

Minutes of the meeting of Council held on 10 September 2014 at 7.00pm

Present: Councillors Steve Liddiard (Mayor), Sue Gray (Deputy Mayor), Chris Baker, Mark Coxshall, Charles Curtis, Oliver Gerrish, Robert Gledhill, Yash Gupta, Garry Hague, James Halden, Terry Hipsey, Barry Johnson, Roy Jones, Tom Kelly, Cathy Kent, John Kent, Martin Kerin, Brian Little, Sue Little, Sue MacPherson, Val Morris-Cook, Tunde Ojetola, Bukky Okunade, Barry Palmer, Maureen Pearce, John Purkiss, Robert Ray, Joy Redsell, Barbara Rice, Gerard Rice, Andrew Roast, Philip Smith, Graham Snell, Pauline Tolson and Simon Wootton.

Apologies: Councillors Jan Baker, Clare Baldwin, Tony Fish, Shane Hebb, Victoria Holloway, Charlie Key, Ben Maney, Maggie O’Keeffe-Ray, Sue Shinnick, Richard Speight, Michael Stone and Lynn Worrall.

In attendance: Graham Farrant – Chief Executive
Steve Cox – Assistant Chief Executive
Barbara Brownlee – Director of Housing
David Bull – Director of Planning and Transportation
Carmel Littleton – Director of Children’s Services
Roger Harris – Director of Adults, Health and Commissioning
Sean Clark – Head of Corporate Finance
Jackie Hinchliffe – Head of HR, OD and Customer Strategy
Fiona Taylor – Head of Legal and Democratic Services
Steve Jones – Democratic Services Manager
Kenna-Victoria Martin – Senior Democratic Services Officer

The Mayor informed all present that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council’s website.

33. Minutes

The Minutes of the Council meeting, held on 23 July 2014, were approved as a correct record.

Councillor Sue Little expressed some concern that details of the answers provided to questions submitted by members of the public and councillors were not printed in the Agenda and could only be accessed via the Council’s website, as not everyone had access to the internet.

A request was made for this information to be included with the printed Minutes of the meeting in future.

34. Items of Urgent Business

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

35. Declaration of Interests

Councillor Gerrish declared a non-pecuniary interest in respect of Agenda Item 17, Motion 3, as he lived in one of the roads identified in the Motion.

36. Tribute to Councillor Andy Smith

The Mayor invited Members to pay tribute to Councillor Andy Smith, who sadly passed away on 12 August 2014.

The Mayor advised that a motion, which called on the Council to pay tribute to Councillor Smith, had also been received from Councillor Gerrish and proposed that this be moved forward on the agenda so that both items could be taken together.

Reverend Barlow led the Chamber in prayer and a minute's silence was observed in remembrance of Councillor Smith.

The Leader of the Council led the tribute and was followed by Councillor Gerrish and a number of Members from all political groups represented on the Council, including the Leaders of each Group.

The Motion, as printed in the Agenda, was proposed by Councillor Gerrish and seconded by Councillor Gerard Rice. Members unanimously agreed the Motion, whereupon the Mayor declared this to be carried.

RESOLVED:

That Thurrock Council pays tribute to Andy Smith and mourns his sad passing. We recognise and give thanks for the many years of hard work and commitment that he gave to the people of Thurrock.

The Council asks that the Mayor holds a memorial service in Andy's memory.

37. Announcements

The Mayor informed the Chamber that he had the pleasure of attending a family fun day on 21 August 2014, which was hosted by the Community Safety Partnership and the Troubled Families team.

Members were informed that the event was a wonderful opportunity to bring the local community together and provided a chance for them to share activities and take information away from a host of agencies.

The Mayor commended the Tilbury Riverside Project for their organisation of this event and also thanked the Police, Fire, Housing, Trading Standards, Health, Thurrock Lifestyle Solutions and Tilbury Heritage for their attendance and displays.

The Mayor informed the Chamber that the determination of the Thurrock Community to tackle hate crime was evident at the event and explained that the Community Safety Partnership promoted the 'Stop the Hate' crime campaign and encouraged victims to come forward and report incidents.

The Mayor reminded all present that the second public meeting to discuss the Lower Thames Crossing, Options A and C and related issues, would be held at the Culver Centre in South Ockendon on 11 September at 7.00 pm.

On behalf of the Council, the Mayor passed on his best wishes to Councillor Maggie O'Keeffe-Ray and her family, as she was currently unwell.

The Mayor made a special presentation to Mr Albert England, President of the Thurrock Branch of the Burma Star Association, in recognition of his many years service. The Thurrock Branch was awarded the honour of the Freedom of the Borough in 2009 for all the association's hard work with local veterans of the Second World War Burma campaign.

Mr England thanked the Mayor and the Council and informed the Chamber that he would like to hand the Freedom of the Borough back to the Council so that it could be displayed for all to see.

The Leader paid tribute to Mr. England and his wife, who had done an important job in keeping the memory of the veterans of the Far East campaign alive. He advised that Freedom of the Borough brought with it invitations to the Civic Dinner and Annual Council and that he thought it to be fitting to continue to invite Mr England and his wife to these events.

The Leader informed the Chamber that the London Borough of Barking and Dagenham and Thurrock Council had agreed that, after two successful years of sharing, the Chief Executive would be returning to his role with the Council on a full time basis.

It was reported that the Chief Executive would remain in post, working across both authorities, until a replacement was in post at the London Borough of Barking and Dagenham and that this showed the strength of the relationship that existed between the two authorities.

Members were informed that the work with the London Borough of Barking and Dagenham over the last 2 ½ years had led to savings and the sharing of best practice. Members were advised that many other local authorities had followed our lead and shared management and services and that the Council would continue to work with its partners in South Essex and the LEP area.

38. Questions from Members of the Public

The Mayor informed the Chamber that one question had been submitted by a member of the public.

Members were informed that as Councillor Fish had submitted his apologies for the meeting, the question would now be answered by the Leader of the Council.

A copy of the transcript of questions and answers can be found at Appendix 1 to these Minutes.

39. Petitions from Members of the Public and Councillors

The Mayor informed Members that, in accordance with the Council's Petition Scheme, the requisite notice had been given by Councillor Kelly who wished to present a petition at the meeting.

Councillor Kelly presented a petition on behalf of 63 residents of Lenmore Avenue and Rectory Road, which called on the Council to continue with verge hardening in the area.

40. Petitions Update Report

Members received a report on the status of those petitions handed in at Council Meetings and Council Offices over the past six months.

41. Appointments to Committees and Outside Bodies, Statutory and Other Panels

The Mayor enquired whether Group Leaders wished for any changes to be made to the appointments previously made to Committees and outside bodies, statutory and other panels.

Each of the Group Leaders informed the Mayor that they did not wish to make any changes to the appointments previously made.

42. The Frost Estate Community Governance Review

The Mayor informed the Chamber that the report included a terms of reference for the Community Governance Review and a proposed timetable. Members were advised that it had been proposed that the Community Governance Review be progressed through the General Services Committee, with recommendations being brought back to the Council for a final decision to be made in respect of the creation of a parish council.

A number of Members spoke and raised the following points:

- The report was welcomed and that most of the residents of the Frost Estate wished for a parish council to be created

- Residents may not understand the true costs, for example the cost of employing the clerk and the cost of elections
- The state of roads was the main concern but, as these were not adopted, it was a private issue
- Some residents had paid towards having their road adopted and so would have to pay extra
- That as many residents as possible should participate in the survey.

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

RESOLVED:

- 1. That the terms of reference for the Community Governance Review, including the proposed timetable for the review, be approved.**
- 2. That the Community Governance Review be progressed through the General Services Committee, with recommendations bring brought back to the Council for a final decision to be made in respect of the creation of a parish council.**

43. Report of the Cabinet Member for Adult Social Care and Health

Councillor B. Rice, Cabinet Member for Adult Social Care and Health, introduced the report and, in doing so, highlighted some of the key achievements and successes of the Portfolio despite the challenging economic and demographic landscape, which included:

- The population of Thurrock was now living longer and with this came chronic health conditions and a greater complexity of needs and the Council must focus on prevention and early intervention;
- In November 2013 the Council was the first authority to participate in a peer review and the review team were impressed with the work the council was doing, commenting that it was more wide ranging than anything else in the country;
- Elizabeth Gardens was now fully occupied and the new specialist housing scheme in Derry Avenue, South Ockendon, with 25 flats that were designed to be “care ready” was to be completed in late 2015;
- 2013/2014 was another year of good progress and performance for the department and that Thurrock was one of the best performers in the country in preventing delayed discharge from hospital, with 90% of people discharged from hospital into reablement services still living at home 91 days later and this showed a better quality of life for residents;
- The Care Act 2014 was one of the most significant pieces of legislation in the last 40 years and includes positive rights for carers and a guarantee of personal budgets for individuals to be welcomed. From 2016, the amount of assets held by an individual before they pay for their care will increase from £23,000 to £112,000 but the “Care Cap” was just a cap on care so a person in residential care will continue to pay for food and accommodation;

- The community involvement work was developing, with 7 (soon to be 10) local area coordinators in post who will cover most of the borough
- With the transfer of public health to local authorities, the Council embarked on a positive journey to transform health outcomes in Thurrock and the public health team had reviewed every contract it inherited from the PCT and evaluated the outcomes of each contract;
- The Health and Wellbeing Board closely monitored the progress of outcomes in the Health and Wellbeing Strategy;
- Basildon Hospital was now out of special measures.

Members questioned the Cabinet Member and received responses as follows:

- Councillor Halden stated that Healthwatch played a vital role within the community and further noted that the Portfolio Holder had mentioned at a Committee meeting that she was open to ideas and suggestions to improve the Portfolio and make savings however he had concerns as budget cuts within the report included a £50,000 cut to Healthwatch. He asked the Cabinet Member to confirm that the issue of cuts and other ways of funding Healthwatch were still up for discussion.

The Cabinet Member confirmed that the only cuts that had been made were the first two items listed on page 65 of the Agenda and that she was open to ideas and negotiations. The Cabinet Member agreed that Healthwatch was vital to the community but that the Government were asking for savings to be made, along with reducing funding, but confirmed that she would give her full attention to the consultation to be undertaken.

- Councillor Gledhill observed that the Portfolio Holder had alluded to the Government forcing cuts onto to the Council and highlighted the savings made through reviewing contracts and the £2 million to be secured from the Better Care Fund, as set out on page 65 of the Agenda. He asked if the Cabinet Member felt that the savings were the better thing to do, irrespective of any cuts to funding.

The Cabinet Member agreed with Councillor Gledhill and explained that Public Health, and the funding for this, was previously managed by the PCT and that there was little the Council could do in this regard, however, since this responsibility transferred to the Council it could achieve savings through reviewing contracts and achieving better value for money. It was reported that the Better Care Fund was a new initiative and that the Council was working with the CCG to secure funding and enhancing the services we provide through re-enabling teams..

- Councillor Gerrish asked if the Cabinet Member what she saw as the main consequences experienced as a result of taking on Public Health responsibilities.

The Cabinet Member advised Members that the quality of the Public Health team had really made a difference in addressing health issues. It was reported that when the responsibility for Public Health was transferred

to the Council it came with £1.1 million short fall in initial funding and that, following discussions with the head of Public Health England, the Council was fortunate to see this funding returned. The Portfolio Holder also explained that officers were looking at each contract and trying to achieve value for money and seek benefits for residents. It was further reported that the Council was looking at Thurrock and the needs of its residents on a ward-by-ward basis and ensuring that funds were spent in the right way.

- Councillor Redsell asked the Portfolio Holder to provide an assurance to Members that the Council would work with similar organisations to ensure that more projects like Elizabeth Gardens would take place.

The Cabinet Member gave Members the assurance that the Council planned to be “Care Ready”.

- Councillor Okunade enquired as to how much Social Care placements were affecting the budget.

In response the Cabinet Member explained that when she became the Portfolio Holder, officers were instructed to look into placements in more detail. The Cabinet Member informed the Chamber that nine people had been relocated back to into Thurrock and that this saw a saving of £170,000. However, it was reported that the costing of placements was about getting value for money at the same time as providing the best service for those residents being placed.

The Cabinet Member summed up the report and praised the good work and dedication of the departments she worked with.

At this point, Councillor Johnson sought to raise a point of order as he felt that the report did not include the financial information that Members had previously asked to be included when passing a Motion to specifically request this. The Mayor informed Members that he would look into the issue raised and pass out any information that was needed.

44. Questions from Members

The Mayor informed the Chamber that five questions had been submitted to the Leader and a further five questions to Cabinet Members, Committee Chairs and Member appointed to represent the Council on a Joint Committee.

Members were informed that as apologies had been received from Councillors Holloway and Worrall, the Leader of the Council would provide a response to the questions that had been submitted to each Cabinet Member.

A copy of the transcript of questions and answers can be found at Appendix 1 to these Minutes.

45. Reports from Outside Bodies

There were no reports from Members representing the Council on outside bodies.

46. Minutes of Committees

The Minutes of Committees, as set out in the Agenda, were received.

47. Motions update report

Members received an information report updating them on progress in respect of Motions resolved at Council over the past year.

48. Motion submitted by Councillor Tolson

The Motion, as printed in the Agenda, was proposed by Councillor Tolson and seconded by Councillor MacPherson.

Councillor Tolson introduced the motion and advised the Chamber that the purpose of the Motion was to give residents and visitors a clear indication of the hygiene rating of establishments in the borough.

A number of Members spoke in support of the Motion and raised the following points:

- This is currently only compulsory in Wales and the government should extend this to England.
- It would help to protect and give an informed choice to anyone visiting a food outlet.
- A five-star rating was achievable and it was expected that this would be maintained after an inspection took place.
- As the Motion asked the Council to call on the government to do something, a question was raised as to role played by the local MPs.

Councillor Tolson thanked Members for their support and advised that she was happy to write to the local MPs to seek their support.

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

RESOLVED:

Thurrock Council calls upon government to make the display of Food Hygiene Rating Scheme Certificates compulsory in England as it currently is in Wales.

49. Motion submitted by Councillor Kelly

The Motion, as printed in the Agenda, was proposed by Councillor Kelly and seconded by Councillor Snell.

Councillor Kelly introduced the motion and advised the Chamber that earlier this year, verge hardening projects had been commenced in Lenmore Avenue, Rectory Road, Stifford Clays Road and Romford Road.

It was reported that where the installation had been completed, residents viewed this as a success. However, Members were also informed of some of the difficulties that were likely to be faced by residents in those roads that had not been completed, particularly during bad weather.

Councillor Kelly advised the Chamber that in Lenmore Avenue the installation had been limited to the top third and bottom section of the road and that in parts of Rectory Road the installation was incomplete. Members were informed that residents on both roads, together with those living in other roads across the borough that had been partially completed, wished for these projects to be completed.

It was reported that the projects had been paid for by extra funding from the government and that these could be completed using the savings from not paying for a Head of Service for Highways and that there was plenty of time to apply for additional funding from the government or to achieving savings in other areas of the Council's activities.

A number of Members spoke in respect of the Motion and raised the following points:

- The motion was something that Members would like to support and see rolled out across the borough but that funding was a major issue.
- The verge hardening costs £100 per square metre. It was estimated that Lenmore Avenue alone would cost £75,000 to complete and the Council did not have the money to do this.
- Residents living in the middle of Lenmore Avenue felt that they had been left out.
- It was suggested that the project area was nowhere near the 750m² that had been quoted in order to incur costs of £75,000.
- Money collected from parking fines could be used to pay for this, although there was a shortfall in the monies collected last year.
- In an ideal world, the Council would like to do this but could not, unless the government provided extra funding.
- It is difficult to explain to residents why the Council could not spend £75,000 on roads when it was spending £3.5 million on the Civic Offices.
- If the Council supported the motion, it was fully expected that it would do everything in its power to complete the verge hardening projects that had been commenced.

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

RESOLVED:

We call on Thurrock Council to complete the verge hardening projects started in Little Thurrock Rectory, Stifford Clays and Aveley.

50. Motion submitted by Councillor Gledhill

Councillor Gledhill informed the Chamber that, in accordance with Procedure Rule 19.17, he wished to alter the wording of his motion as a word had been omitted when submitted. The Motion therefore read:

“We call on government to make Councils, who are housing authorities, subject to the same sanctions as private landlord. This would require changing the law to allow Councils to be prosecuted easier where they fail to bring tenants homes up to an acceptable standard.”

The Motion, as printed in the Agenda, was proposed by Councillor Gledhill and seconded by Councillor Brian Little.

Councillor Gledhill introduced his motion and advised Members that private landlords who were renting out sub-standard properties could be prosecuted if they did not bring their properties up to an acceptable standard.

It was reported that this Motion would start the process of establishing a level playing field between private and council tenants and their abilities to hold their landlord to account.

Councillor Gledhill advised the Chamber that he was sure that all Members had come across issues with tenants living in properties that were awaiting repairs to be undertaken and that if the tenants lived in a private rented property, the Council could force the landlord to make the required repairs or face prosecution.

However, Members were informed that this was not the case for tenants who lived in Council-owned properties. It was reported that whilst there was legislation that could see prosecutions brought, such as the Environmental Protection Act, this required the tenant to establish the presence of a statutory nuisance that was considered prejudicial to their health, and, prove their case beyond a reasonable doubt.

The Chamber were informed that the Local Government Association were currently looking at a process to prosecute rogue landlords but that there was nothing in this to make councils equally liable. Councillor Gledhill explained that he was asking for tenants to be able to call on an agency, or another Council, to take a prosecution forward.

Councillor John Kent commented that this was an interesting Motion and that most Members would have sympathy with what has been said. However, it was reported that the difference was that there was a democratically elected group of people who council tenants could approach in order to intervene in issues with their landlord. It was further reported that this was not available to private tenants with issues against their landlord.

Councillor Brian Little informed Members that he would be supporting the Motion as he had sympathy for people who had struggled with properties and had no opportunity of redress.

Upon being put to the vote, 20 Members voted in favour of the Motion, 1 against and 14 abstained, whereupon the Mayor declared this to be carried.

RESOLVED:

We call on government to make Councils, who are housing authorities, subject to the same sanctions as private landlord. This would require changing the law to allow Councils to be prosecuted easier where they fail to bring tenants homes up to an acceptable standard.

The meeting finished at 9.28pm.

Approved as a true and correct record

MAYOR

DATE

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