

Minutes of the Meeting of the Cabinet held on 13 December 2023 at 7.00 pm

The deadline for call-ins is Thursday 28 December 2023 at 5.00pm

Present: Councillors Andrew Jefferies (Chair), Deborah Arnold (Deputy Chair), Adam Carter, George Coxshall, Barry Johnson, Ben Maney and Graham Snell

Apologies:

In attendance:

Mark Bradbury, Interim Director of Place
Claire Demmel, Interim Director Public Realm
Asmat Hussain, Director of Legal and Governance and Monitoring Officer
Alix MacFarlane, Communications Advisor - Intervention and Improvement (Interim Director)
Steven Mair, Interim Chief Financial Officer/Section 151 Officer
Dr Dave Smith, Chief Executive and Managing Director
Commissioner
Paul Southall, Assistant Director Street Scene and Leisure
Rhiannon Whiteley, Senior Democratic Services Officer

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

202. Minutes

The minutes of the Cabinet meeting held on 8 November 2023 were approved as a correct record.

203. Items of Urgent Business

Councillor Jefferies confirmed he had agreed to one urgent item of business and that was the urgent report titled **Award of the Waste Treatment Contract (Decision: 110686)**. Councillor Jefferies reminded Members that appendix 2 and 3 to the report were exempt and therefore should not be discussed in open session. If members wished to discuss the appendices then the public and press would need to leave and the recording will go offline.

Councillor Jefferies introduced the report and explained that permission is being sought for delegated authority to be given to the Interim Director of Public Realm in Consultation with the Portfolio Holder for Environment, Economic Development and Directional Leadership to award the waste treatment contract.

Cabinet approved delegated authority for the re-procurement of this waste disposal contract in November 2020. The procurement was further ratified following the Section 114 notice when via email from the Finance Commissioner in March 2023 and the Strategic Approval Board (SAP) in April 2023.

The contract is for ten years, with a five-year extension option. As the estimated value of this contract is £70 million over ten years, updated legal advice was sought which confirmed that the matter should be brought back to Cabinet to seek approval to award the contract.

There were no questions from Members.

RESOLVED:

- 1.1 That Cabinet note the progress regarding this procurement process.**
- 1.2 That Cabinet approve the delegated authority for the award of the waste treatment contract to the Interim Director of Public Realm and the Section 151 Officer in Consultation with the Portfolio Holder for Environment, Economic Development and Directional Leadership.**

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

204. Declaration of Interests

No interests were declared.

205. Statements by the Leader

Councillor Jefferies highlighted that for the first time in Thurrock Council's history a budget meeting took place involving all Councillors.

Councillor Jefferies explained that the Local Plan Regulation 18 has been agreed unanimously to go out for Consultation. The consultation starts on Monday 18 December 2023 and Councillor Jefferies encouraged all residents to participate.

The Youth Zone in Tilbury has been given planning permission. This will provide Thurrock with a world class youth facility for the youngsters of Thurrock.

Councillor Jefferies confirmed that he had met with the Borough Commander that afternoon who confirmed the following figures: -

- All crime has reduced over the last 12 months by 3.2%.
- Hate crime is down by 2.2%
- Anti-Social behaviour is down by 30%.
- A cannabis production place containing 100 plants has been closed down in Tilbury.
- Since 2018 Anti-social behaviour has reduced by 63%
- Operation Ceasar which concerns the off-road nuisance bikes has reduced reports to police by 55%
- Operation Stronghold to increase the visibility of police in the borough – in Corringham, South Ockendon, Grays and Lakeside an additional 100 hours of police time and probably contributed to the reduction in crime
- Additional Police patrols in and around the Lakeside area will take place over the Christmas period.

206. Briefings on Policy, Budget and Other Issues

There were no briefings on Policy, Budget or other issues.

207. Petitions submitted by Members of the Public

There were no Petitions submitted by Members of the Public.

208. Questions from Non-Executive Members

There were no questions from Non-Executive Members.

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

There were no matters referred to the Cabinet for consideration by an Overview and Scrutiny Committee.

210. Delegated Decisions taken since the last meeting

Councillor Jefferies confirmed there had been two delegated decisions taken since the last Cabinet meeting which are listed on the second page of the agenda. One relating to Manor Close and the other relating to Angle Road.

211. Children's Transport Contract Procurement 2024 (Decision: 110681)

Councillor Carter introduced the report. Councillor Carter explained that the report seeks to collaborate with Essex County Council on a Dynamic Purchasing system for Home to School Transport. It is hoped this will drive down costs. Councillor Carter explained that the Children's Services Overview and Scrutiny Committee had raised concerns about the licensing fee however it has been confirmed that we will continue to use our tendering system and therefore the concerns were unfounded.

Councillor Snell queried what is the main benefit of the new framework.

Councillor Carter responded that currently they are limited regarding the number of providers and if a provider leaves they cannot replace them under the fixed framework. Under the new system they will be able to access Essex providers and other Thurrock providers not currently under the fixed framework. There will be more options for a cheaper and better service.

Councillor Johnson added that he appreciates this coming forward and increasing the number of providers should give a better service and possibly cheaper. Choice is everything and is important for parents and children.

RESOLVED:

- 1.1 Cabinet agree the recommendation for the Council to collaborate with Essex County Council (ECC) on a procurement exercise for a Dynamic Purchasing System (DPS) and to undertake further competition via the DPS to award contracts for Children's home to school transport as set out in section 3.**
- 1.2 Cabinet agree that the Director of Children's Services, in consultation with the Education Portfolio Holder is given delegated authority to award contracts following further competitions under the DPS.**

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

212. Thurrock Scheduled Ancient Monuments: Assessment of Settings - April 2023 (Decision: 110682)

Councillor B Maney introduced the report and explained that Thurrock is host to 17 Scheduled Ancient Monuments, designated by the Secretary of State for Culture, Media and Sport which are of national significance and it is only right that they are protected. The report is an important document and will aid planning officers with planning applications and ensure any developments are sympathetic to these ancient monuments. Councillor Maney welcomed the report and stated it is treating Thurrock's history and heritage with the regard it is due.

Councillor Carter also welcomed the report and stated that Thurrock hasn't always shown the great historical offering that it has. To an outsider Thurrock may just look like a logistics superhub but it is more than that and some of the monuments show the rich history Thurrock has had for thousands of years. Councillor Carter stated that he hoped the document would be widely circulated as it is worth teaching about Thurrock's local history and most would not know about every site on there.

The Leader commented that he didn't realise how many sites Thurrock has. It is a great step forward to ensure the sites are protected for future generations.

RESOLVED:

- 1.1 That Cabinet approve the publication of the Thurrock Scheduled Ancient Monuments: Assessment of Settings report (April 2023) (Appendix 1)**

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

213. East Tilbury (Bata Village) & Corringham Conservation Areas Character Appraisal and Management Plans - April 2023 (Decision: 110683)

Councillor B Maney introduced the report and explained that the East Tilbury (Bata Village) conservation area and Corringham conservation area are two of seven conservation areas designated by Thurrock Council. Councillor B Maney stated that they are keen to preserve Thurrock's heritage and the things that make Thurrock unique. Both the previous East Tilbury Character Appraisal and Corringham Character Appraisal were adopted in March 2007 and are now out of date. The Council has a statutory duty to review and update Management plans. No changes are proposed to the East Tilbury conservation area boundary. Minor amendments are proposed to the Corringham conservation area. Councillor B Maney stated that he was happy to adopt the report and to take any questions.

No members asked questions.

RESOLVED:

- 1.1 That Cabinet approve the adoption and publication of the East Tilbury (Bata Village) Conservation Area Character Appraisal and Management Plan (April 2023) (Appendix 1) and of the Corringham Conservation Area Character Appraisal and Management Plan (April 2023) (Appendix 2)**
- 1.2 That Cabinet note the management proposals within the Conservation Area Management Plans with regard to potential use of Article 4 Directions, and asks that a report be brought to the Planning, Transport, and Regeneration Overview and Scrutiny Committee, and Cabinet for further consideration on this matter.**

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

214. School Appeals Hearings Service (Decision: 110684)

Councillor D Arnold introduced the report and explained that when parents change their child's school, if they do not get their preferred choice of school, they can appeal to the school about the placement. Democratic Services at Thurrock Council have been a supplier of this service for providing independent appeals and there are also other suppliers. Thurrock wish to cease to be a provider of this service. Schools can use a different provider and it is likely to be more cost effective for them. Thurrock Council currently charge £250 for the service and Essex County Council charge £170 for the same service and quality. This will free up Democratic services to concentrate on work to do with the recovery on governance. If agreed, Democratic Services will speak to the schools about the other suppliers. The change will not affect the process, schools will just need to find another supplier.

Councillor Coxshall requested assurance that there is a market out there and that it will be cost effective. He also commented that it was logical to free up Democratic services if the market is cheaper and the quality of service will not be affected.

Councillor D Arnold stated that she is confident that there is a supplier chain out there. There are independent providers who work for more than one Local Authority. Schools can choose their supplier from an open market and Thurrock will help signpost schools so there is a seamless service.

The Leader commented that as long as there is the assurance that parents will still be able to appeal as residents do come to local Councillors to ask for help about appealing a decision.

RESOLVED:

1.1 To cease Service Level Agreements (SLAs) with local schools on Thurrock Council's school appeal hearings service.

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

215. 2023/24 Quarter 2 Forecast Revenue and Capital Outturn (Decision: 110685)

Councillor Snell introduced the report and explained that it sets out the estimated forecast revenue outturn position for 2023/24 for the General Fund, Housing Revenue Account (HRA), Dedicated Schools Grant (DSG) and Public Health Grant.

The quarter 2 general fund position is a forecast underspend of £1.512m including the current assumed capitalisation directive of £180.159m. This is an improvement of £0.476m on quarter 1.

The directorate position is forecast to overspend by £2.361m against a revised budget of £169.383m, equivalent to 1.4%. This is an improvement on the Q1 position and Directors continue to work hard to find mitigating measures to resolve the pressures on the 2023/24 budget.

An estimated underspend within the Treasury management function of £3.873m reduces the overall position to £1.512m less than the assumed general fund budgeted levels.

It is noted this projected underspend would reduce the planned capitalisation direction by £1.512m.

The financial accounts of the Council remain open from 2020/21 onwards and further issues could be identified which impact on the current position.

The current projected outturn for 2023/24 is a breakeven position for the Designated Schools Grant and Public Health.

The HRA is forecast to achieve an operating surplus of £0.817m for the year as set out in section 5 of the report.

The General Fund (GF) and HRA Capital Programme positions are set out in section 8. There is forecast slippage on the General Fund programme of £22.13m against a budgeted programme of £48m. Forecast slippage on the HRA capital programme is £12.59m against a budgeted programme of £44.04m

Since the last Outturn report in September a review has been undertaken of the capital programme to minimise borrowing for capital purposes and to implement a debt reduction strategy to comply with directions from DLUP and to ensure the capital programme is sustainable on future years budget and is focused on essential spending and delivery of statutory services. The proposed changes are included in appendix 7 and 8 and will be considered by Overview and Scrutiny in February.

The investment portfolio is undergoing valuation and assessment and a full report will be available in Quarter 3.

Expenditure controls remain in place and are reported to the Finance Recovery Board. Between January and August this year the number of spending requests steadily declined. The panels will continue to challenge spending across the Authority for the foreseeable future.

All forecast outturn positions are based on several assumptions such as interest rates and inflation holding at particular levels.

RESOLVED:

That Cabinet:

- 1.1. Note and comment on the overall forecast general fund outturn position for quarter 2 is an underspend of £1.512m.**
- 1.2. Note that directors with adverse variances will continue to review directorate budgets and identify mitigating actions to resolve the forecast pressure against the 2023/24 budget.**
- 1.3. Note the potential risks to the position listed noted in section 4 and the following specific risks noted within the report:**
 - a) Note there is an ongoing assessment of the investment portfolio values which remains under assessment pending reporting in quarter 3.**
 - b) Note there are ongoing wider financial accounting assessments related to prior periods which may also need to be considered.**
- 1.4. Note and comment on the positions set out in respect of the HRA, DSG and Public Health which project to deliver the budget within the existing funding envelopes.**
- 1.5 Note and comment on the capital programme, the current projected General Fund slippage of £22.13m, the HRA slippage of £12.59m and the outcomes of the external capital programme review**
- 1.6 Approve the proposed changes to the capital programme for 2023-24 as set out in section 8 and Appendices 7 and 8.**
- 1.7 Note that the position will remain provisional as further substantive work is undertaken, notably in preparation of historic accounts, which could have an impact on current or future years**
- 1.8 Approve Thurrock's 2024-25 Schools funding formula to be implemented as set out in section 6.**

1.9 Note the review of the Expenditure Control Panels included at Appendix 6.

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

The Leader thanked all Members especially the newest members of Cabinet, Councillor Carter and Councillor Coxshall for their hard work and support. The Leader also thanked Officers in the Council who have also worked extremely hard. The Leader wished everyone including residents a Happy Christmas and New Year.

The meeting finished at 7.30 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**