**DIRECTIONS UNDER SECTION 15(5) AND (6) OF THE LOCAL GOVERNMENT ACT 1999**

1. It was announced on 17 July 2025 that the Secretary of State for Housing, Communities and Local Government (“the Secretary of State”), after due consideration, is satisfied that Thurrock Council (“the Authority”) is failing to comply with the requirements of Part I of the Local Government Act 1999 (“the 1999 Act”) and that she was using powers under the 1999 Act to intervene at the Authority.
2. The Secretary of State has reviewed the progress of the intervention so far and considered the following:
   1. The fifth report from Commissioners, dated 1 May 2025 and published on 19 June 2025.
   2. 2 September 2022 Directions and updated Directions 16 March 2023.
   3. The representation made on 1 July 2025 by the Authority on the proposed Directions.
   4. Two further representations made on the proposed Directions.
3. The Secretary of State, having considered the representations made by the Authority as required by section 15(9) of the 1999 Act, and all other representations received, considers it necessary and expedient, in accordance with powers under section 15(5) and (6) of the 1999 Act, to issue a new set of Directions to the Authority. These direct the Authority as set out below in order to secure the Authority’s compliance with the requirements of Part I of the 1999 Act, in particular to:
   1. Continue to implement and report on plans for the Authority’s improvement and recovery, to the satisfaction of the Commissioners.
   2. Develop and maintain a revised Corporate Plan which includes the necessary work to ensure the Authority’s compliance with the Best Value Duty
   3. Ensure that the Authority has personnel with sufficient capability and capacity including access to appropriate specialist expertise where required
   4. Work with Commissioners on the work with other councils in the Greater Essex area for unitary local government and the Devolution Priority Programme on implementing any such proposals later agreed upon.
   5. Fully co-operate with the Commissioners and take any reasonable action within the Authority’s functions to prevent further failure, as reasonably determined by the Commissioners.
4. Pursuant to powers under section 15(5) and (6) of the 1999 Act, the Secretary of State directs:
5. The Authority to take the actions set out in Annex A to these Directions.
6. That the functions of the Authority specified in Annex B to these Directions shall be exercised from the date of these Directions by the Commissioners acting jointly or severally; the Commissioners being persons nominated by the Secretary of State for the purposes of these Directions as long as those nominations are in force.
7. That, from the date of these Directions, the Authority shall comply with any instructions of the Commissioners in relation to the exercise of the functions specified in Annex B, and shall provide such information and assistance as the Commissioners may require for the purpose of exercising the functions specified in Annex B.
8. These Directions replace the Directions issued on 2 September 2022 (and updated on 23 March 2023) with immediate effect. They shall remain in force until 30 April 2028 unless the Secretary of State considers it appropriate to amend or revoke them at an earlier date.

Signed on behalf of the Secretary of State for Housing, Communities and Local Government.

James Blythe

Senior Civil Servant in the Ministry for Housing, Communities and Local Government Date: 17 July 2025

**ANNEX A**

**ACTION THE AUTHORITY IS REQUIRED TO TAKE**

In this Annex, the following expressions have the following meanings –

“The Authority” includes the Leader, the Cabinet, members of the Cabinet, any committee or subcommittee of the executive, any committee or subcommittee of the Council, any officer of the Council or any other person who has responsibility for exercising the function or other decision making in relation to the matter in question.

*Directions to the Authority*

The Directions set out actions which the Authority must undertake to effect the changes needed as well as supporting and facilitating the work of the Commissioners.

The actions to be taken by the Authority are:

1. To continue to implement and report on plans for the Authority’s continuous improvement and recovery, to ensure all required actions and changes are fully implemented to the satisfaction of the Commissioners, with resource allocated accordingly to drive, embed, and sustain improvements across governance, culture, partnership, use of resources and service delivery. This is needed in order to secure as soon as practicable that all the Authority’s functions are exercised in conformity with the Best Value Duty, thereby delivering improvements in services and outcomes for the people of Thurrock. This should include as a minimum, actions to:

a. Ensure compliance with all relevant rules, guidelines and codes relating to the financial management of the Authority.

b. Strengthen the Authority’s system of internal controls, notably risk management and internal audit, and embed governance and culture improvements across the organisation.

c. Ensure that the Authority has personnel with sufficient capability and capacity including access to appropriate specialist expertise where required, enabled by a strengthened corporate culture, a robust officer structure and an effective framework for performance management across the Authority.

d. Define and implement the Authority’s proposed operating model. This should be backed by a fully resourced and strategic transformation plan, in line with the council’s MTFS, Treasury Management Strategy, and Capital Strategy. The Transformation Plan must incorporate a robust multi-year savings plan, that enables financial sustainability and resilience, debt reduction and the delivery of core services and priorities.

1. To develop and maintain a revised Corporate Plan which incorporates and builds upon the enhanced Improvement and Recovery Plan and reflects the necessary work remaining to ensure the Authority’s compliance with the Best Value Duty.
2. To take steps to ensure that the role of Accountable Body to the Thames Freeport is exercised to the satisfaction of the Commissioners.
3. To actively work with Commissioners on the work with other councils in the Greater Essex area for unitary local government and the Devolution Priority Programme on implementing any such proposals later agreed upon.
4. To report to the Commissioners on the delivery of all plans at intervals as Commissioners may direct.
5. To undertake in the exercise of any of its functions any action that the Commissioners may reasonably require to avoid so far as practicable incidents of poor governance, poor financial governance or financial mismanagement that would, in the reasonable opinion of the Commissioners, give rise to the risk of further failures by the Authority to comply with the Best Value Duty.
6. To allow the Commissioners at all reasonable times, such access as appears to the Commissioners to be necessary:

a. to any premises of the Authority;

b. to any document relating to the Authority; and

c. to any employee or member of the Authority.

1. To provide the Commissioners, at the expense of the Authority, with such reasonable amenities and services and administrative support as the Commissioners may reasonably require from time to time to carry out their functions and responsibilities under these Directions.
2. To pay the Commissioners reasonable expenses, and such fees as the Secretary of State determines are to be paid to them.
3. To provide the Commissioners with such assistance and information, including any views of the Authority on any matter, as the Commissioners may reasonably request.
4. To co-operate with the Secretary of State for Housing, Communities and Local Government in relation to implementing the terms of these Directions.

**Annex B**

**FUNCTIONS OF THE AUTHORITY TO BE EXERCISED BY THE COMMISSIONERS**

In this Annex, the following expressions have the following meanings –

“The Authority” includes the Leader, the Cabinet, members of the Cabinet, any committee or subcommittee of the executive, any committee or subcommittee of the Council, any officer of the Council or any other person who has responsibility for exercising the function or other decision making in relation to the matter in question.

“Statutory Officer” means any of: the Head of Paid Service designated under section 4(1) of the Local Government and Housing Act 1989; the Chief Financial Officer designated as having responsibility for the administration of the Authority’s financial affairs under section 151 of the Local Government Act 1972; the Monitoring Officer designated under section 5(1) of the Local Government and Housing Act 1989; and the Scrutiny Officer designated under section 9FB of the Local Government Act 2000 (and the expressions “statutory officer” and “statutory office” are to be construed accordingly).

“Senior positions” are defined as the Chief Executive, direct reports to the Chief Executive and their direct reports, and their Group Managers – tiers one, two and three.

The Commissioners shall exercise:

1. All functions associated with the governance, scrutiny and transparency of strategic decision making by the Authority.
2. All functions associated with the financial governance and scrutiny of strategic financial decision making by the Authority.
3. The requirement from section 151 of the Local Government Act 1972 to make arrangements for the proper administration of the Authority’s financial affairs, and all functions associated with the strategic financial management of the Authority, to include;
4. providing advice and challenge to the Authority on the preparation and implementation of a detailed action plan to achieve financial sustainability and to close any short and long-term budget gaps identified by the Authority across the period of its medium-term financial strategy (MTFS), including a robust multi-year savings plan;
5. providing advice and challenge to the Authority in the setting of annual budgets and a robust medium term financial strategy (MTFS) for the Authority, strictly limiting future borrowing and capital spending;
6. scrutiny of all in-year amendments to annual budgets;
7. the power to amend budgets where Commissioners consider that those budgets constitute a risk to the Authority’s ability to fulfil its Best Value Duty;
8. providing advice and challenge to the Authority on the preparation of sustainable and affordable capital, investment and treasury management strategies; a strict debt reduction plan; and a revised minimum revenue provision (MRP) policy;
9. providing advice and challenge to the Authority on a suitable scheme of delegations for financial decision-making; and
10. ensuring compliance with all relevant rules and guidelines relating to the financial management of the Authority.
11. All functions associated with the Authority’s operating model and redesign of services to achieve value for money and financial sustainability.
12. All functions relating to the appointment and dismissal of persons to positions the holders of which are to be designated as statutory officers, and the designation of those persons as statutory officers, to include:
13. the functions of designating a person as a statutory officer and removing a person from a statutory office; and
14. the functions under section 112 of the Local Government Act 1972 of:
15. appointing and determining the terms and conditions of employment of an officer of the Authority, insofar as those functions are exercised for the purpose of appointing a person as an officer of the Authority principally in order for that person to be designated as a statutory officer; and
16. dismissing any person who has been designated as a statutory officer from his or her position as an officer of the Authority.
17. All functions to define the officer structure for the senior positions at the Authority, to determine the recruitment processes and then to recruit the relevant staff to those positions.
18. All functions pertaining to the development, oversight and operation of an enhanced performance management framework for officers holding senior positions.