

Minutes of the Meeting of the Cabinet scheduled for 14 September 2022 at 7.00 pm, and reconvened on 12 October 2022

The deadline for call-ins is Monday 24 October 2022 at 5.00pm

Present:	Councillors Mark Coxshall (Acting Leader), Deborah Arnold (Acting Deputy Leader), Qaisar Abbas, Jack Duffin, Andrew Jefferies, Barry Johnson, Ben Maney, Graham Snell and Luke Spillman
	Councillor Fraser Massey, Chair of the Lower Thames Crossing Task Force
In attendance:	Matthew Boulter, Democratic Services and Governance Manager, and Interim Monitoring Officer Julie Rogers, Director of Public Realm Ian Wake, Corporate Director of Adults, Housing and Health Lucy Tricker, Senior Democratic Services Officer

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

30. Minutes

The minutes of the Cabinet meeting held on 13 July 2022 were approved as a true and correct record.

31. Items of Urgent Business

There were no items of urgent business.

32. Declaration of Interests

There were no interests declared.

33. Statements by the Leader

The Acting Leader opened his statement and welcomed Councillor Graham Snell as Portfolio Holder for Finance. He thanked Councillor Snell for his continued critical challenge and thorough scrutinising of Council finances. The Acting Leader highlighted that this was the first Cabinet meeting since central government intervention, and wanted to ensure increased transparency moving forward. He explained that the government intervention was split into the best value inspection, and the recovery plan, both of which were due to be published in January 2023. He explained that central government had already started interviewing senior officers and Members as part of the intervention, and would be looking into areas such as governance and compliance,

although this could change and develop as the intervention continued. He stated that the approach could change depending on findings made by the commissioners, but any recommendations made would be taken in full and actioned by Thurrock Council. He urged all officers, Members and residents to be open and transparent with the commissioners. The Acting Leader summarised and stated that he would be offering the Chairmanships of scrutiny Committees to the opposition at the next Full Council meeting, as he felt that scrutiny needed to be strengthened.

34. Briefings on Policy, Budget and Other Issues

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

35. Petitions submitted by Members of the Public

No petitions had been submitted by members of the public.

36. Questions from Non-Executive Members

No questions had been submitted by non-Executive Members.

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

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

38. Lower Thames Crossing Task Force Update Report (Decision: 110621)

Councillor Massey introduced the report and explained that the Task Force had received a verbal update on the A13 junction in March, where officers had reported on the potential impact of the proposed LTC on the A13 and A0189, and it was reported that because of the LTC, the A13 could see increased traffic at peak travel times. He added that the Task Force were informed that construction carried out on the A13 during LTC construction could also impact local villages and junctions, such as East Tilbury, the Manorway junction, the B1420, and Southend Road. Councillor Massey explained that the LTC would use local road capacity and could impact on the Council's ability to deliver local economic growth aspirations, such as the Thames Freeport and emerging Local Plan. Councillor Massey also highlighted that during the Task Force's discussions at that meeting, it had come to light that Thurrock's main local traffic movement times had differed to the strategic times used by National Highways, who had found the larger peaks in the evening. He added that Members of the Task Force felt that the impact on villages such as Linford, East Tilbury, and Chadwell St Mary had not been addressed by National Highways, as other projects going on in Thurrock could also have an affect on the capacity of the local road network. He stated that overall, the

Task Force remained concerned regarding the negative impacts of the LTC and junction connectivity with the Orsett Cock and Manorway junctions, and other local roads.

Councillor Massey explained that the Task Force continually requested information regarding the Health Impact Assessment, but the Council were waiting on answers and base line data from National Highways. He hoped this would be received by the Task Force soon. Councillor Massey confirmed that at the June Task Force meeting, Members had discussed an item of urgent business regarding the Thurrock Council letter to the Treasury as the value for money of the proposed LTC had appeared to decrease. He stated that the Task Force had also considered the local refinement consultation response, and Members had expressed their concern that the consultation had too few physical events and did not last long enough. Councillor Massey added the Task Force also debated issues such as the impact to the A13 at junctions; tunnelling spoil transportation; HGVs on local roads; and the Tilbury Fields size reduction as the main concerns going forward. Councillor Massey summarised and explained that the next Task Force meeting was scheduled for 17 October where National Highways would be attending to take questions from Members, as well as discussing the Development Consent Order (DCO) process.

The Acting Leader thanked Councillor Massey for his update and felt that there had been constructive work with officers in Task Force meetings. He felt pleased to see that regular reports on the work of the Task Force were presented to Cabinet, and provided constructive criticisms and a critical friend. He added that the LTC could have negative impacts in Thurrock, both during construction and once the route was opened, and would not bring many positives to the area. He urged Task Force Members to thoroughly question National Highways at their next meeting to ensure that the proposed LTC would provide some benefit to Thurrock if built.

RESOLVED: That Cabinet:

1. Noted the work of the Task Force.

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

39. Lower Thames Crossing - Delegation of Authority to Respond (Decision: 110622)

The Acting Leader introduced the report and stated that although the LTC scheme was not yet ready to be submitted to DCO, the Council needed to be ready ahead of its submission. He added that the report would delegate authority to officers and the Acting Leader.

RESOLVED: That Cabinet:

1. Authorised the Director Strategy, Engagement and Growth, after

consultation with the Leader of the Council and the Portfolio Holder, to undertake all necessary work in connection with the Council's response to the Lower Thames Crossing Development Consent Order (DCO) and for ensuring that the Council is properly represented at an Examination in Public, and for making decisions in the best interests of the Council during negotiations. This will involve Council responses to make representations following LTC DCO submission, prior to examination, and during examination. Responses will include, but are not limited to, Adequacy of Consultation Response, Statement of Common Ground (and its subsequent revisions), Local Impact reports, PINS written questions, and other relevant representations related to LTC.

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

40. Grays Town Fund Programme (Decision: 110623)

The Acting Leader introduced the report and stated that due to the sad passing of Her Majesty Queen Elizabeth II the report had been delayed, but now needed to be moved forward. He explained that this report would fund projects such as a new beachfront vista, which would help deliver the values of Thames100, as well as a new riverside activity centre, which would be used by community groups such as the Sea Cadets. He commented that the Sea Cadets had not had a permanent base for many years, but this centre could be used by them, which would help improve the lives of young people. He added that the projects outlined in the report had to be completed by 2026/27, so the project needed to be moved forward to ensure these deadlines were met.

Councillor Spillman felt that as retail shops in the High Street declined on a national level, Grays needed to become a leisure zone, and this grant could help to achieve this, as it could be transformative to the area. The Acting Leader highlighted that the Grays Town Fund would help to regenerate Grays, as it could improve the beach, install a new underpass to link Grays with South Grays, build new river developments such as the river activity centre, and would work in tandem with other projects such as the new Thameside offer. He felt that once the regeneration in Grays was complete, the Council could consider regenerating other areas such as South Ockendon. Councillor Abbas echoed comments and felt that regeneration would benefit Grays and looked forward to construction on these projects beginning.

RESOLVED: That Cabinet:

1. Approved the Grays Town Fund Programme and Budget allocations as set in Table 1 of the report.

2. Delegated authority to the Corporate Director of Resources and Place Delivery and the Director of Public Realm, in consultation with the Portfolio Holder for Regeneration and External Affairs, and Assistant Director Legal Services to:

- a. Approve the Business Case Summaries;**
- b. Submission of planning application for the projects within Grays Town Fund Programme;**
- c. Approve the operation of procurement processes through to the awarding of contracts to commission consultants and contractors to undertake services and works to deliver the Grays Town Fund programme, subject to tendered sums being within the anticipated budget;**
- d. Negotiate and enter into necessary agreements to facilitate delivery of Grays Town Fund programme including access agreements and licences, leases and design and construction contracts.**

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

41. Financial Update - Quarter 1 2022/23 (Decision: 110624)

The Interim Director of Finance introduced the report and stated that it had coincided with the beginning of the commissioners' work, so had to be read in the context of the time. He stated that the team had worked with commissioners on the release of the report as it helped Members and residents understand the service pressures currently being experienced. He stated that services were currently experiencing approximately £7.4million of pressure and income losses, and although part of this could be managed with reserves, there was still a gap in the budget and further work to do. The Interim Director of Finance highlighted Table 1 on page 42, which set out service provision and highlighted the pressures within Adults and Childrens' Social Care, and Table 2 provided a detailed breakdown of these pressures. He explained that many other Councils faced pressures regarding Adults and Childrens Social Care, and work was continuing to monitor and support these pressures using reserves and capital receipts. He stated that the Medium-Term Financial Strategy (MTFS) was constantly evolving and would remain a challenge due to inflationary pressures and the central government funding settlement.

The Interim Director of Finance stated that the intervention also continued to evolve with commissioners, and the Update on Council Borrowing report scheduled for October's Cabinet meeting would consider this in more detail. He mentioned that both this report and the Council Borrowing report had been considered by the Corporate Overview and Scrutiny Committee at their previous meeting, and they had discussed the transition from Local Authority borrowing to Public Works Loan Board (PWLB) borrowing, which would be borrowed at a higher interest rate. He explained that previous PWLB borrowing had had an interest rate of approximately 0.5%-1%, but interest rates had now reached approximately 4.5%. He stated that the impact of this would be assessed and reported back to the Corporate Overview and Scrutiny Committee and Cabinet as part of the Quarter 2 financial report.

The Interim Director of Finance added that the commissioners were also

evaluating the Minimum Revenue Provision (MRP), which was a method to pay back debt. He explained that specific issues within investments could change the MRP approach and wider provisions across all investments, which could have a range of impacts. He stated that borrowing could be paid back over the course of 20 years, with interest 1% above the usual PWLB rates. He stated that the commissioners were currently clarifying positions as the situation remained fluid and complicated, but felt that the commissioners remained supportive and provided advice on how to resolve the situation as quickly as possible.

The Acting Leader thanked the Interim Director of Finance for the level of detail in the report, and felt that it remained a serious situation. He stated that the recovery board continued to meet bi-weekly and received advice from the commissioners. He added that the administration would also use the scrutiny function to aid in the recovery plan. Councillor Spillman felt that confidence in the Council had been shaken. He asked how Councillors and officers could restore the trust that had been lost. The Interim Director of Finance stated that the Council would continue to follow the processes being put in place by the commissioners, who would be undertaking a detailed review into the governance of Thurrock Council. He stated that officers and Members would be interviewed as part of the best value inspection, which would identify what had gone wrong, and would help to begin rebuilding trust. He stated that the inspection was only just beginning, and the Council needed to accept their findings. He urged any officers or Members to raise concerns with the inspectors to ensure that they had a clear picture of leadership, governance, and compliance within the Council. He mentioned that the commissioners had also set-up a whistleblowing hotline to ensure openness. The Interim Director of Finance added that the team had so far received positive feedback from the finance recovery board, and felt that the Council was in a good starting position. Councillor Spillman welcomed comments from the Interim Director of Finance and felt that the commissioners would ensure Members and officers fully understood what had happened. The Acting Leader felt that the Council could now be more open, and Cabinet and senior officers could work together for residents.

Councillor Snell stated that he would work with commissioners to understand what had happened. He added that he had attended the Corporate Overview and Scrutiny Committee and had welcomed comments from opposition Members. He urged opposition Members to voice their concerns or comments, and stated that they could arrange a meeting with him if they needed. The Acting Leader echoed these comments and stated that he would ensure residents continued receiving services and would be open and transparent with residents.

RESOLVED: That Cabinet:

- 1. Noted the Department of Levelling Up, Housing and Communities have put an intervention package in place and nominated Essex County Council as the Commissioners as set out in section 2.**

2. Commented on the forecast revenue and capital outturn positions for 2022/23.

3. Noted that additional action will be required to identify further savings to manage the reports General Fund budget pressures.

Reason for decision: as outlined in the report

This decision is subject to call-in

The meeting finished at 7.50 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**