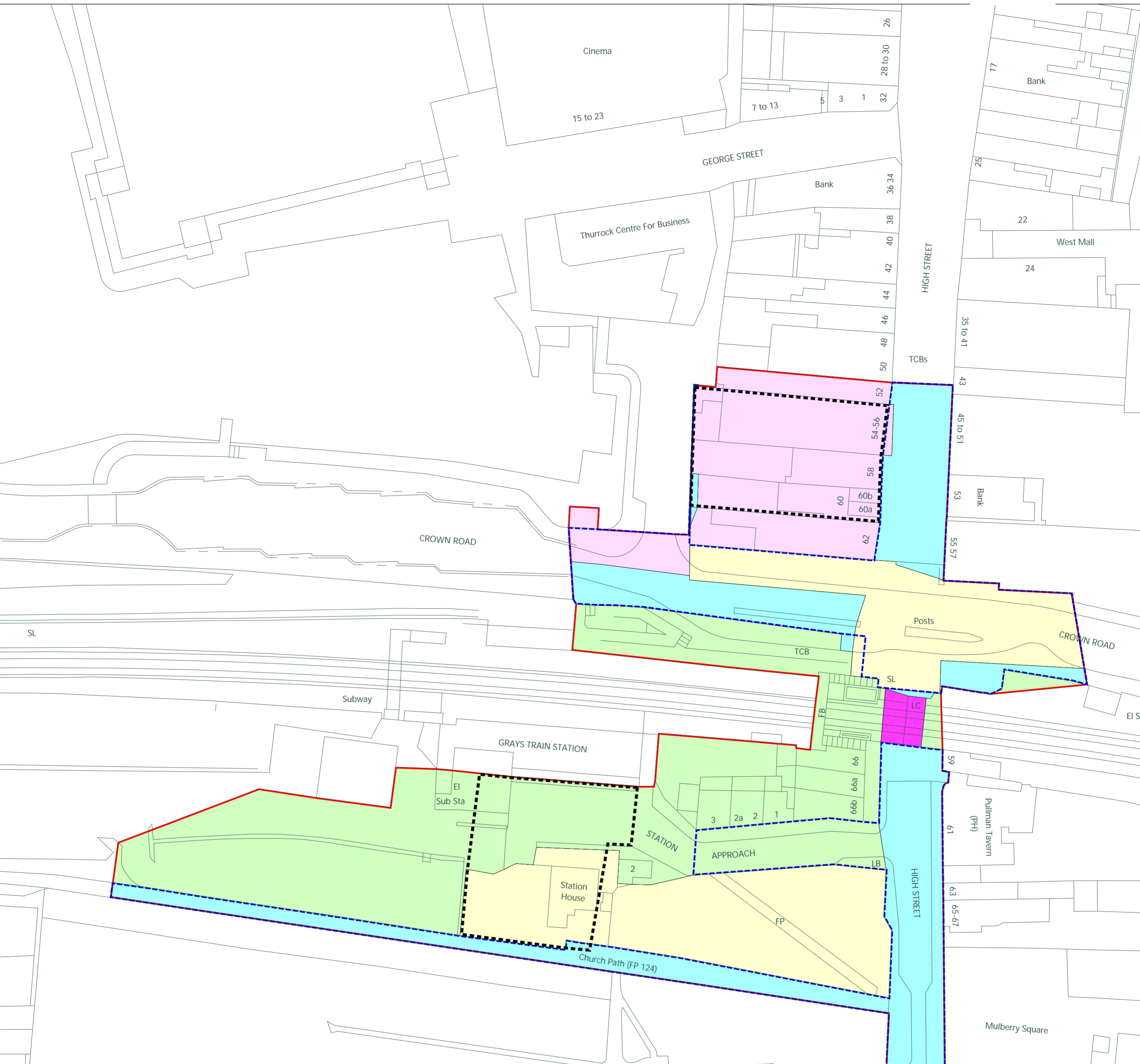
Report Author:

Brian Priestley

Regeneration Programme Manager

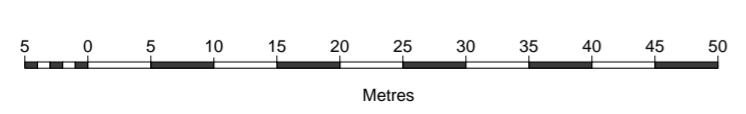
Regeneration Department

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- Key:
- Redline Boundary
 - Land Owned by the Council
 - Land Owned by the Network Rail
 - Land Owned by Others
 - Unregistered Land
 - Public Highway
 - Potential Compound Area
 - Overlap Ownership - NR and Unregistered Owner Unknown

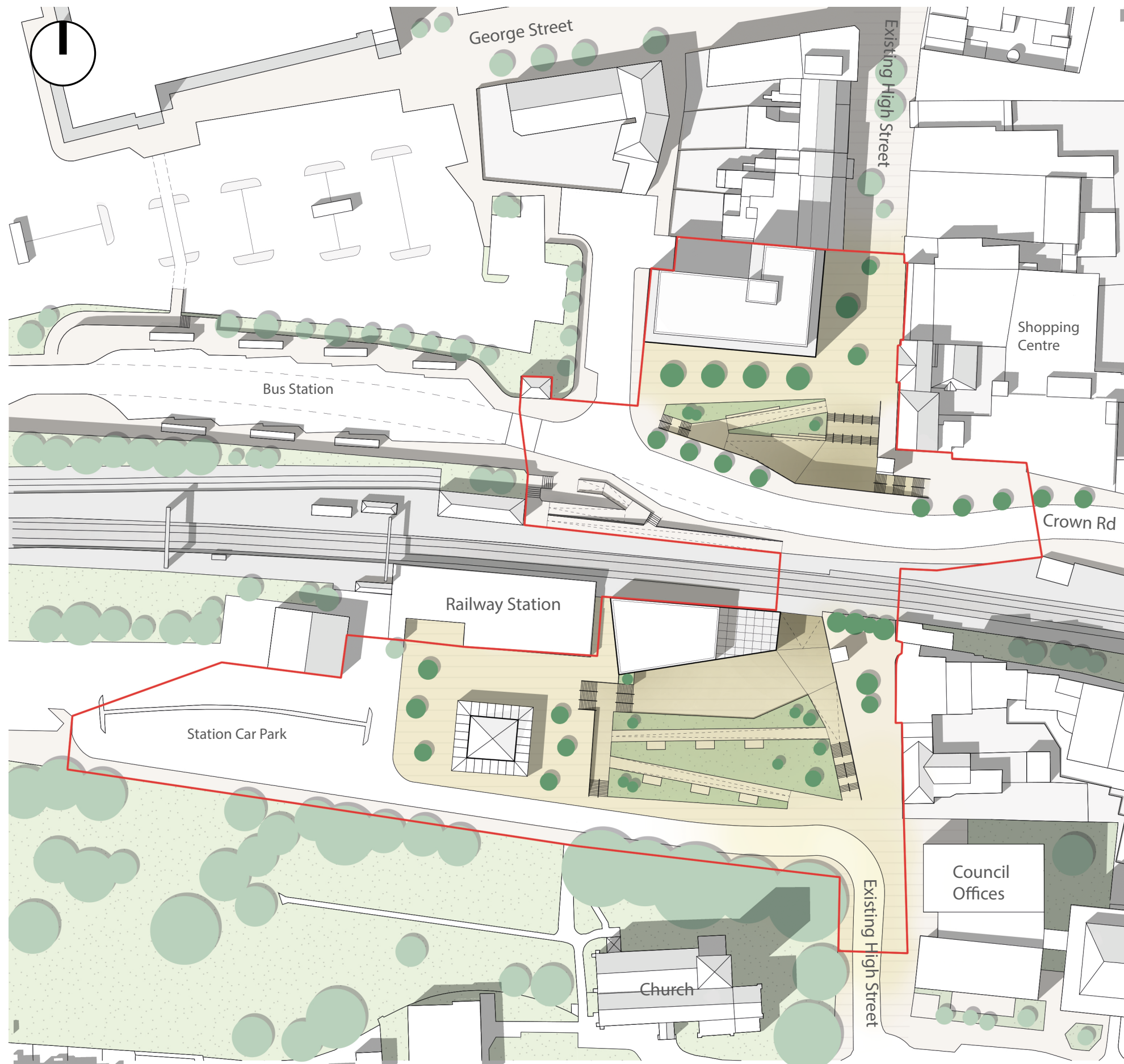
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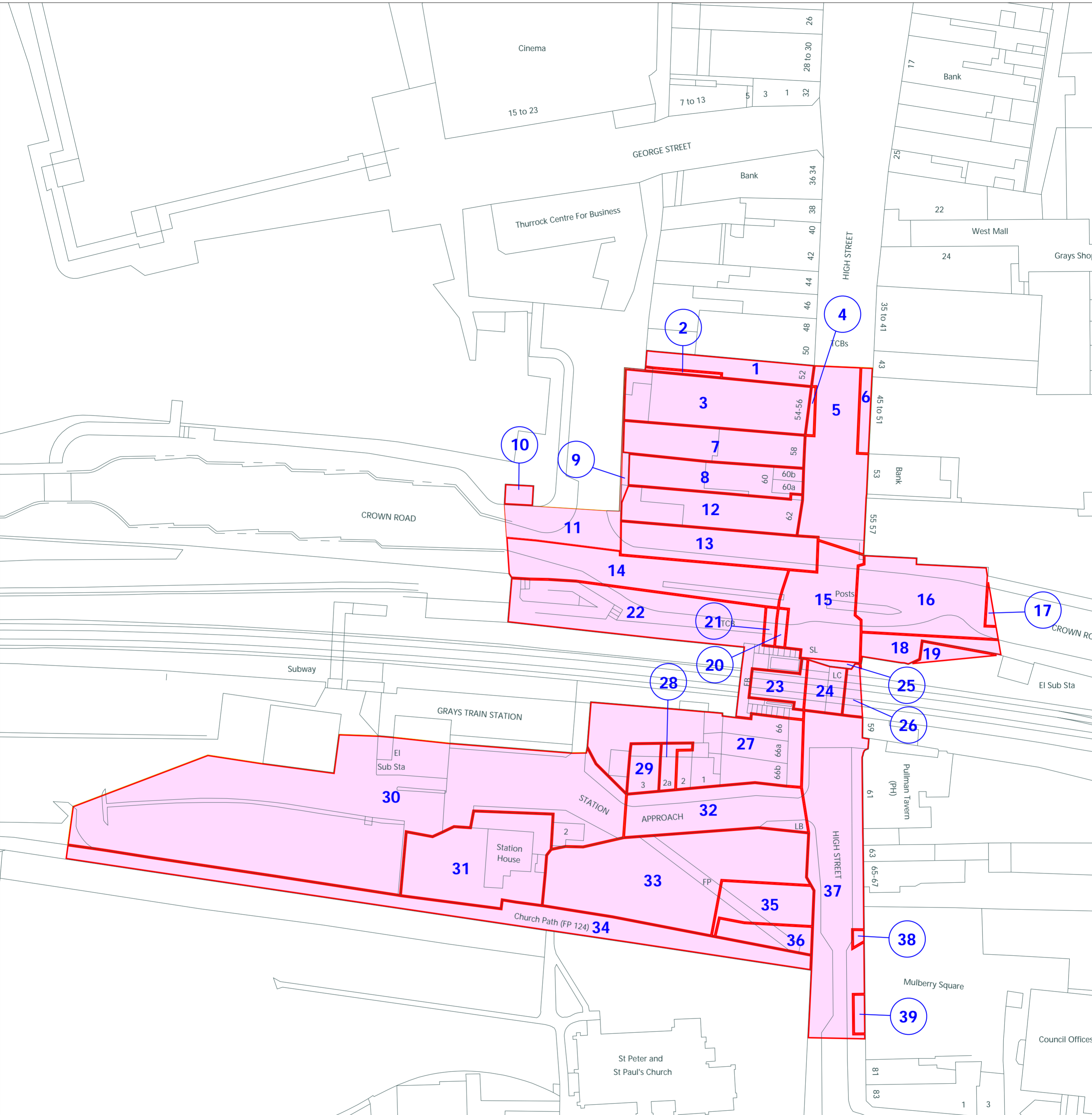
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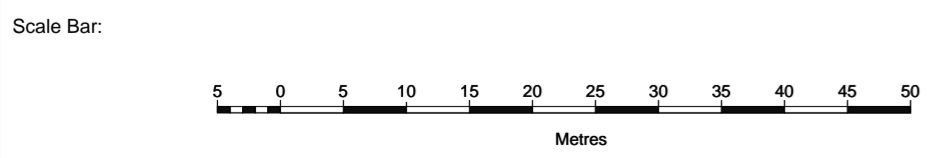
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MAP REFERRED TO IN THURROCK BOROUGH COUNCIL (GRAYS TOWN CENTRE UNDERPASS) COMPULSORY PURCHASE ORDER 2021



 Land to be Acquired

Date: 18 June 2021
 Scale: 1:600 @A2



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Thurrock Borough Council
 Civic Offices
 New Road
 Grays
 RM17 6SL
<https://www.thurrock.gov.uk/>

DRAFT

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

Document is Restricted

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“DRAFT” STATEMENT OF REASONS
[THURROCK BOROUGH COUNCIL (GRAYS SOUTH PEDESTRIAN RAIL
CROSSING) COMPULSORY PURCHASE ORDER 2021]
S226 TOWN AND COUNTRY PLANNING ACT 1990
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976
THE ACQUISITION OF LAND ACT 1981

1 INTRODUCTION

- 1.1 This document is the Statement of Reasons (“Statement”) of Thurrock Borough Council (the ‘Council’) for the making of a compulsory purchase order entitled [the Thurrock Borough Council (Grays South Pedestrian Rail Crossing) Compulsory Purchase Order 2021] (the ‘CPO’). In this Statement of reasons, the land included in the CPO is referred to as the Order Land.
- 1.2 [The Council **has made/intends to make** the CPO under section 226(1)(a) of the Town and Country Planning Act 1990 and section 13(1) of the Local Government (Miscellaneous Provisions) Act 1976.]
- 1.3 This Statement has been prepared on behalf of the Council in accordance with the Department for Communities and Local Government Guidance on Compulsory Purchase process and the Crichel Down Rules published 29 October 2015 (the ‘Guidance’) (as amended) to explain the reasons and justifications for making the CPO.
- 1.4 The purpose of the CPO is to facilitate the construction of a new pedestrian rail and road underpass to replace the existing level railway and pelican crossings on Grays High Street, together with the creation of new/enhanced public realm and modern commercial and residential units (“CPO Scheme”).
- 1.5 If confirmed, the CPO will enable the Council to acquire compulsorily the land included in the Order (the ‘Order Land’) and shown on the Order Map to facilitate the CPO Scheme described in paragraphs [] to [] of this Statement.

2 ENABLING POWERS

- 2.1 Section 226(1)(a) of the Town and Country Planning Act 1990 Act (as amended by the 2004 Act) (the ‘1990 Act’) enables a local authority to make a compulsory purchase order if it thinks that acquiring the land in question will facilitate the carrying out of development, redevelopment, or improvement on, or in relation to, the land being acquired.

- 2.2 Section 226 (1) (a) of the 1990 Act states that a local authority must not exercise its powers under section 226 (1) (a) unless it thinks that the proposed development, redevelopment or improvement is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of its area.
- 2.3 Section 13(1) of the Local Government (Miscellaneous Provisions) Act 1976 (“LG(MP)A 1976”) allows a local authority, where permitted to compulsorily acquire land for any purpose, to purchase compulsorily for that purpose such new rights over land as are specified in the order.
- 2.4 The Council is satisfied that the proposed CPO scheme will result in social, economic and environmental well-being improvements to the area through redevelopment of the Order Land with a development providing a safer pedestrian rail crossing together with enhanced public realm and modern commercial and residential units.
- 2.5 The CPO will enable the regeneration of the area to take place over a managed period of time and with certainty for the overall site assembly and ultimately the delivery of the scheme. The use of CPO powers is considered by the Council to be justified and in the public interest.
- 2.6 [The CPO includes plots of land in which new rights are sought, as set out in the Schedule to the Order and [shown in blue] on the Order Map.]
- 2.7 The Acquisition of Land Act 1981 (“ALA 1981”) sets out the process for compulsory acquisition and applies to the Order, and the acquiring authority is the Council.
- 2.8 The making of the Order is consistent with the directions provided in the Guidance, and in particular: Section 1 which provides advice on orders made under section 226 of the 1990 Act.

3 DESCRIPTION OF ORDER LAND

General description and character

- 3.1 The Order Land comprises an area of [] ha and is located within Grays Town Centre adjacent to and including the High Street (north and south) of the current pedestrian level crossing near Grays train station as shown on the Order Map attached at [Appendix 1].
- 3.2 The main town centre uses (comprising a shopping centre, major supermarket, small scale retail and business uses) are concentrated to the North of the railway line. However, the southern side of the railway line hosts important civic functions such as the Council Offices, the South Essex College Thurrock

Campus and the Beehive Voluntary Community Resource Centre as well as important open space in Kilverts Field and Grays Beach Park and the Thames riverfront.

- 3.3 The Order Land includes a [] metre section of the High Street which is severed by the railway line and pedestrian level crossing. This adversely affects the permeability and connectivity between northern and southern sections of the High Street. This is further emphasised by the presence of Crown Road, which passes immediately to the north of the railway line, which is traversed by a pelican crossing, thereby two pedestrian crossings within a short distance that have to be negotiated by the general public. The level crossing is a clear barrier to pedestrian movement between the two areas, is amongst the most dangerous crossings in the eastern region and is the only pedestrian crossing that features in the top 10 most dangerous in Britain. In January 2016, Network Rail gave formal notice to Thurrock Council of its intention to close the crossing, providing 3 years notice of closure.
- 3.4 The Order Land can be divided up broadly into three sections; (i) that area north of the existing pedestrian rail crossing; (ii) the pedestrian rail crossing itself; and (iii) that area to the south of the existing pedestrian rail crossing.
- 3.5 The northern section of the Order Land includes the properties at 52, 54-56, 58, 58a, 60 and 62 High Street and a small area of land which forms part of an access road owned by Morrisons as well as that section of the High Street fronting those properties.
- 3.6 The buildings are between two and three storeys and are occupied by a number of different predominantly retail operators. This section also includes a [] metre length of Crown Road including the pedestrian islands and taxi rank serving Grays train station.
- 3.7 The middle section of the Order Land includes the existing pedestrian level crossing and footbridge over the railway line.
- 3.8 The southern section of the Order Land includes the properties at 66, 66a and 66b High Street, 1, 2, 2a and 3 Station Approach, Station House and a section of Grays train station car park. The properties within the Order Land on the High Street and Station Approach are (with the exception of Station House) single storey and largely occupied by a mixture of retail operators, takeaways food outlets and salons. That section also includes a [] metre length of the High Street south of the pedestrian level crossing and an area of open green amenity space in between the Station Approach and St Peter and St Paul's Church.
- 3.9 Beyond the southern end of the Order Land lies St Peter and St Paul's Church. The church, which is Grade II listed, is set within a churchyard which is well maintained and contains a number of mature trees. This is in contrast to many

of the buildings within the Order Land fronting the High Street, which are generally in a poor condition with limited architectural value.

Extent and Nature of Rights

3.10 The Order Map shows the area within which freehold and leasehold interests (including rights in land) are sought to be compulsorily acquired. The Order Map has been carefully delineated to ensure the land and rights to be acquired are only what is required to facilitate the delivery of the CPO Scheme.

3.11 As well as seeking to acquire the freehold interest in all of the land necessary to deliver the Scheme, land is also included within the CPO to secure the rights necessary to implement, construct or operate the redevelopment scheme (i.e. this would only relate to any new rights that may be required over this land, i.e. not the freehold interest).

3.12 These areas are also shown [] on the Order Map, and the Schedule of Interests to the Order describes the rights sought within each relevant plot.]

4 LAND AND INTERESTS TO BE ACQUIRED

4.1 The CPO Schedule of Interests lists all parties with a qualifying interest in the Order Land as defined by section 12(2) of the ALA 1981 including:

4.1.1 Owners, lessees, tenants and occupiers of the Order Land.

4.1.2 Those with the benefit of rights within the Order Land or restrictive covenants that affect titles that make up the Order Land.

4.1.3 All other parties with a power to sell, convey or release an interest or right over the Order Land and any parties entitled to make a compensation claim under section 10 of the Compulsory Purchase Act 1965.

4.2 The CPO Schedule of Interests has been prepared following extensive inquiry carried out by the Council based upon information gathered through inspection of the Land Registry Title documents, site inspections and enquiries and the responses to notices issued under section 16 of the LG(MP)A 1976 and notices published on site for any unknown land owners.[]

4.3 Network Rail own land including land around the station and are prepared to assist in making their non -operational land available to the Council to deliver the CPO Scheme. They have confirmed that they will make all the necessary land and rights required available to the Council to deliver the CPO Scheme at nil cost to the Council. A delivery agreement has been completed between the Council, Network Rail and C2C. Any future rights required by Network Rail will be secured by agreement between Network Rail and the Council.

5 PURPOSE OF THE CPO AND THE CPO SCHEME

Purpose of the CPO

- 5.1 As already identified in this Statement the purpose of the CPO is to secure the assembly of the land which is required to replace the existing level railway and pelican crossings on Grays High Street, together with the creation of new/enhanced public realm and modern commercial and residential units.
- 5.2 The new underpass and associated public realm will provide a link between the northern and southern halves of the High Street which are currently severed by the railway line and Crown Road. The High Street is the main pedestrian link between the businesses and facilities of the town centre to the north of the rail line and residential areas, South Essex College and Civic Offices on the south side of the rail line. The importance of maintaining the route is reflected in pedestrian flow studies. The gates at the level crossing close to allow commercial and passenger trains to pass through and at present closure times in normal operation are between 1 and 5 minutes and can be up to 12 minutes at a time. The only alternative is for pedestrian traffic to cross the line via a steep stepped footbridge. This footbridge is not suitable for users who are mobility-impaired and at times when the crossing is closed for maintenance the footbridge has become grid-locked with users carrying pushchairs, shopping trolleys and wheelchairs over the bridge. Users tend not to use this footbridge due to the number of stairs, lack of lighting and blind spots.
- 5.3 Pedestrian flow studies show that the level crossing is the main pedestrian link between the town centre and areas to the south of the rail line with an hourly flow of 1,474 movements including many people with mobility difficulties or with young children in push chairs etc.
- 5.4 Network Rail has identified the level crossing as one of the most dangerous in the Anglian Region. The number of instances of unsafe crossings is high as the frequency and duration of closure of the crossing increases the risk of pedestrians attempting to cross without waiting for the gates to open.
- 5.5 Furthermore, Network Rail has already written to the Council to give formal notice of its intention to close Grays Level Crossing which was to be no earlier than three years from the date of a letter received on the 8th January 2016 and stated that Network Rail reserved the right to exercise at its discretion the precise date of the closure after the three-year grace period; therefore it is important to note that the likelihood of Grays level crossing being closed by Network Rail is exceptionally high.
- 5.6 Network Rail has also stated that it does not wish to maintain the stepped footbridge referred to above once the crossing has been closed. Since giving this formal notice, Network Rail has shown that it wishes to work collaboratively

with the Council to close the level crossing and replace the method of crossing the railway with a pedestrian underpass which can only be done by the Council working with Network Rail, obtaining planning permission for the scheme and utilising its CPO powers as necessary to deliver all the land required along with the cooperation between all affected parties to build the underpass.

- 5.7 In summary the new underpass will provide a safer route for pedestrians to cross the rail line and improve the connectivity between the areas to the north and south of the existing level crossing. It will also prevent increased severance to Grays town centre as a result of the closure of the level crossing.
- 5.8 Grays is the main town centre serving Thurrock and is one of six Growth Hubs in the Borough; these are the locations where the Council is working with partners and stakeholders to deliver significant levels of new housing and employment uses for the public benefit. Thurrock's Strategic Plan highlights significant growth potential in Grays and its immediate hinterland with sites identified capable of supporting 4,540 new homes and 1,650 jobs. However, it is recognised that the appearance and perception of the town is a significant barrier to securing the investment necessary to deliver these homes and jobs.
- 5.9 Grays retail function has been in gradual decline since the opening of the Lakeside Shopping Centre in Thurrock but remains an essential location for shops and services for many people in the Borough, especially those without access to private cars. The scheme will also deliver new public realm as part of a wider project to regenerate the town centre. The new public realm will provide a new and attractive focal point on the High Street as well as a space for pop-up stalls and events. This will serve to increase footfall to the High Street, supporting existing business.
- 5.10 In summary, the delivery of the underpass, its associated infrastructure and the public squares will help to:
 - 5.10.1 Address existing and immediate safety concerns identified by Network Rail;
 - 5.10.2 Prevent increased severance in the town centre as a result of the closure of the level crossing;
 - 5.10.3 Create a higher quality public realm, with public squares that can better support community events;
 - 5.10.4 Integrate public and private transport to create a genuine multi-modal hub for pedestrians and cyclists together with bus and taxi passengers; and

- 5.10.5 Allow for the redevelopment of plots around the public squares to create premises more conducive to attracting commercial and retail uses, cafés and restaurants with residential and office accommodation in upper floors.

The CPO Scheme

- 5.11 The CPO Scheme is split into three sections:

Beneath the railway and Crown Road

- 5.12 Crown Road will be re-aligned to run alongside the railway line and the new underpass will pass underneath this road as well as the railway line to provide a north/south link to the High Street as shown on drawing []. The underpass that will be constructed will need to be constructed a minimum of 8m wide and will need to be at least 2.5m high. This depth of excavation has been determined by survey work carried out in conjunction with Network Rail.

North of the railway and Crown Road

- 5.13 To the north of the railway, steps and a slope will be created to provide new pedestrian access to the High Street along with areas of landscaping. A new stepped arrangement would be provided to the land in front of the north side of the railway station to the west and new steps linking to Crown Road to the east. Regrading is required to the High Street and properties at [] on the western side of the High Street will be demolished.

South of the railway

- 5.14 A larger space will be created to the south of the railway and will involve demolition of the existing single storey buildings to the western side of the High Street adjacent to the existing railway level crossing.
- 5.15 A lower levelled space will be created just south of the entrance to the underpass, forming a new public square. This square will lead to steps towards the west of the site to allow access towards the south side of the railway station, and steps to the south, which link to the existing High Street. Between the areas of steps, a large area of graded land would be created with a slope and landscaping.]
- 5.16 The existing road access to the station will be diverted to run to the south of the site and nearer the church and across part of the existing green space to the north of the church. An access to the existing buildings on the eastern side of the High Street will remain.

- 5.17 Full details, including plans and drawings of the proposed CPO Scheme can be found at [insert appendix []]. As can be seen from these details there is a need for all the Order Land to ensure delivery of the CPO Scheme.

6 PLANNING

- 6.1 There have been a number of pre application discussions with the Council as local planning authority for the CPO Scheme. There is an experienced technical team working together to prepare the necessary planning applications for submission and there are no technical issues that cannot be addressed through the planning application process. The application is likely to consist of a hybrid application for the CPO Scheme with details to follow. The current timetable for submission is September 2021.

6.2 [DN: Planning consultants to set out planning history and details of current planning application/approval]

Public Consultation

- 6.3 There has been extensive public consultation in relation to the CPO Scheme that has taken place over the last five years or more which has indicated broad public support for the proposals for which the use of CPO powers is required. In February and March 2016, the Council carried out a public consultation on the Grays Towns Centre Framework which was reported to Cabinet in March 2016. At that time there was broad support for the overall approach set out in the Framework which included improvements to the town centre and station. Respondents were asked for their views about using Council owned land to support delivery of regeneration projects and again there was broad support for the use of the Council's land for this purpose. A further public consultation on the emerging design approach for the underpass was carried out in February to March 2020 the result of which was that the vast majority of the respondents were generally in support of the CPO Scheme.
- 6.4 Further Public Consultation is planned in the next design phases to inform the overall design of the CPO Scheme with a further public consultation which will take place as part of the process of the submission and consideration of the planning application(s).

7 NEGOTIATIONS FOR THE ACQUISITION OF INTERESTS

- 7.1 Network Rail and Thurrock Council own approximately two thirds of the land required to deliver the proposals. The remaining land and interests required to deliver the CPO Scheme is held by a number of third parties and will need to be acquired. The Council has been since early 2019 and is seeking to negotiate with each qualifying person to acquire their interests in the Order land required under the CPO in order that compulsory acquisition can be avoided. Attempts

to acquire interests are ongoing and will continue alongside and throughout the CPO process, up to actual possession of the Order Land should the CPO be confirmed.

7.2 Given that one of the main purposes of the CPO is to deliver the underpass there have been ongoing discussions with Network Rail with regard to the delivery of all of the land necessary to construct and deliver the CPO Scheme and these discussions will continue in conjunction with the CPO process.

7.3 In respect of land in known ownership, the Council has written to the following freeholders on 22 February 2019 whose property is within the Order Land boundary:

7.3.1 52 High Street

7.3.2 54-56 High Street

7.3.3 58 and [58a] High Street

7.3.4 60, 60a, 60b High Street

7.3.5 62 High Street

7.3.6 Morrisons (in connection with their ownership of part of Crown Road and the rear of 60 High Street)

7.4 That letter set out the background to the CPO and its benefits and confirmed that their property forms part of the area identified for the delivery of the CPO scheme and suggested an initial meeting to discuss any future acquisition of the property. At that time, it was confirmed that the overall design of the CPO Scheme had yet to be finalised, but the intention was to complete acquisitions by March 2020 with CPO Scheme completion in June 2022 or earlier if possible. The letter stated that the Council would pay full market value for the property and legal costs for transferring the interest and made it clear that there was no obligation to sell at that time.

7.5 A second letter was sent to the above freeholders and also the leaseholders or occupiers (where no leaseholder was known) on 13 November 2020. The Council also wrote to the long-leaseholder of 66 -66b High Street and 1-3 Station Approach which is owned by one individual and sublet to a number of retailers. On the same date the Council also wrote to owners and leaseholders or occupiers of the following properties where we considered rights benefitting their property may be affected by the CPO Scheme:

7.5.1 34-36 High Street

7.5.2 38 High Street

7.5.3 40-42 High Street

7.5.4 44 High Street

7.5.5 46-48 High Street

7.5.6 55-57 High Street (the Health Centre)

7.6 The letter to the freeholders and leaseholders/occupiers now provided an update as to the current status of the proposed CPO Scheme and confirmed an intention to acquire interests (outright or by option) by March 2021 and to complete the underpass by June 2023. The letter invited engagement with the possibility of an acquisition.

7.7 A further letter was sent on 8 April 2021 to the occupiers of 66-66b and 1-3 Station Approach outlining the CPO Scheme programme as per the previous letters to the above freeholders and offering an initial meeting to discuss how their business might be affected in the future.

7.8 To date discussions are ongoing with the freeholder/leaseholders of the above properties. However, no terms for any acquisition of their interests have been agreed.

7.9 *[DN: ME to provide update nearer to actual making of CPO and further details on how negotiations with the various freeholders and leaseholders are going just prior to publication of this statement of reasons.]*

8 JUSTIFICATION FOR USE OF COMPULSORY PURCHASE POWERS

8.1 With regard to the justification needed to support a CPO, the Guidance states that in deciding whether or not to confirm an order under section 226(1)(a) of the 1990 Act, the decision will be made on its merits and the Secretary of State will consider the following:

8.1.1 Whether the purpose for which the land is being acquired fits in with the adopted Local Plan for the area, and where no up-to-date Local Plan exists, the draft Local Plan and the 2019 National Planning Policy Framework (NPPF);

8.1.2 The extent to which the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of the area;

8.1.3 The potential financial viability of the CPO Scheme for which the land is being acquired, source of funding, general funding intentions and the timing of available funding, and that there is a reasonable prospect of the Scheme going ahead;

- 8.1.4 Whether the purpose for which the authority is proposing to acquire the land could be achieved by any other means;
- 8.1.5 Any legal or physical impediments to implementation of the CPO Scheme;
- 8.1.6 The purposes for which the compulsory purchase order is made and whether they justify interfering with the human rights of those with an interest in the land affected: and
- 8.1.7 Whether there is a compelling case in the public interest to make the CPO.

8.2 These are each considered below in relation to the CPO and CPO Scheme.

Whether the purpose for which the land is being acquired fits in with the adopted planning framework

- 8.3 The NPPF supports sustainable development that contributes to a strong economy and strong vibrant communities. The planning process is expected to support and promote the vitality and viability of town centres as the heart of the community.
- 8.4 The NPPF says that applications for development should give priority first to pedestrian and cycle movements, both within a scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use. It also says that applications should address the needs of people with disabilities and reduced mobility in relation to all modes of transport.
- 8.5 The NPPF also emphasises the importance of town centres and the need to support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.
- 8.6 In terms of local policy, using an underpass as an alternative to the level crossing was first identified in the Grays Town Centre Master Plan published by the Thurrock Thames Gateway Development Corporation in March 2009 and was provided further detail in Grays Town Centre North Design Brief in October 2009 and the South Grays and Grays Riverside Design Brief in June 2010.
- 8.7 The Economic Growth Strategy adopted by the Council in February 2016 identifies Grays as one of 5 (now 6) economic growth hubs where regeneration activity will be focussed.

- 8.8 The Council's Local Plan Core Strategy was adopted in December 2011. Following a focussed review of some policies an amended strategy was adopted in January 2015.
- 8.9 The Core Strategy identifies Grays as a Growth Hub where regeneration activity will be concentrated (Policy CSSP1 and CSSP2). Paragraph 3.29 to 3.33 set out the Council's vision for the Grays Regeneration Area as a focus for growth in jobs and homes, and for civic functions, culture and education and including a new transport zone around the rail station including an improved crossing of the rail line.
- 8.10 Policy CSTP7 of the Core Strategy identifies Grays as the District Centre with substantial new development potential. Policy CSTP8 addresses the viability and vitality of town centres and emphasises the importance of improving accessibility for pedestrians and to public transport, improving the quality of the environment, and improving public safety. Policy CSTP14 identifies the importance of delivering a coordinated transport network including cycle and pedestrian routes, particularly within the growth hubs and with a focus on access to employment, education and transport facilities; with Grays rail station identified as a transport interchange, including the implementation of the Transport Zone.
- 8.11 In July 2013, following substantial public consultation, the Cabinet agreed a vision for Grays;

“Building on its strengths as a Chartered Market Town, Grays will be an exciting, high quality destination for people to live, work, learn, shop and socialise. Reconnected to the River Thames, Grays will support growing resident, student and business communities throughout the day and entertain a diverse and vibrant population through the evening.

Cafés, bars, restaurants, shops and markets will combine with culture, entertainment and events in unique venues to provide a safe and attractive place for communities to meet and businesses to thrive.”

The strategy will revitalise the town centre by;

1. Building a local economy based on:

- Markets, convenience and specialist retail, cafes, leisure and events during the day;*
- Entertainment, culture and places to eat and drink during the evening;*
- Maximising the benefit to the town centre from opportunities to develop high quality housing and commercial buildings; and*
- Creating space for businesses to grow.*

2. Make it easier to travel in to and move around the town centre by:

- *Enhancing the rail crossing-providing a high-quality underpass;*
- *Re-establishing the connection between the town centre and the River Thames;*
- *Improving road, bus, cycle and pedestrian links in to and around the town centre; and*
- *Enhancing the transport interchange around the rail station.*

3. *Enhancing the quality of the public realm by:*

- *Creating public squares and greener spaces;*
- *Creating active spaces for markets, street cafes, and events; and*
- *Taking advantage of the river frontage*

4. *Supporting Thurrock's communities by:*

- *Creating opportunities for Community activities and Pop up uses; and*
- *By ensuring that regeneration activity meets the needs of local communities.*

8.12 In 2015/16 Urban Initiative Studios drafted a development framework for Grays. The process included a series of stakeholder workshops and in January/February of 2016 a public consultation; 72% of respondents supported or strongly supported proposals for an underpass and 85% supported the broader approach to the town centre and station area. The Council's Cabinet approved the framework in March 2016.

8.13 In 2017 the Council published an updated development framework for Grays; the "Grays Town Centre Framework Refresh" document. That updated framework listed improvements to the pedestrian experience around Grays train station as a priority project, stating:

"One of the most important ambitions of this framework is to create an attractive gateway for the town around the train and bus station. This should:

- *Provide an underpass that brings the town centre and riverside closer together and helps overcome the historic segregation caused by the railway line;*
- *Enable the comprehensive remodelling of the built environment around the station to create a better arrival experience and improved bus and rail interchange;*
- *Create new public spaces to the north and south of the tracks; and*
- *Provide new mixed-use buildings with new retail floorspace to enliven and define the Grays Station Gateway."*

- 8.14 The Council adopted the current local Transport Strategy in 2013 to support the delivery of the delivery of the adopted core strategy. Policy TTS1 Delivering Sustainable Growth supports the formation of a Transport Zone around Grays Rail Station including an improved means of crossing the rail line. The proposed underpass will therefore directly support this policy.

The extent to which the CPO Scheme will contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of the area

- 8.15 The Council considers that the land and new rights proposed to be compulsorily acquired will facilitate the redevelopment of the Order Land in a manner which will positively contribute to the improvement of the economic, social and environmental well-being of the locality and the wider Borough. The key benefits from the CPO Scheme are summarised below.
- 8.16 Social – The improved pedestrian crossing and associated public realm enhancements would contribute positively to the identity of Grays, enhancing civic pride, and would provide a new and more attractive place for people to meet.
- 8.17 The proposed commercial, retail, leisure would increase employment opportunities, and enhance accessibility to an improved range of goods. Housing demand in the area continues to outstrip supply and more houses are required to meet future demand. The infrastructure being developed to support the underpass will require the demolition of some of the surrounding properties. As a result of this, the project provides the opportunity for these commercial properties to be rebuilt to encompass residential units above commercial/ mixed use units. This will allow for 84 new homes to be built on the site of the project, adding to Thurrock's housing supply. The new housing would provide for a sense of community in the Town Centre and would provide greater housing choice. The flexibility in uses which will be delivered through the planning application will enable the Town Centre to adapt and meet future requirements for change that may be required by the general economy. In a wider sense this would help to bolster the Town Centre, enabling it to flex to meet further identified needs and protect it from future decline.

- 8.18 In summary the main social benefits are:

8.18.1 Pedestrian flow improvements. Footfall has generally been in decline in Grays town centre over the last few years has not been helped by the rail line with its high frequency of trains and crossing closures. This has remained a substantial barrier to pedestrian movement between the High Street and the main civic and education uses to the South.

- 8.18.2 Increased access to commercial, retail, leisure and cultural opportunities from residential areas south of the railway line;
 - 8.18.3 Increased access to the civic centre, college, church and waterfront from areas north of the railway line;
 - 8.18.4 Public realm enhancements for the benefit of all users; and
 - 8.18.5 In summary the new underpass will aid safe pedestrian movement and freer pedestrian flow at all times of the day and evening.
- 8.19 Environment – The redevelopment of the Order Land provides a major opportunity to enhance the townscape and to improve links within Grays Town Centre and the immediate environs. Development of the Order Land will also enable a scheme of regeneration for the area, ensuring it is developed in a form which creates a distinctive character and enhanced arrival experience from the train and bus station. It will also replace an existing dangerous pedestrian crossing with a safe one. In summary the main environmental benefits are:
- 8.19.1 Creation of new and enhanced public realm connecting the northern and southern sections of the High Street and enhancing the quality of the High Street itself, with new areas of publicly accessible space;
 - 8.19.2 New paving, landscaping and pathways will enhance the permeability of the new crossing linking the different parts of the town centre historically segregated by the railway line; and
 - 8.19.3 The removal of a dangerous existing pedestrian crossing and its replacement with a safer one will provide a better environment for all users.
- 8.20 Economic – In economic terms, the CPO Scheme offers an opportunity to bring vitality and enhance the vibrancy of the town centre. Grays has been in general decline since the opening of Lakeside shopping centre which also highlighted its lack of good quality retail space and the need to explore ways of improving this through a suitable development opportunity. A recent study in 2018 highlighted that poor public realm was a key factor which impacted town centre footfall and spend. In comparison with other comparator areas such as Barking town centre and Southend a “Walkscore of 87/100 was identified when it should be aiming for a Walkscore of 90-100 which could be described as “walkers paradise.” The main issues preventing the high score was the difficulty of navigating the pedestrian routes into parts of the town centre and the severance cause by the rail crossing.
- 8.21 Economic activity will be generated during the construction phase by local employment and activity. Once complete, the new underpass and public realm

will increase mobility and footfall to the High Street and support existing and future businesses. In summary the main economic benefits are:

8.21.1 Contribution to economic activity through increased employment and expenditure from construction and use of the development;

8.21.2 Contribution to economic growth through increased employment and expenditure in existing retail and leisure units from a rise in foot fall on the High Street; and

8.21.3 There will be a new mix of commercial, retail uses as well as new housing which will enhance the attractiveness of the town centre and bring in new footfall which will support its economic viability.

8.22 Therefore, the proposed development is a significant opportunity for economic, social and environmental improvements which can help achieve the broad goals of sustainable development and also help in the wider regeneration of the area.

The potential financial viability of the CPO Scheme, source of funding, general funding intentions and the **timing of available funding and that there is a reasonable prospect of the CPO **Scheme going ahead****

8.23 There must be evidence of the necessary funding to ensure the scheme can be delivered in order for the CPO to be successful. In July 2020 the Council approved budget costs for the delivery of the CPO Scheme of £27.4m and has sought further approvals for the funding of the CPO Scheme. The cost benefit analysis shows that whilst the costs are considerable the overall benefits of the CPO Scheme are justifiable in terms of the overall public benefit and where required additional funding can be secured.

8.24 The development receipts for the Council are derived from the surpluses anticipated through the development of plots created through the project, together with the linked development of other plots that the Council owns within the town centre but outside of the immediate project area. The Council will take the financial risk on these developments and is anticipating bringing them forward through its wholly owned development company, Thurrock Regeneration Limited which would secure greater returns than would otherwise be achieved through the disposal of the sites directly to the market. Any shortfall in funding will be funded by the Council.

8.25 *[DN: Council to provide update on current funding position and potential viability of cpo scheme prior to finalising this Statement]*

8.26 *[The Council has received independent advice on the Scheme proposals, costs, values and deliverability. The advice received confirms that the funding strategy*

is considered to reflect realistic and reasonable assumptions and that the Scheme has a good prospect of being viable and deliverable.]

Whether the purpose for which the land is to be acquired could be achieved by other means

- 8.27 The Council has carefully considered whether the purpose of the CPO could be achieved by other means. The Council considers that there is no reasonable alternative to the underpass as a safe and direct link between the town centre and Grays south. It is also necessary to place the underpass where it is proposed in order to achieve the overall purpose of safety while delivering a number of associated benefits.
- 8.28 The main alternative route to this underpass is located c175 metres to the east via Derby Bridge Road. This alternative would take people away from the clear desire line along High Street; it would effectively by-pass many of the businesses in the High Street because one has to walk to Clarence Road before returning to the High Street. Also, this is the main road route into Grays South and so is a less desirable and less safe pedestrian route than the High Street.
- 8.29 The reduced accessibility of utilising any of the alternative available crossings would impact on businesses located north of the rail crossing who are likely to see less passing trade and on people living and working on the south side that have less accessibility to town centre facilities.
- 8.30 Bridge alternatives have also been considered, but the height clearances over the rail line would require a bridge that was effectively higher than the depth required for the underpass. Therefore, longer ramps would be required to provide the same level of accessibility. A bridge also provides less flexibility in the ways in which access can be arranged when compared to an underpass.
- 8.31 Alternative underpass arrangements were also considered within the current building lines to minimise the land required. These resulted in long narrow tunnels that by passed many of the commercial units in High Street and which would have created dark and unwelcoming passages not conducive to the social, environmental and economic improvement of the area.
- 8.32 The proposed design approach allows for an open and welcoming underpass with associated public realm improvements and also minimises the land required by including a local diversion of the line of Crown Road which also has the benefit of reducing the length of tunnel section.
- 8.33 In order to achieve the full benefits of the CPO Scheme it is essential that all of the remaining third-party land interests are brought into one ownership and the entirety of the Order Land is made available for re-development.

- 8.34 The Council has also carefully considered the need for the land and rights included in the Order Land. All land and rights included within the Order are required to deliver or construct the CPO Scheme.
- 8.35 The Council is satisfied that it has taken all reasonable steps that it can in the lead up to the CPO to acquire the land required by negotiation, and it continues to negotiate with third party landowners.
- 8.36 Following reasonable attempts which have already been undertaken, the Council acknowledges that it is unlikely that all of the land required for the CPO Scheme will be acquired in a timely manner. Accordingly, the Council is satisfied that this Order is now necessary to secure the redevelopment of the Order Land.]
- 8.37 In summary, the Council is satisfied that the purpose for which the land is to be acquired could not be achieved by means other than the compulsory purchase of the Order Land.

Legal or physical impediments to the implementation of the Order Scheme

- 8.38 The key issue affecting the delivery of the CPO Scheme relates to land ownership. Whilst the Council is working to ensure the land required for the CPO Scheme is assembled, to date it has not been possible to enter into agreements with all owners and those with interests in the Order Land. Negotiations will continue with affected parties with a desire to conclude acquisition by agreement, but without the certainty of land assembly through the compulsory purchase process, the CPO Scheme will not be realised.
- 8.39 *[The Planning Permission(s) that apply to the Order Land will provide certainty that what is proposed is acceptable in planning terms. Construction of the CPO Scheme can start on the Order Land within a reasonable period of time following assembly of the land.][DN: To include - is Order to be made after planning consent is obtained?]*
- 8.40 *[As noted at above, funding is in place to help to deliver the CPO Scheme and other than the need to acquire the land and third party rights not currently within Network Rail or the Council's interest, the Council considers that there are no impediments to the CPO Scheme proceeding.][DN: To include if confident that sufficient funding is in place. If not, to comment on and address the issue of funding and Network Rail's position].*

Human Rights and Equalities

- 8.41 The Human Rights Act 1998 requires that every public authority must act in a manner that is compatible with the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”).

8.42 Relevant parts of Article 1 of First Protocol of the Convention provide:

“Every natural or legal person is entitled to peaceful enjoyment of his possessions” and “[no] one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law ...”

8.43 Relevant parts of Article 8 of the Convention provide:

“(1) Everyone has the right to respect for his private and family life, his home and his correspondence.

(2) There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interest of ...the economic well-being of the country...”

8.44 Relevant parts of Article 6 provide that:

“In determining his civil rights and obligations ... everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.”

8.45 The Council has considered alternatives to the CPO Scheme but has determined that the purpose for which the Order Land is to be acquired could not be achieved by means other than by the compulsory purchase of the Order Land, which will interfere with rights held by owners and occupiers of the Order Land. Such interference is justified through the Council's use of its powers under section 226(1) (a) of the 1990 Act.

8.46 The proposed regeneration of the Order Land through the CPO has been publicised extensively and consulted upon by the Council. Third parties likely to be affected by the proposals have been offered several opportunities to make representations to the Council. Any owner, lessee or occupier of land included within the Order Land would have the opportunity to make a representation or objection to the Council, and to appear at a public inquiry before a decision is made as to whether or not the CPO should be confirmed.

8.47 If the CPO is confirmed, notwithstanding the provisions of Article 1 of the First Protocol and/or Article 8 of the Convention, adequate provisions are in place to compensate those affected. The Council also considers that use of compulsory purchase powers in order to bring about the Scheme is proportionate to the interference with human rights, particularly in light of the statutory compensation available.

8.48 Having regard to the provisions of the Town and Country Planning Act 1990, the Local Government (Miscellaneous Provisions) Act 1976 and the Guidance,

the Council considers that the Order Land is both suitable for and will facilitate the carrying out of development, redevelopment or improvement and will make a positive contribution in the promotion of the economic, social and environmental well-being of its area.

8.49 Without the use of these powers, the much-needed delivery of the improved pedestrian access is unlikely to be achievable either at all or within any reasonable timescale. Appropriate compensation will be available to those entitled to claim it under the relevant statutory provisions. The Council is therefore satisfied that the purposes for which the Order is made justify interfering with the human rights of those with an interest in the land affected.

8.50 The Council has also had due regard to its obligations under section 149 of the Equality Act 2010, and has carried out an Equalities Impact Assessment in June 2021 which has found the CPO will enable a scheme that is likely to have a positive impact on reducing inequalities.

Public Interest

8.51 There is a pressing need for the CPO Scheme on the grounds of public safety as far as the rail crossing is concerned. Network Rail has identified the existing crossing as one of the most dangerous in the region. While there have been no serious accidents, there has been a large number of incidents whereby people are jumping the station crossing gates when they have closed or jumping from the station platforms to leave the station directly via the level crossing.

8.52 The crossing will also become a greater barrier and hazard to pedestrian movement over time as rail traffic will increase significantly. As London Gateway grows, there will be a significant rise in the number and length of commercial trains using the rail line. Consequently, the crossing will be closed for much longer periods of time and more frequently in the future.

8.53 The Scheme will allow for safe and unimpeded pedestrian access along the High Street, whilst attractive additions to the public realm which will enhance the local environment and improve links to the wider area. It will also generate significant benefits to both the local area improving the vibrancy and connectivity of the High Street and the arrival experience at the transport hub of the train and bus station. This will help drive the social, environmental and economic benefits identified above.

Conclusion

8.54 The Council considers that there is a compelling case in the public interest that the Order Land be compulsorily acquired in order to achieve the purposes set out in the CPO and described in further detail in paragraphs [[] to []] (inclusive) of this Statement of Reasons.

8.55 Add further conclusions when more details emerge of scheme.

9 ANY SPECIAL CONSIDERATIONS AFFECTING THE LAND

9.1 The Order Land includes land in which statutory undertakers and Network Rail have an interest, as set out in the Schedule to the CPO.

9.2 The Order Land is adjacent to St Peter and St Paul's Church, which is Grade II listed. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the authority shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

9.3 [A group of trees adjacent to Grays station but within the Order Land are subject to Tree Preservation Orders and therefore have local amenity value] *[DN: To be considered and addressed as part of any planning application. Consent not required to remove trees if they're removal is required to carry out development authorised by planning consent.]*

9.4 *[DN: To add any other special considerations/ update once position on planning consent clarified].*

10 DETAILS OF ANY RELATED ORDER, APPLICATION OR APPEAL WHICH MAY REQUIRE A CO-ORDINATED DECISION

10.1 The underpass and steps and ramps span across Crown Road which is an adopted public highway. The Council has advised they are required to approve and manage temporary diversions during the temporary and permanent works required to deliver the CPO Scheme.

10.2 Intention to move Crown Road – diversion procedure plus Station Approach

10.3 The stepped footbridge, whilst not recorded by the Council as a public right of way, is considered to be a public footpath. The footbridge was provided as a replacement of an existing public footpath structure under the British Transport Commission Act 1958. Possible options to close this are an Order under s. 118 Highways Act 1980; or a magistrate's court order under s. 116 Highways Act 1980.

10.4 *To insert details of any further Stopping Up Orders etc. that be required in respect of Crown Road and Station Approach once final scheme design is known]*

11 CONCLUSIONS

11.1 Given the progress made to date in assembling the required land, and the financial viability information provided, the Council is confident that it has the acumen and resources to both complete the necessary land assembly and to implement the proposals relating to the CPO Scheme.

11.2 The Council has set out above its detailed reasons for making the CPO. In summary these reasons are as follows:

11.2.1 The Council thinks that the proposed CPO Scheme will facilitate development which is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of its area, and further details of these are set out in preceding sections;

11.2.2 The CPO Scheme will deliver an improvement in pedestrian safety removing a crossing that Network Rail as a major stakeholder has deemed to be a high-risk site for misuse. Without a CPO and the associated funding, the level crossing would be closed and not replaced, and the existing footbridge would be removed. This would have a negative impact on Grays Town Centre for several reasons.

11.2.3 The Council considers that there are no impediments to delivering the CPO Scheme if the CPO is confirmed;

11.2.4 There are no likely impediments to the planning permission for the CPO Scheme to be granted. The CPO Scheme has been planned over several years and been subject to Network Rail's internal processes and other related consents for the Scheme have been or are capable of being granted];

11.2.5 [There is funding in place to deliver the Scheme to ensure that it is viable]; and

11.2.6 The CPO Scheme satisfies the test set out in the Guidance;]

11.3 Having considered relevant National Planning Policy, Guidance and Local Plan Policies the Council is satisfied that there is a compelling need in the public interest for compulsory purchase powers to be sought in order to secure the development, redevelopment or improvement of the Order Land by way of the delivery of the Scheme for the economic, social and environmental improvement of this part of the Borough of Thurrock. [The Council has therefore made the CPO and asks the Secretary of State to confirm the Order.]

12 ADDITIONAL INFORMATION FOR PERSONS AFFECTED BY THE ORDER

- 12.1 The Council will make the CPO and associated documents available on its website at []. To obtain further information or planning-related enquiries contact [] or you can write to Thurrock Borough Council.
- 12.2 Owners and occupiers affected by the scheme who wish to negotiate or discuss details of the CPO including selling your property or interest and matters of compensation should contact the Council's surveyor dealing with the CPO: [Montagu Evans details]

13 RELEVANT DOCUMENTS FOR ANY PUBLIC INQUIRY

- 13.1 The Council intends to refer to, or put in evidence, the documents (or relevant extracts from those documents) which are listed below. The Council reserves the right to refer to or adduce additional documents.

13.1.1 Compulsory Purchase Order (including CPO Schedule).

13.1.2 CPO map[s].

13.1.3 [Relevant reports to and resolutions/decisions of the Cabinet and Council]

13.1.4 [Planning application, supporting documents and related committee reports]

13.1.5 Thurrock Transport Strategy (2013)

13.1.6 Thurrock Local Plan Core Strategy (January 2015)

13.1.7 Grays Development Framework (March 2016)

13.1.8 Grays Town Centre Framework Refresh (2017)

13.1.9 NPPF 2019

13.1.10 Relevant extracts from the NPPG

13.1.11 Correspondence from Network Rail dated 8 January 2016

13.1.12 Equalities Statement

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Appendix 6

CONSULTATION SUMMARY

Introduction

This section of the document provides a summary of consultation feedback received by Thurrock Council (TC) as a response to the Transforming Grays online consultation hosted by the Council between 27th February 2020 - 14th March 2020.

Aims:

The principal objective of the consultation was to measure the level of support for a number of Town Centre proposals that are currently being developed as part of an extensive regeneration programme for Grays.

Additionally, key aspirations, concerns and ideas that could complement some of the proposals were captured.

Participants:

The Council invited residents that live, visit, work and learn in Grays as well as local businesses and community groups, to share their views on potential projects. The consultation was advertised via leaflets, posters and social media platform.

Projects:

There were 20 projects published via the online consultation portal, including the initial design concepts for Grays underpass. This specific project was published in order to help identify a preferred option to take forward to the design stage.

The consultation projects were grouped as follows:

1. The Underpass
2. Grays High Street and Shopping Centre
3. Thames Side Complex
4. Grays Beach Park and Kilverts Field
5. Grays Bus Station

Improve movements and access around the town:

6. Seabrooke Rise Walk
7. Derby Road Bridge
8. Clarence Road
9. Titan Walk

Enhancing the quality of the public realm:

10. London Road
11. South Essex College temporary building
12. Grays Town Park

Building a local economy:

13. Grays Street Market
14. Shopfront Design Guide
15. Digital and SMART Grays

Supporting Communities:

16. Grays Street Art
17. Grays Town Centre Street Lighting
18. Future Lighting Project

Designing Public Spaces:

19. Public Realm Design Guide
20. Gateway to the Town Centre

Executive Summary

Methodology:

An online tool was used to gather responses and the consultation was published on the Council's website: <https://consult.thurrock.gov.uk/projects>.

The questions were as follows:

- Question 1; Do you support this proposal?
- Question 2; How can this project be further improved and why?
- Question 3; Is there anything we have missed?

Question 1 was aimed to measure level of support for proposals and there were five answers available to choose from: - strongly agree, agree, neither agree nor disagree, disagree and strongly disagree.

Questions 2 and 3 were open ended questions aimed to gather ideas and opinions and provide written responses. There was an additional question for The Underpass project asking participants to choose their most preferred option for the underpass layout.

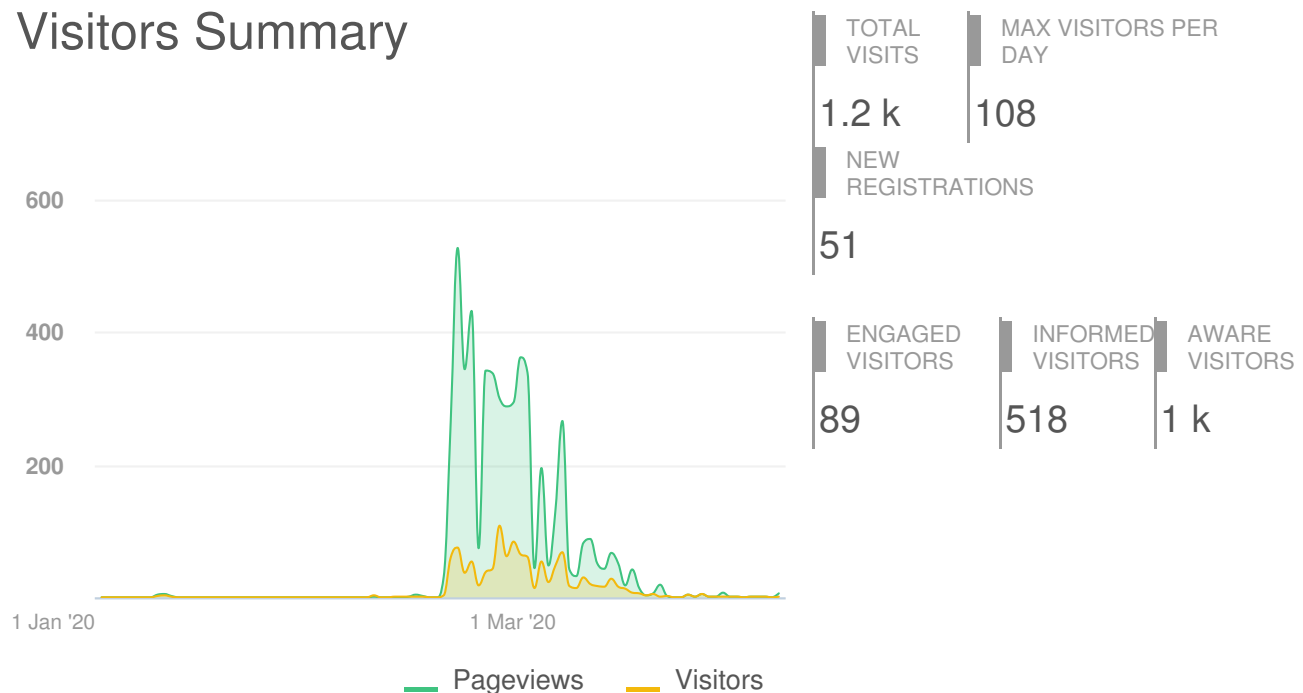
The total number of visitor who accessed the Transforming Grays consultation was 1.2k.

There were 89 participants who actively engaged and provided feedback.

The below summary diagram based on participants' activity indicates that about 1k visitors are 'aware' of the consultation, 518 spent more time browsing the consultation and they are considered to be 'informed' visitors.

This consultation resulted in 51 new registrations to the Council's consultation portal.

Visitors Summary



Summary of all visits

ENGAGED	89 ENGAGED PARTICIPANTS			Registered	Unverified	Anonymous	The Underpass	47 (7.4%)
INFORMED	Contributed on Forums	0	0	0			Grays High Street and Shopp...	39 (18.3%)
	Participated in Surveys	87	0	0			Thameside Complex	37 (14.2%)
	Contributed to Newsfeeds	0	0	0			Grays Beach Park and Kilver...	29 (12.1%)
	Participated in Quick Polls	0	0	0			Grays Bus Station	15 (15.2%)
AWARE	Posted on Guestbooks	0	0	0			Enhancing the quality of the ...	8 (22.2%)
	Contributed to Stories	0	0	0			Designing Public Spaces	7 (16.7%)
	Asked Questions	0	0	0			Building a local economy	7 (25.0%)
	Placed Pins on Places	2	0	0				
	Contributed to Ideas	0	0	0				

** A single engaged participant can perform multiple actions*

** Calculated as a percentage of total visits to the Project*

ENGAGED	518 INFORMED PARTICIPANTS		Participants	The Underpass	332 (52.0%)
INFORMED	Viewed a video	0		Grays High Street and Shopp...	106 (49.8%)
	Viewed a photo	300		Grays Beach Park and Kilver...	87 (36.4%)
	Downloaded a document	0		Thameside Complex	87 (33.5%)
	Visited the Key Dates page	0		Project Map	55 (55.0%)
AWARE	Visited an FAQ list Page	0		Grays Bus Station	46 (46.5%)
	Visited Instagram Page	0		Designing Public Spaces	21 (50.0%)
	Visited Multiple Project Pages	439		Improve movements and acc...	17 (24.3%)
	Contributed to a tool (engaged)	89			

** A single informed participant can perform multiple actions*

** Calculated as a percentage of total visits to the Project*

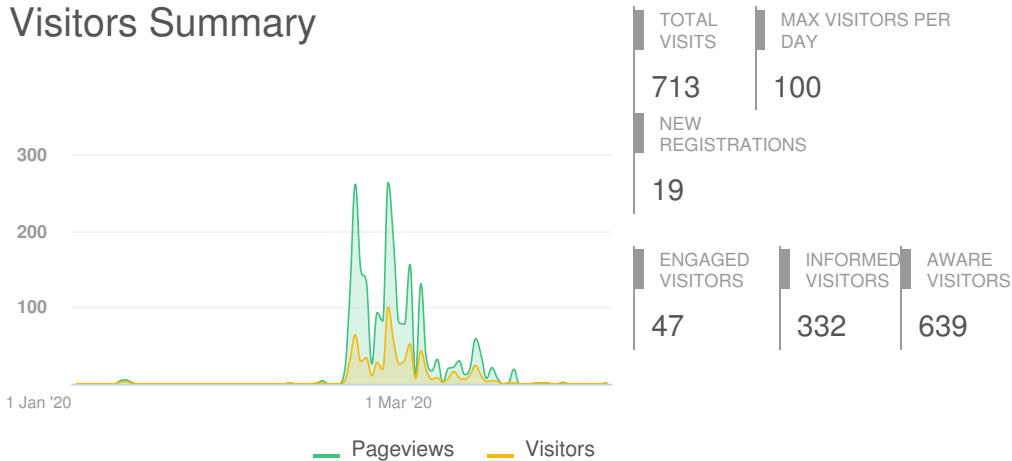
ENGAGED	1,011 AWARE PARTICIPANTS		Participants	The Underpass	639
INFORMED	Visited at least one Page	1,011		Thameside Complex	260
				Grays Beach Park and Kilver...	239
AWARE				Grays High Street and Shopp...	213
				Project Map	100
				Grays Bus Station	99
				Improve movements and acc...	70
				Designing Public Spaces	42

** Aware user could have also performed an Informed or Engaged Action*

** Total list of unique visitors to the project*

1. The Underpass

Visitors Summary

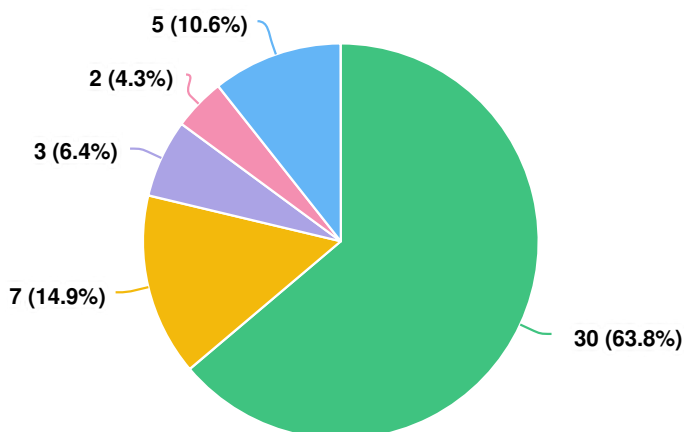


Question 1.

Do you support this proposal?

Visitors 139	Contributors 47	CONTRIBUTIONS 47
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Do you support this proposal?

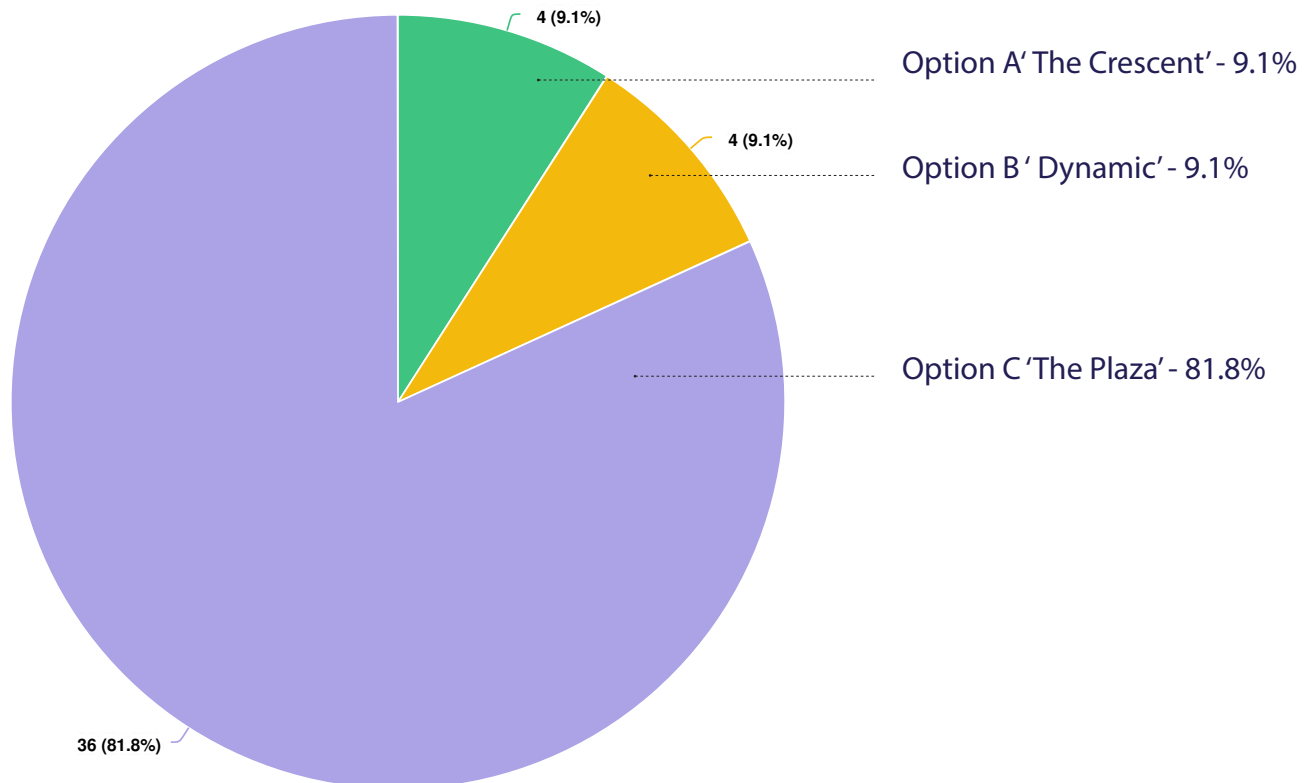


Question options

- Strongly Agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly Disagree

Question 2.

Which of the three proposed options do you prefer?

**Question options**

● Option C 'The Plaza' ● Option B 'Dynamic' ● Option A 'The Crescent'

47 respondents participated in the Underpass survey.

The vast majority supported the proposal; 63% 'strongly agreed' and 14% 'agreed' with the scheme. 81% of them selected Option C 'The Plaza' as their preferred option. 24 respondents out of 47 provided written feedback to Questions 3 & 4.

Question 3.

How can this project be further improved and why?

- utilise the thoroughfare and provide retail units down in the 'plaza' with cafés servicing the train station and new council offices,
- consider using the 'plaza' as flea market during weekends,
- this is an opportunity for public art created by community,
- by enhancing greenery and creation of green spaces'
- provide seating areas and a water feature,
- introduce good lighting, CCTV for security and regular maintenance of public spaces,
- introduce measures to discourage anti social behaviour and crime,
- create pathways considering desire lines.

Question 4.

Is there anything we have missed?

- detailed information for users of the underpass with disability (mobility issues in particular),
- the current retail units that will be lost should be relocated within the town first,
- cycle route through the underpass,
- innovative, fun and creative lighting,
- water feature or a clock,
- antisocial behaviour has to be tackled in the town centre as the priority.

2. Grays High Street and Shopping Centre

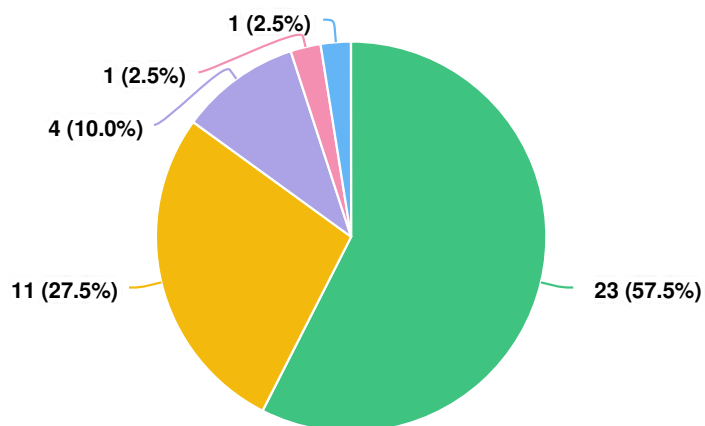
Visitors Summary



Question 1.
Do you support this proposal?

Visitors 102	Contributors 39	CONTRIBUTIONS 42
---------------------	------------------------	-------------------------

Do you support this proposal?



Question options

- Strongly Agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly Disagree

42 respondents participated in the survey.

57% 'strongly agreed' and 27% 'agreed' with the scheme. 29 respondents provided written feedback to Questions 3 & 4.

Some of the key comments include:

Question 2.

How can this project be further improved and why?

- create a better offer that caters for needs of everyone,
- low-end shops such as betting shops, pawn shops and pound-stretcher shops are not what the public wants,
- create a social area with bars, restaurants and cafes and family friendly places in the town centre e.g soft play,
- provide better parking options to encourage more people into the town centre,
- increase security,
- improve shop fronts and make them coherent,
- improve public realm on the High Street,
- better utilise the old cinema building, as e.g a leisure complex or a youth hub which would bring better social value rather than a pub,
- provide 'mini parks' where people can sit, take a break, have a chat, drink a cup of coffee, read a book,
- provide a band stand for performances,
- introduce more greenery; trees and flowers.

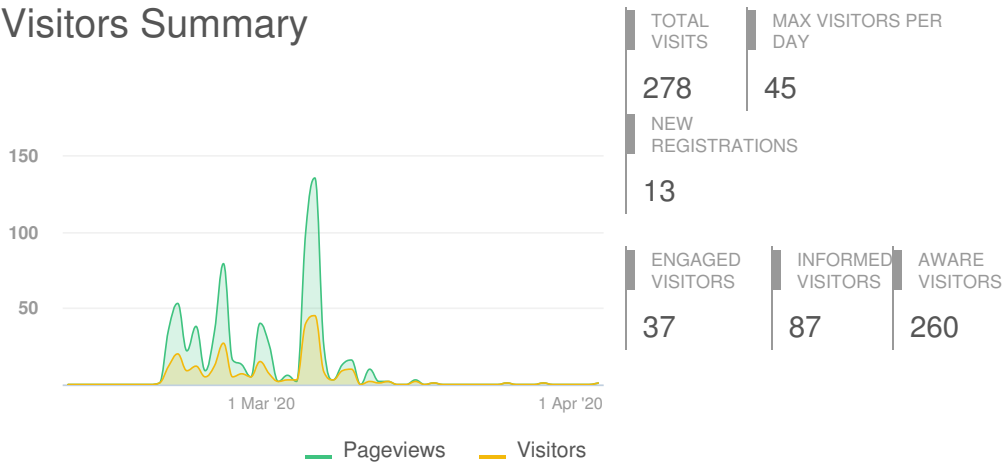
Question 3.

Is there anything we have missed?

- cycle access and cycle storage in the town centre, especially at the station,
- more policing in the town, security in the centre is the priority,
- a credible night time economy plan.

3. Thames Side Complex

Visitors Summary

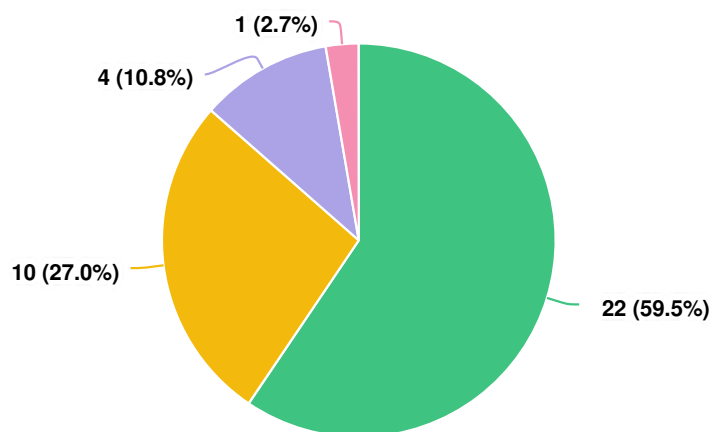


Question 1.

Do you support this proposal?

Visitors 128	Contributors 37	CONTRIBUTIONS 39
---------------------	------------------------	-------------------------

Do you support this proposal?



Question options

- Strongly Agree
- Agree
- Neither agree nor disagree
- Disagree

39 respondents participated in the survey.
59% 'strongly agreed' and 27% 'agreed' with the scheme.

28 participants provided written feedback to Questions 3 & 4.

Question 2.

How can this project be further improved and why?

- ensure that the social enterprise café and community organisations remain,
- maintain library services, and expand the library
- better promotion of the museum,
- ensure that local people, current users, artists and creatives are fully engaged in this project,
- consider improving the area behind the building;
- improve wayfinding ; better signage and clearer road names,
- brighter and lighter street lighting,
- increasing the amount of trees / greenery in the area,
- ensure regular maintaining of public spaces.

Question 3.

Is there anything we have missed?

- Thurrock is a growing community and deserves a larger theatre suitable for all the professional/ amateur productions,
- ' A nice cafe. Affordable and convenient, with Sunday opening. 'I have to head into London for brunch. I want to do that in my own area. I want to feel a part of Grays not just someone who lives here'

4. Grays Beach Park and Kilverts Field

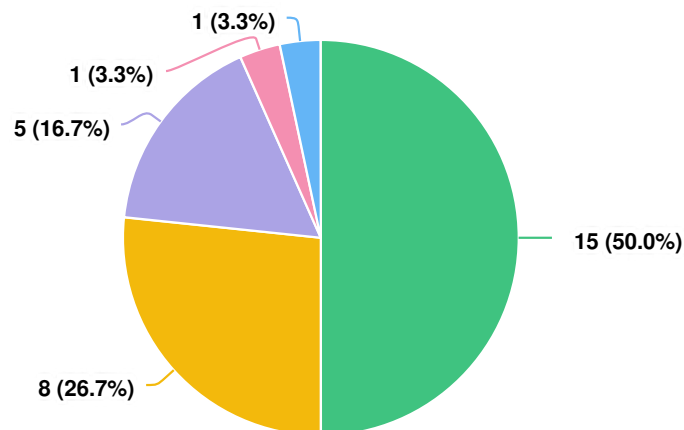
Visitors Summary



Question 1.
Do you support this proposal?

Visitors 98	Contributors 29	CONTRIBUTIONS 30
--------------------	------------------------	-------------------------

Do you support this proposal?



Question options

- Strongly Agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly Disagree

30 respondents participated in the survey.

50% 'strongly agreed' and 27% 'agreed' with the scheme.

24 participants provided written feedback; The key comments are as follows:

Question 2.

How can this project be further improved and why?

- by involving Thurrock yacht club,
- by expanding Grays Marina,
- creation of a heritage trail,
- food and drink offer on the river,
- outdoor exercise area in the summer, like yoga or boot camp,
- better lighting along the river walk,
- Introduce better cycling routes,
- adding CCTV to ensure safety,
- integration and acknowledgement of the natural environment and wildlife.

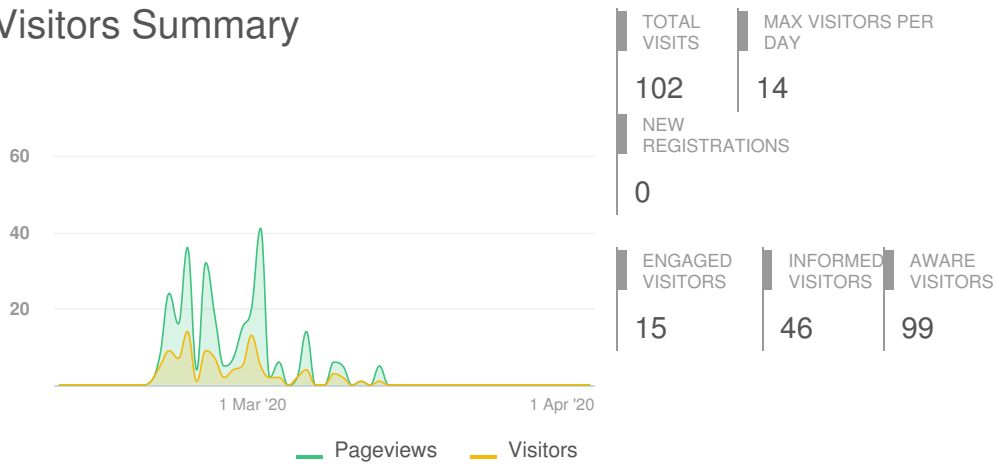
Question 3.

Is there anything we have missed?

- this project would attract more visitors and therefore more parking would be required,
- wheelchair/accessible access,
- consideration of the yacht club and how it might feature in plans.

5. Grays Bus Station

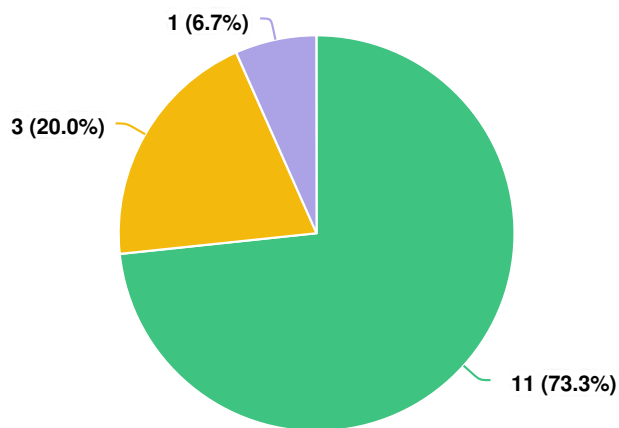
Visitors Summary



Question 1.
Do you support this proposal?

Visitors 27	Contributors 15	CONTRIBUTIONS 15
--------------------	------------------------	-------------------------

Do you support this proposal?



Question options

- Strongly Agree
- Agree
- Neither agree nor disagree

15 respondents participated in the survey. 73% 'strongly agreed' and 20% 'agreed' with the scheme. 8 participants provided written feedback; The key comments are as follows:

Question 2.

How can this project be further improved and why?

- ensure that a strong public arts strategy is in place that links all of the redevelopment together,
- wide pavements to ensure those walking and those waiting for buses are able to do so without issues,
- allow space for car passengers' drop off and pick up,
- better signage or wayfinding information,
- improved shelters DDA accessible,
- better CCTV .

Question 3.

Is there anything we have missed?

- focus not only on buses in Thurrock but also cycling,
- all train stations in Thurrock should have a huge amount of secure and safe cycle storage to encourage commuters to cycle to stations.

IMPROVE MOVEMENT AND ACCESS AROUND THE TOWN

There are four projects included in the 'improve movement and access around the town' section of the consultation as follows:

- 6. Seabrooke Rise Walk,
- 7. Derby Road Bridge,
- 8. Clarence Road,
- 9. Titan Walk.

There were 5 respondents who participated in the survey.

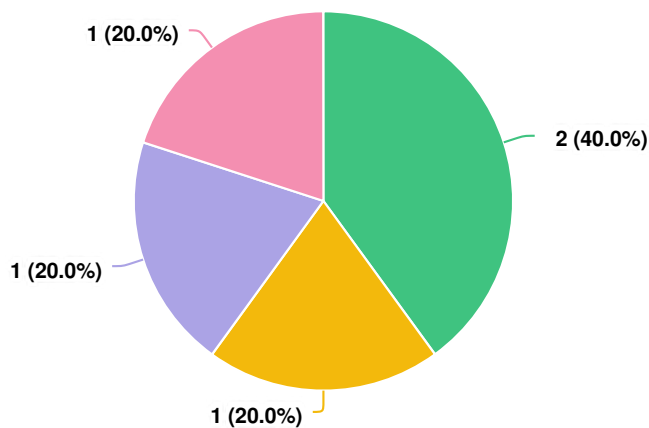
6. Seabrooke Rise Walk

Question 1.

Do you support this proposal?

Visitors 14	Contributors 5	CONTRIBUTIONS 5
--------------------	-----------------------	------------------------

Do you support this proposal?

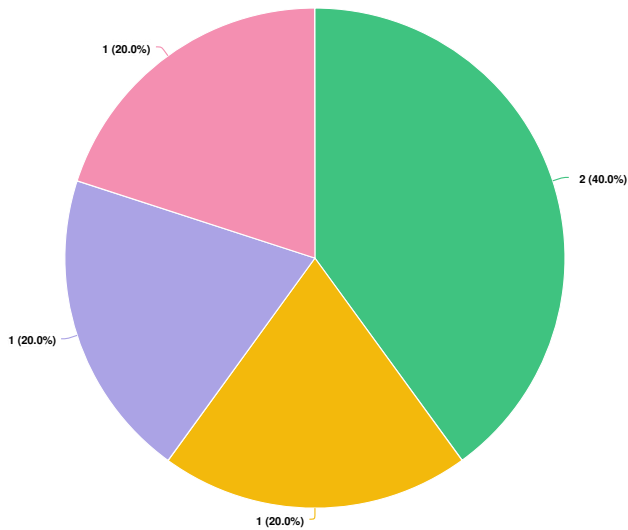


Question options

- Strongly Agree
- Agree
- Neither agree nor disagree
- Strongly Disagree

7. Derby Road Bridge

Question 1.
Do you support this proposal?

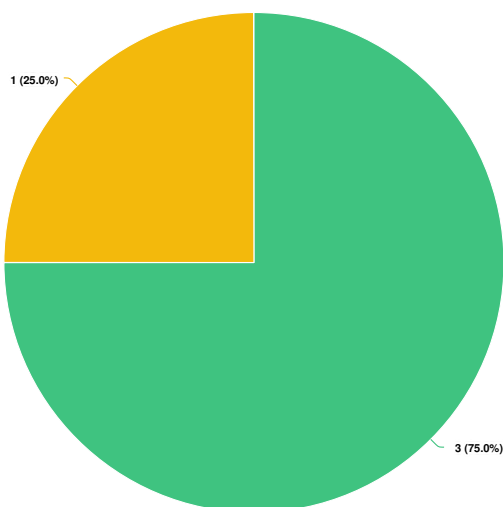


Question options

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

8. Clarence Road

Question 1.
Do you support this proposal?



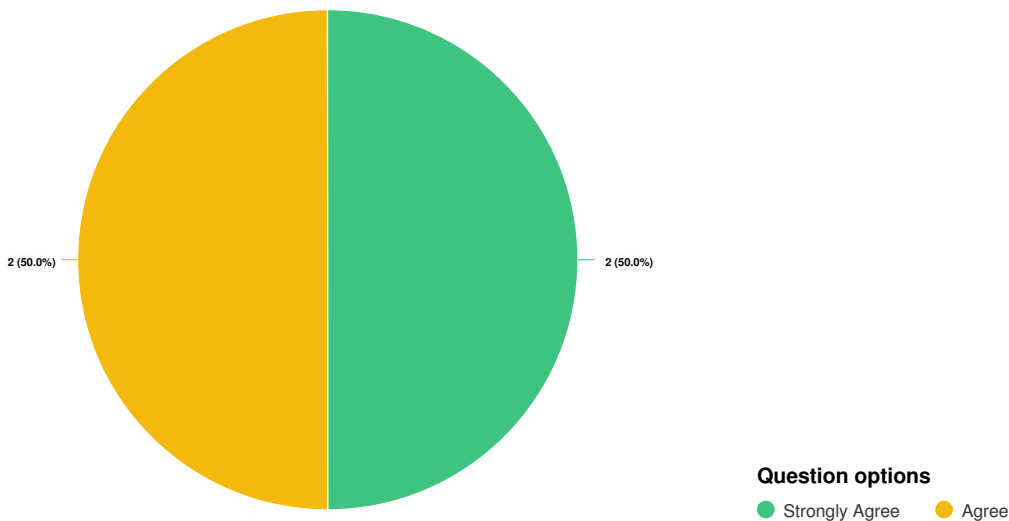
Question options

- Strongly Agree
- Agree

9. Titan Walk

Question 1.

Do you support this proposal?



6. Seabrooke Rise Walk - 40% of respondents 'strongly agreed' and 20% 'agreed' with the proposal.

7. Derby Road Bridge - 40% 'strongly agreed' and 20% 'agreed'.

8. Clarence Road - 75% 'strongly agreed' and 25% 'agreed'.

9. Titan Walk - 50% 'strongly agreed' and 50% 'agreed' with the proposed improvements.

There were 3 participants who provided written feedback to Question 2;

Question 2.

How can this project be further improved and why?

- projects should answer needs of visually impaired people, who should be consulted,
- the proposals for Clarence Road should include, cleaning up and surfacing the back alleyways of the roads off Clarence Road e.g. Bradbourne and Grays.

ENHANCING THE QUALITY OF THE PUBLIC REALM

There are three projects in the 'enhancing the quality of the public realm' section of the consultation;

- 10. London Road
- 11. South Essex College temporary building
- 12. Grays Town Park

There were 8 respondents who participated in the survey.

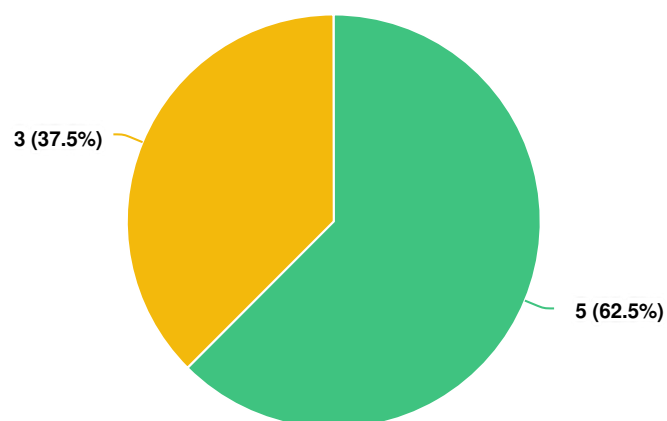
10. London Road

Question 1.

Do you support this proposal?

Visitors 11	Contributors 8	CONTRIBUTIONS 8
--------------------	-----------------------	------------------------

Do you support this proposal?

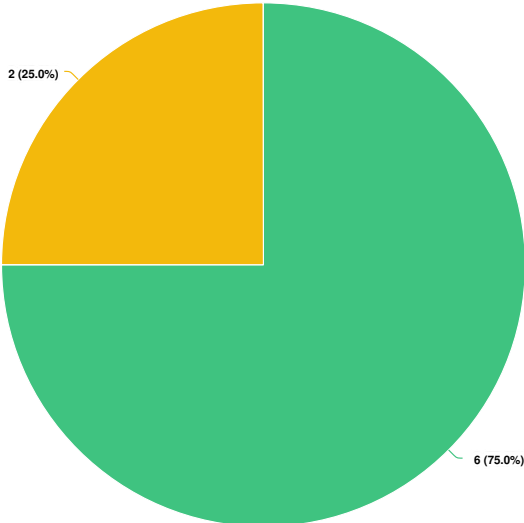


Question options

- Strongly Agree
- Agree

11. South Essex College temporary building

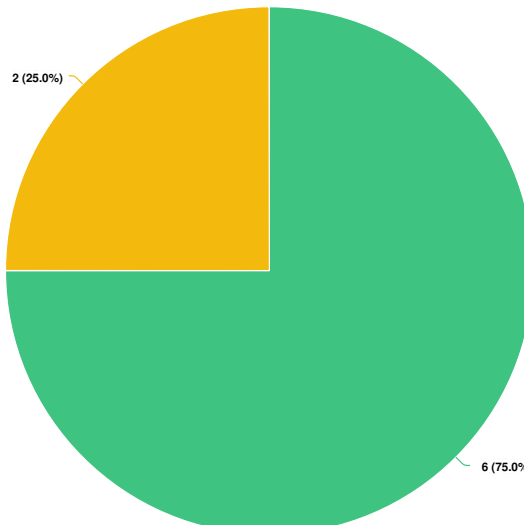
Question 1.
Do you support this proposal?



Question options
● Strongly Agree ● Agree

12. Grays Town Park

Question 1.
Do you support this proposal?



Question options
● Strongly Agree ● Agree

10. London Road - 72% of respondents 'strongly agreed' and 38% 'agreed' with the proposal.

11. South Essex College temporary building - 75% of respondents 'strongly agreed' and 25% 'agreed' with the proposal.

12. Grays Town Park - 75% of respondents 'strongly agreed' and 25% 'agreed' with the proposal.

There were 4 participants who provided written feedback; The key comments were:

Question 2.

How can this project be further improved and why?

LONDON ROAD:

- more focus should be made on encouraging residents to walk or cycle to the Park and Town Centre. Pathways and cycle routes need to be safer for residents to use.

GRAYS TOWN PARK:

- having a place to hire sports equipment may make better use of the courts that are already there,
- the council should be doing more to retain the original features of this Victorian park,
- include the Bridge Road area in this design and to improve the access from there to deter people breaking the fence and walking down the grass,
- poor lighting should be improved.

Question 3.

Is there anything we have missed?

LONDON ROAD:

- more and better bicycle parks, for residents to leave their bikes,
- more benches or resting areas along routes to the park and then from the park to town, for elderly or people with disabilities to stop and rest,
- reduce the amount of traffic through the Town Centre.

GRAYS TOWN PARK:

- better planting, lighting and stone bench that could be used as picnic tables might see this area used more.
- create a destination that is not just a spring or summer option, see "e.g The Quay at Lakeside,
- include a small cafe,
- a key problem in and around the park is parking for the mosque - this could be removed to where the temporary building is with provision of off street parking.

ENHANCING THE QUALITY OF THE PUBLIC REALM

There are three projects in this section of the consultation;

- 13. Grays Street Market
- 14. Shopfront Design Guide
- 15. Digital and SMART Grays

There were 7 respondents who participated in the survey.

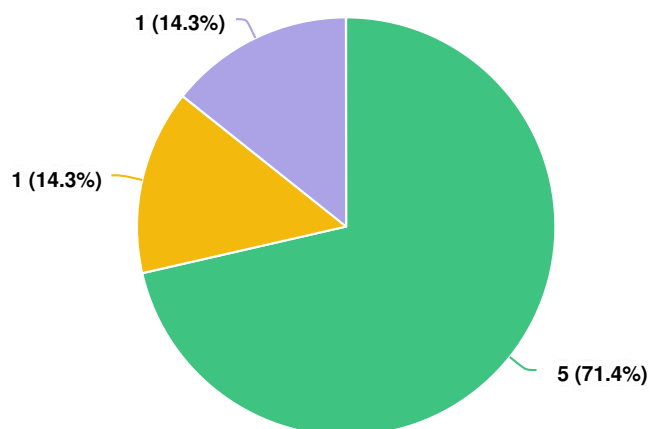
13. Grays Street Market

Question 1.

Do you support this proposal?

Visitors 10	Contributors 7	CONTRIBUTIONS 7
--------------------	-----------------------	------------------------

Do you support this proposal?

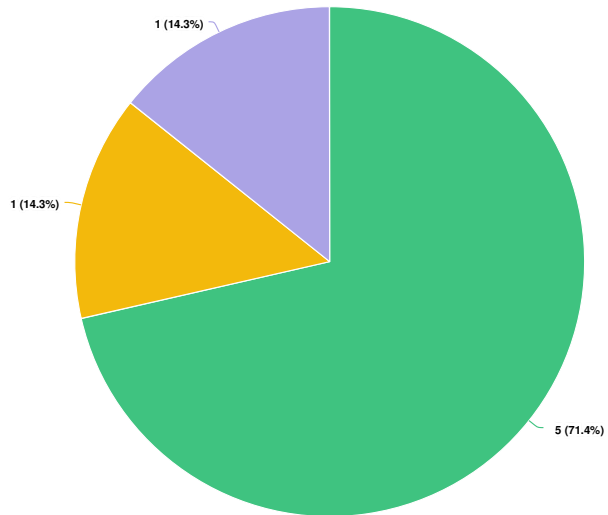


Question options

- Strongly Agree
- Agree
- Strongly Disagree

14. Shopfront Design Guide

Question 1.
Do you support this proposal?

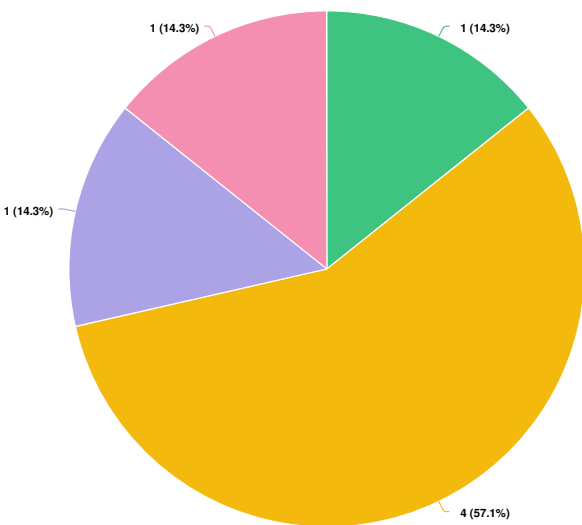


Question options

- Strongly Agree
- Agree
- Strongly Disagree

15. Digital and SMART Grays

Question 1.
Do you support this proposal?



Question options

- Strongly Agree
- Agree
- Neither agree nor disagree
- Strongly Disagree

13. Grays Street Market - 71% of respondents 'strongly agreed' and 14% 'agreed' with the proposal.

14. Shopfront Design Guide - 71% of respondents 'strongly agreed' and 14% 'agreed' with the proposal.

15. Digital and SMART Grays - 57% of respondents 'strongly agreed' and 14% 'agreed' with the proposal.

There were 6 participants who provided written feedback. The key comments were:

Question 2.

How can this project be further improved and why?

GRAYS STREET MARKET:

- better markets, stalls selling more local produce,
- attract the right kind of market stalls, farmers market style, handmade objects,
- provide free parking on market days,
- include market superintendent and community policing,
- better standard and quality of stalls,
- regular farmers markets, vintage fairs and speciality events.

SHOP FRONT DESIGN:

- the current high street is too depressing, need more colour and keep it clean,
- improve shop fronts needs to be drastically improve,

Question 3.

Is there anything we have missed?

GRAYS STREET MARKET:

- 'Push the highstreet economy towards the river. Even if people visited the markets they may never realise the river is at the end of the high street, and give people a reason to go to the riverfront.'

SHOP FRONT DESIGN:

- 'Improve the shops in Grays. Improving the look is great, but the shops also need to be something people actually want.'

SUPPORTING COMMUNITIES

There are three projects included in this section of the consultation;

- 16. Grays Street Art
- 17. Grays Town Centre Street Lighting
- 18. Future Lighting Projects

There were 7 respondents who participated in the survey.

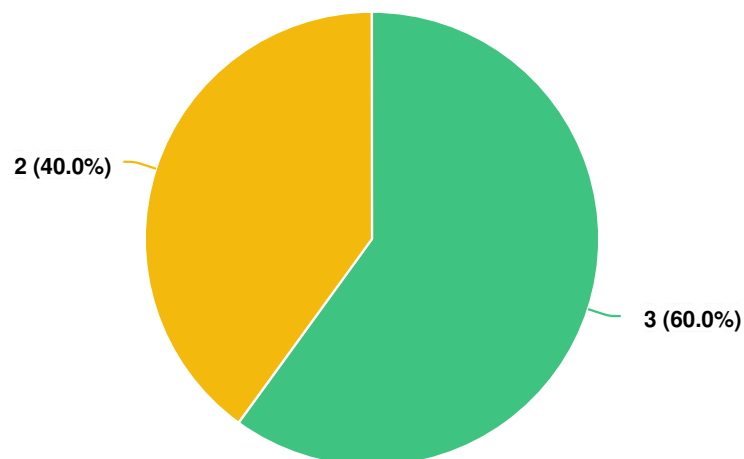
16. Grays Street Art

Question 1.

Do you support this proposal?

Visitors 8	Contributors 5	CONTRIBUTIONS 5
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Do you support this proposal?



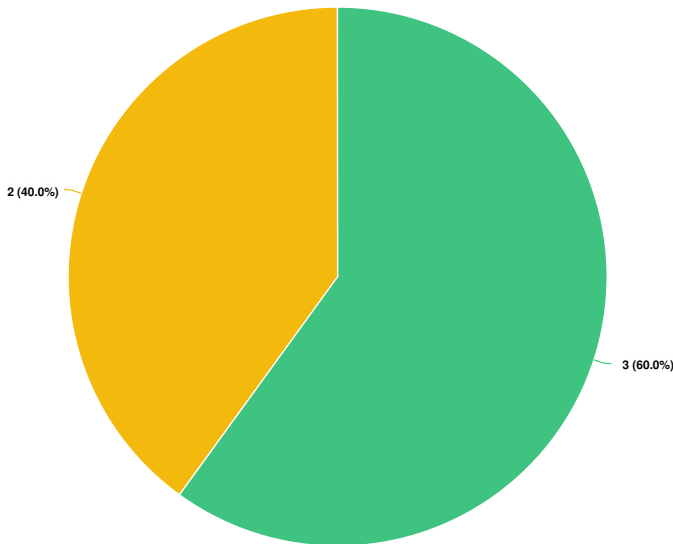
Question options

- Strongly Agree
- Agree

17. Grays Town Centre Street Lighting

Question 1.

Do you support this proposal?



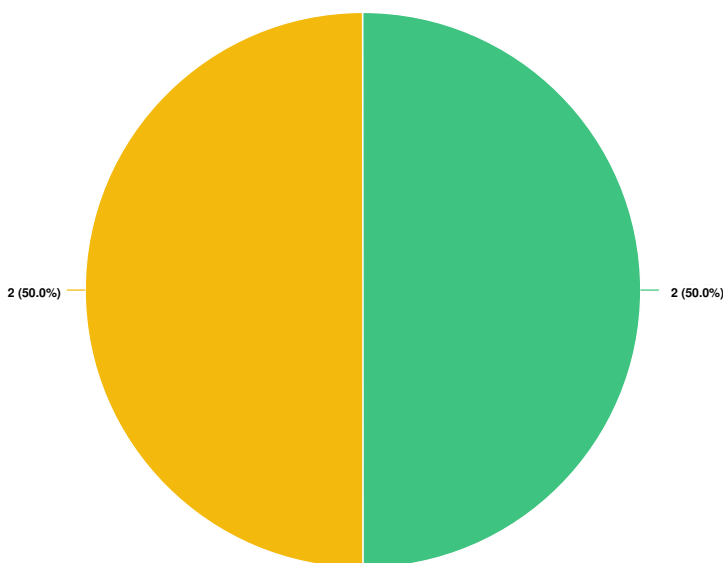
Question options

- Strongly Agree
- Agree

18. Future Lighting Projects

Question 1.

Do you support this proposal?



Question options

- Strongly Agree
- Agree

16. Grays Street Art- 60% of respondents 'strongly agreed' and 40% 'agreed' with the proposal.

17. Grays Town Centre Street Lighting - 60% of respondents 'strongly agreed' and 40% 'agreed' with the proposal.

18. Future Lighting Projects- 50% of respondents 'strongly agreed' and 50% 'agreed' with the proposal.

There were 5 participants who provided written feedback; The key comments were as follows:

Question 2.

How can this project be further improved and why?

GRAYS STREET ART

- allow for changing displays along the lines of the fourth plinth in Trafalgar Square,
- open air exhibition art performance space.

GRAYS TOWN CENTRE STREET LIGHTING

- consider areas of heritage where and older interesting buildings,
- use local artists wherever possible.

Question 3.

Is there anything we have missed?

GRAYS STREET ART

- local communities must be involved in the co-creation of and Co-development of any public art in Grays town centre.

GRAYS TOWN CENTRE STREET LIGHTING

- there is no point lighting the State Cinema if it remains vacant.

DESIGNING PUBLIC SPACES

There are two projects in this section of the consultation;

- 19. Public Realm Design Guide
- 20. Gateway to the Town Centre

There were 7 respondents who participated in the survey.

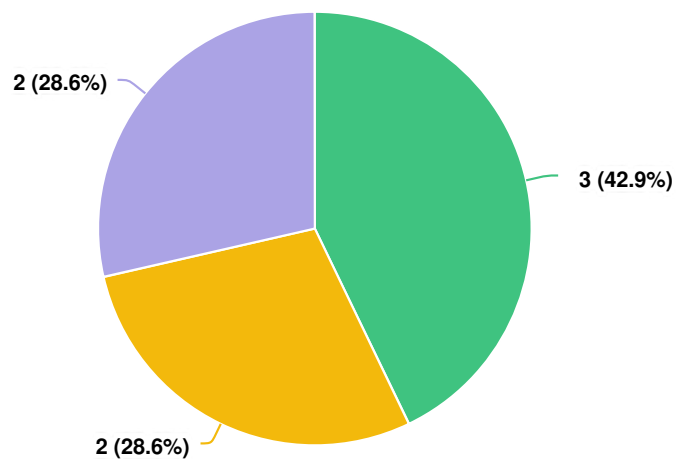
19. Public Realm Design Guide

Question 1.

Do you support this proposal?

Visitors 17	Contributors 7	CONTRIBUTIONS 7
--------------------	-----------------------	------------------------

Do you support this proposal?



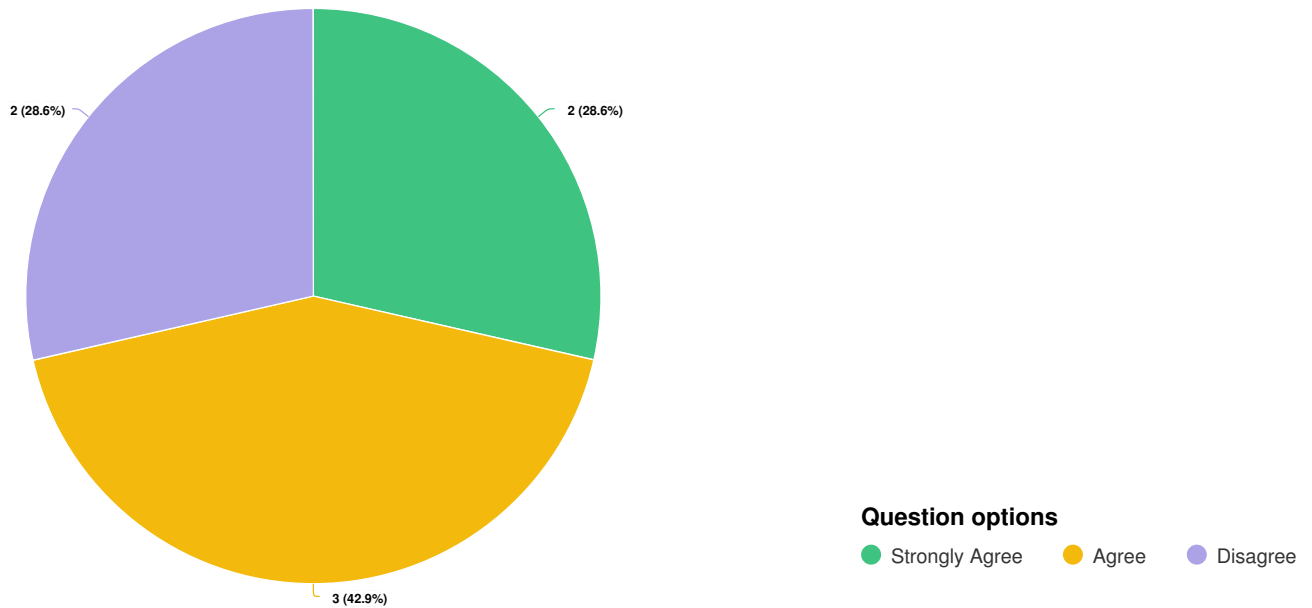
Question options

- Strongly Agree
- Agree
- Neither agree nor disagree

20. Gateway to the Town Centre

Question 1.

Do you support this proposal?



19. Public Realm Design Guide - 60% of respondents 'strongly agreed' and 40% 'agreed' with the proposal.

20. Gateway to the Town Centre- 60% of respondents 'strongly agreed' and 40% 'agreed' with the proposal.

There were 5 participants who provided written feedback; The key comments were as follows:

Question 2.

How can this project be further improved and why?

PUBLIC REALM DESIGN GUIDE:

- provision for cyclists to safely enter and navigate the area - segregated infrastructure.

GATEWAY TO THE TOWN CENTRE:

- transport around the town needs improvement before adding more residential properties in its heart,
- replacing of the roundabout with a cross roads and traffic light system will create further build up of traffic .

Question 3.

Is there anything we have missed?

PUBLIC REALM DESIGN GUIDE:

- assure housing developments with large amounts of tree planting and green space.
- provision for safe cycling

CONCLUSIONS

- All the 20 consultation projects have received public support.
- The vast majority of participant either 'strongly agreed' or 'agreed' with the proposals.
- The highest number of participants (47) responded to The Underpass project. This project has also received the highest number of written comments. Option C 'The Plaza' was chosen as the most preferred design option.
- Other projects that a large number of respondents engaged with were:
 - Grays High Street and Shopping Centre - 39 participants,
 - Thameside Complex - 37,
 - Grays Beach Park and Kilvert Field - 29
 - Grays Bus Station - 15

Notes:

- A number of participants felt it was challenging to respond to proposals because they weren't at a development stage that would provide enough information to comment on. These respondents have asked for further details.
- The generated feedback record didn't provide a clear breakdown of responses for the consultation sections where several projects were included under one heading i.e 'Improve movements and access around the town', 'Enhancing the quality of the public realm', 'Building a local economy', etc.
It's been assumed that the feedback report follows the order of projects published under each heading.
- The question 2, 'How can this project be further improved and why?' published on the portal included a mistake and read 'How can this option be further improved and why?' which could have lead to miss-understandings and affected participant's responses.

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Appendix 6: Summary of Public Consultation

In February and March 2016 the Council carried out a public consultation on the Grays Towns Centre Framework which was reported to Cabinet in March 2016.

In total 69% of responses received stated that they either 'support' or 'strongly support' the overall approach set out in the Framework. There was support for the proposed approach to each of the five main areas as well: the approach to the town centre and station (85%), Orsett Road (80%); Grays Riverside (83%); London Road/Hogg Lane (72%); and Clarence Road (75%).

Respondents were asked about their level of support for key projects proposed in the Framework. Support was again strong: a) Underpass: 72% support or strongly support the proposals; b) Removal of the one way system: 69% support or strongly support this; c) Re-provision of the theatre at the riverfront: 65% support or strongly support the proposal; and d) Aspirations for a pier: 75% support or strongly support the proposal.

Respondents were also asked for their views about using Council owned land to support delivery of regeneration projects, 70% of respondents support or strongly support the use of the Council's land for this purpose.

A further public consultation on the emerging design approach for the underpass was carried out in February to March 2020, the report on this consultation is attached.

Further Public Consultation is planned in the next design phases to inform the design and a further consultation will also be included as part of the process of considering planning applications.

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Appendix 7: Draft summary of justification per plot subject to confirmation of planning application detail and confirmation of extent of land and rights rec

Plot Ref:	Address	Description	FH / LH	Note
1	Public road known as High Street, Grays	High Street - Pedestianised Road	FH - Unregistered	Excavation of ground to accommodate ground level changes , utilities diversions, retaining structures,construction of steps/ramps to underpass, retaining structures, works associated with public realm reinstatement
			Thurrock Council (Highway Authority)	Tie in diverted utilities. Ground reinstatement. Associated public realm works
		Various frontage to High Street	FH - Various	
2	Land forming part of public road known as High Street fronting 35-51 (odd) High Street, Grays	Part of pedestrianised High Street	FH - Thurrock Council	Tie in diverted utilities. Ground reinstatement. Associated public realm works
6	52 High Street, Grays	Ground floor retail unit with first floor ancillary space	FH - Cassim Malam & Mariyam Malam	Demolition of structures, excavation of ground to accommodate ground level changes, erection of construction compounds to be used on a temporary basis,construction of new buildings and structures as part of the new development.Tie in diverted utilities.
		Ground Floor Retail Unit	LH - Prashant Patel (t/a Your Local Top Up Store)	Demolition of structures, excavation of ground to accommodate ground level changes, erection of construction compounds to be used on a temporary basis,construction of new buildings and structures as part of the new development.
7	Rear of 52 High Street, Grays		FH - Cassim Malam & Mariyam Malam	Demolition of structures, excavation of ground to accommodate ground level changes, erection of construction compounds to be used on a temporary basis,construction of new buildings and structures as part of the new development.
	52a High Street, Grays	First floor residential apartment	LH - Not Known (assume let on AST)	Demolition of structures, excavation of ground to accommodate ground level changes, erection of construction compounds to be used on a temporary basis,construction of new buildings and structures as part of the new development.
8	54-56 High Street, Grays	Ground floor retail with first floor	FH - Dilsen Investments Limited	Demolition of structures, excavation of ground to accommodate ground level changes, erection of construction compounds to be used on a temporary basis,construction of new buildings and structures as part of the new development.

		Ground floor retail unit	LH - Not Known (ta Pound City)	Demolition of structures, excavation of ground to accommodate ground level changes, erection of construction compounds to be used on a temporary basis, construction of new buildings and structures as part of the new development.
9	Public road known as High Street fronting 54-56 (even) High Street, Grays	Part of pedestrianised High Street	FH - Thurrock Council	Excavation of ground to accommodate ground level changes, erection of construction compounds to be used on a temporary basis, utilities diversions, retaining structures, construction of new buildings and structures as part of the new development.
10	58 High Street, Grays	Ground floor retail unit with 1st floor apartment	FH - Adoptplan Properties Limited	Demolition of structures, excavation of ground to accommodate ground level changes, erection of construction compounds to be used on a temporary basis, utilities diversions, retaining structures, construction of new buildings and structures as part of the new development.
	58a High Street, Grays	First floor residential apartment	LH - Not Known (assume let on AST)	Demolition of structures, excavation of ground to accommodate ground level changes, erection of construction compounds to be used on a temporary basis, utilities diversions, retaining structures, construction of new buildings and structures as part of the new development.
11	60, 60a and 60b High Street, Grays	Ground floor retail unit with first floor apartment	FH - St Clement's Court Limited	Demolition of structures, excavation of ground to accommodate ground level changes, erection of construction compounds to be used on a temporary basis, utilities diversions, retaining structures, construction of new buildings and structures as part of the new development.
	60a High Street, Grays	First floor residential apartment	LH - Not Known (assume let on AST)	Demolition of structures, excavation of ground to accommodate ground level changes, erection of construction compounds to be used on a temporary basis, utilities diversions, retaining structures, construction of new buildings and structures as part of the new development.
12	Rear of No. 60 High Street		FH - Not Known	Demolition of structures, excavation of ground to accommodate ground level changes, erection of construction compounds to be used on a temporary basis, utilities diversions, retaining structures, construction of new buildings and structures as part of the new development.
13	Rear of 62 High Street, Grays		FH - Not Known	Demolition of structures, excavation of ground to accommodate ground level changes, erection of construction compounds to be used on a temporary basis, utilities diversions, retaining structures, construction of new buildings and structures as part of the new development.
14	62 High Street, Grays	Ground floor retail unit with offices at first floor	FH - Grays Property Leasing Company Limited	Demolition of structures, excavation of ground to accommodate ground level changes, erection of construction compounds to be used on a temporary basis, utilities diversions, retaining structures, construction of new buildings and structures as part of the new development including steps/ramps to underpass, retaining structures, works associated with public realm reinstatement

TOTAL PROPERTY COST ESTIMATE "NORTH"

Plot Ref:	Address	Description	FH / LH	Reason for acquiring/appropriating land
15	Crown Road situated to the rear of 62 High Street, Grays	Public Highway	FH - WM Morrison Supermarkets Plc	Crown Road realignment, utilities diversions, retaining structures, works associated with kiss and drop and taxis facilities
		Assume Adopted Highway	Thurrock Council (Highways Authority)	Crown Road realignment, utilities diversions, retaining structures, works associated with kiss and drop and taxis facilities
15a	Crown Road situated to the west of 62 High Street, Grays	Bus Driver Facility	FH - Thurrock Council	Crown Road realignment, utilities diversions, retaining structures, works associated with kiss and drop and taxis facilities
16	Crown Road situated to the south of 62 High Street and 55-57 High Street, Grays	Public Highway	FH - Thurrock Council	Excavation to create underpass and access steps and ramps, realignment of Crown Road, utilities diversions, retaining structures, works to provide kiss and drop and taxi facilities, works create new public realm.
16a	Crown Road situated to the northeast of railway level crossing	Public Highway	FH - Unknown (Thurrock Council adjoining owner)	Excavation to create underpass and access steps and ramps, realignment of Crown Road, utilities diversions, retaining structures, works to provide kiss and drop and taxi facilities, works create new public realm.
16b	Crown Road situated to the northeast of railway level crossing and works	Railway Land	FH - Network Rail Infrastructure Limited	Excavation to create underpass and access steps and ramps, realignment of Crown Road, utilities diversions, retaining structures, works to provide kiss and drop and taxi facilities, works create new public realm.
17	Crown Road situated to the south of 62 High Street, Grays	Public Highway	FH - Not Known	Excavation to create underpass and access steps and ramps, realignment of Crown Road, utilities diversions, retaining structures, works to provide kiss and drop and taxi facilities, works create new public realm.

18	Land, taxi rank, advertising hoardings and footbridge over the railway situated to the south of Crown Road and north of Grays Station, Grays	See address	FH - Network Rail Infrastructure Limited	Excavation to create underpass and access steps and ramps, realignment of Crown Road, utilities diversions, retaining structures, works to provide kiss and drop and taxi facilities, works create new public realm. Removal of footbridge and level crossing infrastructure.
19	Land and unregistered road situated to the north of footbridge over railway and south of Crown Road, Grays	See address	FH - Thurrock Council	Excavation to create underpass and access steps and ramps, realignment of Crown Road, utilities diversions, retaining structures, works to provide kiss and drop and taxi facilities, works create new public realm.
19a			FH - Network Rail Infrastructure Limited	Excavation to create underpass and access steps and ramps, realignment of Crown Road, utilities diversions, retaining structures, works to provide kiss and drop and taxi facilities, works create new public realm.
20	Public road known as Crown Road situated to the north of the level crossing at Grays Station	Public Highway	FH - Not Known	Excavation to create underpass utilities diversions, retaining structures, Removal of eel crossing infrastructure
21	Land, rail tracks and level crossing situated at Grays Station, Grays	See address	FH - Network Rail Infrastructure Limited	Excavation works and construction of underpass, works to rail line and removal of level crossing infrastructure and footbridge
22	Land forming part of public road known as High Street fronting 66, 66a & 66b High Street, Grays	See address	FH - Network Rail Infrastructure Limited	Excavation works and construction of Underpass, utilities diversions, retaining structures, works associated with ground level reinstatement and public realm
23	66 High Street, Grays	Ground floor retail unit	FH - Network Rail Infrastructure Limited	Demolition of structures, excavation of ground to accommodate ground level changes and construction of underpass, utilities diversions, retaining structures, construction of new building and structures as part of the new development including steps/ramps to underpass, retaining structures, works associated with public realm reinstatement
24	66a High Street, Grays	Ground floor retail unit	FH - Network Rail Infrastructure Limited	Demolition of structures, excavation of ground to accommodate ground level changes and construction of underpass, utilities diversions, retaining structures, construction of new building and structures as part of the new development including steps/ramps to underpass, retaining structures, works associated with public realm reinstatement
25	66b High Street, Grays	Ground floor retail unit	FH - Network Rail Infrastructure Limited	Demolition of structures, excavation of ground to accommodate ground level changes and construction of underpass, utilities diversions, retaining structures, construction of new building and structures as part of the new development including steps/ramps to underpass, retaining structures, works associated with public realm reinstatement

26	Public road known as Station Approach situated to the east of Grays Station, Grays	Public Highway	FH - Network Rail Infrastructure Limited	Excavation of ground to accommodate ground level changes, utilities diversions, retaining structures, construction of new building and structures as part of the new development including steps/ramps to underpass, retaining structures, works associated with public realm reinstatement
27	1 Station Approach, Grays	Ground floor retail unit	FH - Network Rail Infrastructure Limited	Demolition of structures, excavation of ground to accommodate ground level changes and construction of underpass, utilities diversions, retaining structures, construction of new building and structures as part of the new development including steps/ramps to underpass, retaining structures, works associated with public realm reinstatement
28	2 Station Approach, Grays	Ground floor retail unit	FH - Network Rail Infrastructure Limited	Demolition of structures, excavation of ground to accommodate ground level changes and construction of underpass, utilities diversions, retaining structures, construction of new building and structures as part of the new development including steps/ramps to underpass, retaining structures, works associated with public realm reinstatement
29	2a Station Approach, Grays	Ground floor retail unit	FH - Network Rail Infrastructure Limited	Demolition of structures, excavation of ground to accommodate ground level changes and construction of underpass, utilities diversions, retaining structures, construction of new building and structures as part of the new development including steps/ramps to underpass, retaining structures, works associated with public realm reinstatement
30	3 Station Approach, Grays	Ground floor retail unit	FH - Network Rail Infrastructure Limited	Demolition of structures, excavation of ground to accommodate ground level changes, utilities diversions, retaining structures, construction of new building and structures as part of the new development including steps/ramps to underpass, retaining structures, works associated with public realm reinstatement
31	the rear and west of 1-3 Station Approach, Grays	See address	FH - Network Rail Infrastructure Limited	Demolition of structures, excavation of ground to accommodate ground level changes and construction of underpass, utilities diversions, retaining structures, construction of new building and structures as part of the new development including steps/ramps to underpass, retaining structures, works associated with public realm reinstatement

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Plot Ref:	Address	Description	FH / LH	Note
36	Station House, Station Approach, Grays	Ground and first floor office building - Vacant	FH - Thurrock Council	New access to rail station and MoT service station, new building to accommodate commercial activities associated with re-establishing activity and defining new public spaces. Retaining structures.
36a	Land to North and West of Plot 36	Station forecourt and car park	FH - Network Rail Infrastructure Limited	Temporary requirement for access during construction and for construction activities including compounds
37	2 Station Approach, Grays	Single storey retail unit	FH - Network Rail Infrastructure Limited	Demolition of buildings/structures, excavation to create access to steps/ramps to underpass, utilities diversions, retaining structures, works associated with public realm reinstatement. New location for access to station car park and MoT Service station
38	Public open space and footpath situated between Station Approach and Church Path (FP 124) Grays	Public open space	FH - Thurrock Council	Excavation to create access to steps/ramps to underpass, utilities diversions, retaining structures, works associated with public realm reinstatement. New location for access to station car park and MoT Service station
38a	Land and public footpath known as Church Path (FP 124) situated to the south of Station Approach and north of St Peter and St Paul's Church	Public footpath	FH - Not known Thurrock Council (as adjoining owner)	Retained, works to improve surfacing and incorporate as integrated part of the scheme.
39	Public road known as High Street, Grays fronting properties 59-83 High Street Grays		FH - Not Known (in respect of subsoil beneath highway)	Excavations for required changes to ground levels to create access to underpass, utilities diversions, and highways works to create new junction for relocated Station Approach and access to retained property on east side. Of High Street.

40	Public road known as High Street fronting Mulberry Square, Grays	Public Road	FH - Thurrock Council	Excavations for required changes to ground levels to create access to underpass, utilities diversions, and highways works to create new junction for relocated Station Approach and access to retained property on east side. Of High Street.
TOTAL PROPERTY COST ESTIMATE "STATION"				