

Thurrock Strategic Infrastructure Board (TSIB)

Meeting Minutes

Date: December 18, 2024

Time: 3:00 pm

Location: Room 4, 3rd Floor/ Microsoft Teams

Attendees

Board Members Present:

- Anthony Fletcher – Performance and Intelligence (Chair)
- Sarah Williams – Education
- Natalie Smith – Communities
- Christopher Smith – Adults and Health
- Elizabeth Unwin – Housing Development
- Laura Last – Finance
- Nisshanth Narendran – Finance
- Ashley Baldwin – Planning
- Priscilla Omede – Performance and Support
- Helen Nicol – Legal
- Helen Horrocks – Public Health
- Mikaela Burns – Business Support

Apologies:

- Louise Neilan – Communications
 - Claire Demmel – Place
 - Helen Nicol – Legal
 - George McCullough – Regeneration
 - Rocchina Raymond – Recreation and Leisure
 - Gloria Ighodaro – Housing, Economic Development and Regeneration
 - Peter Wright – Highways and Transport
 - Kate Kozlova-Boran – Economic Development and Skills
 - Sharon Stoltz – Public Health
 - Keith Andrews – Housing Development
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Agenda Points

Actions from the previous meeting (AB)

The outstanding actions will be followed up outside of the meeting

Reflection on Board Meetings

(AF) stated that the Current process of reviewing the spreadsheet line by line is inefficient. Updating the spreadsheet is also cumbersome, requiring a change in format.

(AB) explained that a Principal Planner role focusing on Planning Obligations and Nationally Significant Infrastructure Projects (NSIPs) will be created. This individual will meet with stakeholders to update the data and bring presentations to the board. Recruitment for the role will begin externally in January, as no internal applications were received. Going forward, the board's focus must extend beyond monitoring funds. It should focus on negotiations for developments, spending, and monitoring outcomes.

(AF) confirmed that the immediate focus is that Current unspent funds must be reviewed for feasibility. If feasible, projects will proceed; otherwise, next steps should be identified. Feedback will also be provided to the Thurrock Association of Forums (TAF) on the 21st January 2025.

(SW) stated that there used to be an Infrastructure Requirements List (IRL) which was the starting point to determine what projects were required.

(AB) confirmed that he would take interim responsibility for the IRL, reviewing its current status and identifying who is responsible for updates until the Principal Planner role is established. The goal is to adopt a collaborative approach with service specialists to ensure the IRL remains accurate and up to date. (AB) also expressed concern about the lack of proper governance surrounding what is included on the IRL.

(NS) advised that the IRL is a community-facing document, allowing residents to still submit requests, querying where they currently go to. Its scope should extend beyond S106 to capture practical, broader priorities.

(CS) stated that the absence of a robust IRL hinders the ability to advocate for health and social care needs when presenting requirements to developers, this escalates matters especially given the projected volume of housing applications (8,000 in the next six months potentially).

(AB) stated that the Council are legally obligated to comply with the requirements of S122 in the absence of a local plan. This means that any items identified in S106 agreements must meet the specific tests outlined under S122. While we aim to negotiate contributions for primary care and similar needs, these negotiations are currently weakened because they often fail to fully satisfy the S122 tests.

Action: (AB) to liaise with Gary Staples to review the IRL and clarify the process, including its current status and who is responsible for updates.

Service Updates: Section 106 (S106) Agreements

- **Community Contributions**

(NS) sought an update on the agreement for East Tilbury Community Hall and how this can be progressed. It was agreed that a roundtable meeting would be arranged with Assets, Communities and Planning to discuss and move this forward in regard to the community hall.

Action: (NS) to share the Forums proposal for the use of the S106 fund to Gary Staples for him to review the feasibility.

Action: (AF) to arrange the roundtable meeting.

545 London Road, South Stifford (Develop Request for monthly S106 Payment)

(AB) explained that the obligation for the development of 15 flats includes a contribution of £93,000, with development having commenced in May. The total amount due has now increased to £116,000. The owner has requested to pay this amount in 11 monthly instalments of £11,000, followed by a final instalment of £6,600. (AB) noted no immediate objections to this proposal but sought input from the board to confirm agreement with this approach.

The board acknowledged the risk that the developer may fail to meet the monthly payment schedule. It was agreed that legal advice is needed to clarify the implications if payments are not made and whether the Council would be in breach of the S106 agreement. The board also discussed an alternative approach, suggesting a shorter payment period of six months as a potential option. Additionally, the board requested an assessment of the potential legal costs involved should the matter need to be pursued through the courts if the developer fails to pay the full amount in a single instalment.

Action: Legal advice is required on the 2 points listed above.

Any Other Business (AOB)

(AF) stated that there is a perception within the community forums that the value of contributions should increase annually due to the interest rates. A detailed forensic exercise was needed to clarify this, with input from the Finance team. Looking ahead to the 1st April 2025, the board discussed adopting a fresh approach by allocating accrued interest from S106 funds specifically towards infrastructure projects. A Finance policy will be developed to formalise the use of S106 interest for infrastructure purposes.