

## MINUTES OF COUNCIL PROCEEDINGS

At a Meeting of the Council of the Borough of Slough held at the Town Hall, Slough on Tuesday, 8<sup>th</sup> February, 2005.

**Present:-** The Worshipful the Mayor (Councillor Long) in the Chair; Councillors Anderson, Arnold, Buchanan, Burkmar, Choudhry, Cryer, Dhaliwal, Dhillon, Dodds, Edwards, Haines, Hayat, Hewitt, Holledge, Howard, Janik, Jenkins, L Khan, S Khan, Maclsaac, Mann, Munkley, Parmar, Plimmer, Pond, Shine, Small, Smith, Stokes, Swindlehurst, Wright and Zeib.

**Apologies for Absence:-** Councillors Aziz, Bal, Butt, Chohan, Grewal, Key, Simmons and Zarait; the Reverend Paul Lipscomb.

### PRAYERS

At the request of the Mayor, her Chaplain, the Revd Dr Jeremy Hurst, said prayers.

### PART I

#### 65. Declarations of Interest

Councillor Maclsaac declared a personal interest in respect of agenda items 6(A) (Sale of Land North of Wexham Nursery) and 9 (Commons Registration Act 1965 – Application to Register Land to the South of Wexham Nursery as a Village Green) as he had campaigned on the issue of not releasing land at Wexham from the Green Belt. He had also acted as a witness in respect of the Commons Registration Act issue. However, he was approaching the items on this agenda with an open mind and had not predetermined how he would vote. He also declared a personal interest on agenda item 12 (B) (Motion on Telecommunications Masts) as he had carried out some research on this issue. He would remain in the meeting and vote on all of the above items.

Councillor Buchanan also declared a personal interest on agenda item 12(B) as he was a former employee and small shareholder of a telecommunications company. He would however remain and vote.

Councillor Holledge declared a personal interest in agenda item 6(B) (Langley Library Redevelopment) as his wife managed the library. However, the interest was not prejudicial and he would remain and vote.

#### 66. Minutes

The minutes of the meetings of the Council held on 8<sup>th</sup> and 14<sup>th</sup> December, 2004 were approved as a correct record and signed by the Mayor.

**67. Mayor's Communications**

**Asian Tsunami**

The Mayor paid tribute to the tremendous support shown by the communities of Slough following the recent Asian Tsunami disaster and referred in particular to the various fund raising events organised by staff.

**Revd Dr Jeremy Hurst**

The Mayor reminded the Council that Jeremy Hurst had been appointed as an Honorary Canon of Christ Church Cathedral, Oxford and informed Members that she had attended the service in Oxford when he was installed. This was Jeremy Hurst's last Council meeting before his retirement in April and she asked the Council to join her in thanking him for his tremendous dedication to Slough and its communities and the support he had given to the Council over many years. The Council passed a formal vote of thanks to Jeremy. She informed the Council that the Revd Paul Lipscomb had kindly agreed take over the Chaplaincy duties for the remainder of the current municipal year.

**68. Questions from Residents/Electors Under Procedure Rule 9**

None received.

**69. Questions from Members re the Thames Valley Police Authority under Procedure Rule 10**

None received.

**70. Variation of the Order of Business**

The Mayor sought and obtained the consent of the Council to vary the order of business by taking agenda item 9 immediately after item 6(A) as both related to issues in the Wexham area.

**71. Recommendation of the Cabinet from its Meeting held on 24<sup>th</sup> January, 2005 – Sale of Land North of Wexham Nursery**

It was moved by Councillor Howard,  
Seconded by Councillor Stokes,

“That the recommendation as set out in the report be approved and adopted.”

It was moved as an amendment by Councillor Anderson,  
Seconded by Councillor Swindlehurst,

“That a decision on this item be deferred until Scrutiny has met to fully consider the implications of this sale.”

The amendment was put and lost by 9 votes to 19 votes with 2 abstentions.

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The substantive motion was then put and carried by 20 votes to 10 votes with 1 abstention, and on a show of hands, a prior request having been made for a record of the voting,

There voted for the substantive motion:-

Councillors Arnold, Buchanan, Burkmar, Cryer, Dhillon, Edwards, Haines, Hayat, Hewitt, Howard, Jenkins, L Khan, S Khan, Maclsaac, Munkley, Plimmer, Pond, Smith, Stokes and Wright ..... 20

There voted against:-

Councillors Anderson, Choudhry, Dhaliwal, Dodds, Holledge, Mann, Parmar, Shine, Small and Swindlehurst ..... 10

There abstained from voting:-

The Worshipful the Mayor ..... 1

Not present during voting:-

Councillors Janik and Zeib ..... 2

**Resolved –** That Officers be authorised to conclude a joint agreement to allow the marketing and sale of the Council’s freehold interest in the land north of Wexham Nursery for residential development.

### 72. **Commons Registration Act 1965 – Application to Register Land to the South of Wexham Nursery (Nursery Field) as a Village Green**

It was moved by Councillor Smith,  
Seconded by Councillor Stokes,

“That the recommendation as set out in the report be approved and adopted,.”

The recommendation was put and carried by 27 votes to 0 votes with 5 abstentions.

**Resolved –** That for the reasons set out in the Inspector’s report, the Council resolve to reject the application.

### 73. **Recommendation of the Cabinet from its Meeting held on 24<sup>th</sup> January, 2005 – Langley Library Redevelopment – Funding Issue**

It was moved by Councillor Stokes,  
Seconded by Councillor Howard,

“That the recommendation as set out in the report be approved and adopted.”

The recommendation was put and carried unanimously.

**Resolved –** That the expenditure for the rebuilding of Langley library be determined as “regeneration” so that 100% of the capital receipt from

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the disposal of the adjoining garage site can be utilised to fund the new library.

### 74. Review of Polling Arrangements

Prior to the recommendations as set out in this report being moved, the Mayor invited the Director of Law and Corporate Governance to make a statement on this matter. He advised the Council that a further paper had been tabled at the meeting setting out further proposals in respect of the Haymill and Foxborough Wards. In addition, detailed proposals and a request for information had been received in respect of Central Ward although this was received too late for inclusion in the papers for the Council meeting. In addition, a further proposal had been received but subsequently withdrawn in respect of the Upton Ward. In view of this, he suggested that the Council may wish to consider deferring consideration of this item to enable all of the current proposals to be considered together in detail and reported back to a later meeting of the Council. He further suggested that it may be appropriate to establish a Joint Member/Officer Working Party comprising the three Group Leaders or their nominees, the proposers and election staff to consider and report back on these matters.

It was moved by Councillor Stokes,  
Seconded by Councillor Hewitt,

“That this item be deferred and that a Joint Member/Officer Working Party be established comprising the three Group Leaders or their nominees, the proposers and relevant election staff to consider all of the proposals now on the table and report back to a future meeting of the Council.

The proposal was put and carried by 21 votes to 1 vote with 9 abstentions.

**Resolved –** That this item be deferred and that a Joint Member/Officer Working Party be established comprising the three Group Leaders or their nominees, the proposers and relevant election staff to consider all of the proposals now on the table and report back to a future meeting of the Council.

### 75. Proposed Public Path Creation Order: Upgrading Footpath 9 (Slough) and Part of Footpath 65 (Burnham, Bucks) to Bridleways

It was moved by Councillor Smith,  
Seconded by Councillor Munkley,

“That the recommendations as set out in the report be approved and adopted.”

The recommendations were put and carried.

**Resolved –**

- (a) That the Director of Law and Corporate Governance be authorised to make a Public Path Creation Order under the provisions of Section 26 of the Highways Act 1980 to upgrade footpath 9 (Slough) and part of footpath 65 (Burnham, Bucks) to bridleways.

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- (b) That if Buckinghamshire County Council objects to the making of the Order, the matter is brought to back to Council for further consideration.
- (c) That if no objections are received to the Order, or any such objections are withdrawn, the Director of Law and Corporate Governance be authorised to confirm the Order.

### **76. Calendar of Meetings 2005/06**

It was moved by Councillor Munkley,  
Seconded by Councillor Haines,

“That the recommendations as set out in the report be approved and adopted, subject to the inclusion of the words ‘subject to (c) below’ in recommendation (a) after the word ‘that’ and the insertion of a new recommendation (c) as follows:-

‘That Officers be instructed to liaise with Parish officials as to how conflicts with Parish Council meetings may be avoided.’ ”

The recommendations, as amended, were put and carried.

#### **Resolved –**

- (a) That, subject to (c) below, the Calendar of Meetings for the 2005/06 municipal year attached as Appendix 1 to the report to Council be approved.
- (b) That the Assistant Director (Democratic Services) be authorised to make amendments to the Calendar resulting from any constitutional changes that may be agreed, in accordance with the provisions of the Constitution.
- (c) That Officers be instructed to liaise with Parish officials as to how conflicts with Parish Council meetings may be avoided.

### **77. Motions Submitted Under Procedure Rule 13**

#### **(A) Nuclear Waste**

It was moved by Councillor Stokes,  
Seconded by Councillor MacIsaac,

“This Council: -

- Deplores the decision of the Government in January 2005 to reverse the Government’s 1976 policy of returning foreign nuclear waste to the country of origin after re-processing at Sellafield;
- Believes that the re-processing of nuclear waste should take place at, or near, the locality at which the nuclear waste is created;

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- Notes that the U.K. is already facing serious problems of nuclear waste disposal which, thus far, have proved insoluble;
- Believes that those serious problems of nuclear waste disposal should not be exacerbated by the unnecessary importation of nuclear waste from overseas for re-processing at Sellafield;
- Maintains that the argument that 'nuclear waste reprocessing and disposal is profitable for the U.K.' is not an adequate justification and is viewed as a 'policy of polluting the people of Britain for profit' by many British people; and
- Accordingly calls upon the MPs for Slough to use their best endeavours to protect the health of the people of Britain in general and Slough in particular by persuading the Government to reverse its decision to permit the re-processing of imported nuclear waste and its disposal within the U.K."

The motion was put and carried by 20 votes to 0 votes with 6 abstentions.

### **Resolved – This Council: -**

- Deplores the decision of the Government in January 2005 to reverse the Government's 1976 policy of returning foreign nuclear waste to the country of origin after re-processing at Sellafield;
- Believes that the re-processing of nuclear waste should take place at, or near, the locality at which the nuclear waste is created;
- Notes that the U.K. is already facing serious problems of nuclear waste disposal which, thus far, have proved insoluble;
- Believes that those serious problems of nuclear waste disposal should not be exacerbated by the unnecessary importation of nuclear waste from overseas for re-processing at Sellafield;
- Maintains that the argument that 'nuclear waste reprocessing and disposal is profitable for the U.K.' is not an adequate justification and is viewed as a 'policy of polluting the people of Britain for profit' by many British people; and
- Accordingly calls upon the MPs for Slough to use their best endeavours to protect the health of the people of Britain in general and Slough in particular by persuading the Government to reverse its decision to permit the re-processing of imported nuclear waste and its disposal within the U.K."

### **(B) Telecommunications Masts**

It was moved by Councillor Stokes,  
Seconded by Councillor Maclsaac,

"This Council: -

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- Notes with alarm that at least 8,000 more new phone masts are to be erected throughout England and Wales during the next three years without democratic scrutiny;
  - Regrets that the Deputy Prime Minister reneged on a promise to make erectors of new mobile phone masts seek full planning permission during December 2004;
  - Regrets that John Prescott's decision flies in the face of recommendations by an official government inquiry, a Parliamentary Committee and the country's local authorities – as well as earlier ministerial statements;
  - Notes that evidence that radiation from phone masts can be harmful is growing;
- and
- Calls upon the MPs for Slough to use their best endeavours to persuade the Government to honour its formal response to the Stewart Inquiry and 'introduce a requirement for full planning permission for all new telecommunications masts as public consultation is an integral part of the planning process'."

The motion was put and carried by 28 votes to 0 votes with 3 abstentions.-

**Resolved –** This Council: -

- Notes with alarm that at least 8,000 more new phone masts are to be erected throughout England and Wales during the next three years without democratic scrutiny;
  - Regrets that the Deputy Prime Minister reneged on a promise to make erectors of new mobile phone masts seek full planning permission during December 2004;
  - Regrets that John Prescott's decision flies in the face of recommendations by an official government inquiry, a Parliamentary Committee and the country's local authorities – as well as earlier ministerial statements;
  - Notes that evidence that radiation from phone masts can be harmful is growing;
- and
- Calls upon the MPs for Slough to use their best endeavours to persuade the Government to honour its formal response to the Stewart Inquiry and 'introduce a requirement for full planning permission for all new telecommunications masts as public consultation is an integral part of the planning process'."

## **(C) Cuts in Central Government Funding**

It was moved by Councillor Dhillon,  
Seconded by Councillor Janik,

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“This Council having taken account of the Labour Government's actions:-

- (a) Depriving Slough of the proceeds of the town's business rates;
- (b) Depriving Slough of approximately £1.7 million in grants necessary to operate local services for the benefit of the residents of this proud and noble Borough; and
- (c) Threatening this democratically run Council with Council Tax capping which may cause cuts in the services provided to local residents,

Resolves:

- (1) To request the town's Labour MP to demand on behalf of the Borough that her Labour Government colleagues fully restore the cuts made to this Council's Central Government grant immediately;
- (2) To advocate the abandonment of Central Government's population estimates which fail to adequately reflect the true quantity of Slough's ever-increasing population; and
- (3) To note with regret that once again the Borough of Slough is failing to get the support of Labour Party members both locally and nationally in furthering the interests of the residents and businesses of our Borough.”

It was moved as an amendment by Councillor Stokes,  
Seconded by Councillor Smith,

“That the motion be amended to read as follows:-

‘This Council:

Having taken account of the Labour Government’s actions:

- (a) Depriving Slough of the proceeds of the town’s business rates;
- (b) Depriving Slough of approximately £1.3m of its FSS funding necessary to operate local services for the benefit of the residents of this proud and noble Borough; and
- (c) Threatening this democratically run Council with Council Tax capping which may cause cuts in the services provided to local residents,

Resolves –

- (1) To request the town’s Labour MP to join the Council in lobbying her Labour Government colleagues to give a funding allocation that fully reflects the population size of the Borough;
- (2) To advocate the abandonment of the Office of National Statistics’ population estimates based on GP roll numbers which fail to adequately reflect the



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size of Slough’s ever-increasing population and discriminate against areas already suffering deprivation as a result of inadequate GP provision; and

- (3) To note with regret that once again the Borough of Slough is failing to get the support of Labour Party members both locally and nationally in furthering the interests of the residents and businesses of our Borough.’ ”

The mover and seconder of the original motion indicated that they were prepared to accept this amendment.

The amended motion was then put and carried by 21 votes to 10 votes with 1 abstention and, on a show of hands, a prior request having been made for a record of the voting,

There voted for the substantive motion:-

Councillors Arnold, Buchanan, Burkmar, Cryer, Dhillon, Edwards, Haines, Hayat, Hewitt, Howard, Janik, Jenkins, L Khan, S Khan, Maclsaac, Munkley, Plimmer, Pond, Smith, Stokes and Wright ..... 21

There voted against the motion:-

Councillors Anderson, Choudhry, Dhaliwal, Dodds, Holledge, Mann, Parmar, Small, Swindlehurst and Zeib ..... 10

There abstained from voting:-

The Worshipful the Mayor ..... 1

Not present during voting:-

Councillor Shine ..... 1

**Resolved – This Council:**

Having taken account of the Labour Government’s actions:

- (a) Depriving Slough of the proceeds of the town’s business rates;
- (b) Depriving Slough of approximately £1.3m of its FSS funding necessary to operate local services for the benefit of the residents of this proud and noble Borough; and
- (c) Threatening this democratically run Council with Council Tax capping which may cause cuts in the services provided to local residents,

Resolves –

- (1) To request the town’s Labour MP to join the Council in lobbying her Labour Government colleagues to give a funding allocation that fully reflects the population size of the Borough;

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- (2) To advocate the abandonment of the Office of National Statistics' population estimates based on GP roll numbers which fail to adequately reflect the size of Slough's ever-increasing population and discriminate against areas already suffering deprivation as a result of inadequate GP provision; and
- (3) To note with regret that once again the Borough of Slough is failing to get the support of Labour Party Members both locally and nationally in furthering the interests of the residents and businesses of our Borough.

### **(D) Capital Programme Expenditure**

It was Councillor Dhillon,  
Seconded by Councillor Janik

"This Council:

Having witnessed the failure of the previous Labour administration to organise the prompt and efficient start of budgeted work on 1 April 2004 for the benefit of the Borough's residents as noted in the December 2004 budget underspend report which shows that after 75% of the current financial year has elapsed the total spending on the following items fell well below what this new administration expects, namely:

- (a) Line 9, Housing Improvement Grants, 17.1% spent.
- (b) Line 22, Affordable Warmth / Central Heating, 3.6% spent.
- (c) Line 24, Kitchen & Bathroom Modernisation, 0.9% spent.
- (d) Line 26, Rewiring Improvements, 1.8% spent.
- (e) Line 28, Window Replacement Programme, 1.1% spent.

Resolves –

- (1) to ensure all the budgeted monies are used to provide the budgeted services before the end of the current financial year; and
- (2) to demonstrate to the residents of Slough its standards and achievements will exceed those of the previous failing Labour administration while remaining fully committed to serving the people of Slough."

It was moved as an amendment by Councillor Stokes,  
Seconded by Councillor Smith,

"That the motion be amended by the rewording of paragraphs (1) and (2) to read as follows:-

- '(1) To do all it can to maximise the capital spend up to the full allocation projected for agreed capital projects before the financial year ends; and

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- (2) To demonstrate to the residents of Slough that capital programme spending will exceed levels achieved by the previous failing Labour administration while remaining fully committed to serving the people of Slough.' ”

The mover and seconder of the original motion indicated that they were prepared to accept this amendment.

The amended motion was then put and carried by 20 votes to 10 votes with 1 abstention and, on a show of hands, a prior request having been made for a record of the voting,

There voted for the substantive motion:-

Councillors Arnold, Buchanan, Burkmar, Cryer, Dhillon, Edwards, Haines, Hewitt, Howard, Janik, L Khan, S Khan, Maclsaac, Munkley, Plimmer, Pond, Shine, Smith, Stokes and Wright ..... 20

There voted against the motion:-

Councillors Anderson, Choudhry, Dhaliwal, Dodds, Hollege, Mann, Parmar, Small, Swindlehurst and Zeib ..... 10

There abstained from voting:-

The Worshipful the Mayor ..... 1

Not present during voting:-

Councillors Hayat and Jenkins ..... 2

**Resolved –**

This Council:

Having witnessed the failure of the previous Labour administration to organise the prompt and efficient start of budgeted work on 1 April 2004 for the benefit of the Borough's residents as noted in the December 2004 budget underspend report which shows that after 75% of the current financial year has elapsed the total spending on the following items fell well below what this new administration expects, namely:

- (a) Line 9, Housing Improvement Grants, 17.1% spent.
- (b) Line 22, Affordable Warmth / Central Heating, 3.6% spent.
- (c) Line 24, Kitchen & Bathroom Modernisation, 0.9% spent.
- (d) Line 26, Rewiring Improvements, 1.8% spent.
- (e) Line 28, Window Replacement Programme, 1.1% spent.

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**Resolves –**

- (1) To do all it can to maximise the capital spend up to the full allocation projected for agreed capital projects before the financial year ends; and
- (2) To demonstrate to the residents of Slough that capital programme spending will exceed levels achieved by the previous failing Labour administration while remaining fully committed to serving the people of Slough.

**(E) Declaration of Members' Interests**

It was moved by Councillor Anderson,  
Seconded by Councillor Swindlehurst,

“This Council supports the Freedom of Information Act that came into effect on 1<sup>st</sup> January 2005 and encourages continued efforts and initiatives to further the Council’s transparency and accountability to the residents of Slough.

Notes that procedures currently exist for elected Members to declare their interests; however these procedures do not demand the disclosure of all meetings that Members may attend with external companies, including developers.

Therefore the Council resolves that a voluntary register, monitored by the Standards Committee, be circulated to all Members in executive and quasi-judicial posts in order that they may declare all meetings with external companies, ensuring their accountability to the residents of Slough.”

The motion was put and lost by 10 votes to 16 votes with 5 abstentions and, on a show of hands, a prior request having been made for a record of the voting,

There voted for the motion:-

Councillors Anderson, Choudhry, Dhaliwal, Dodds, Hollege, Mann, Parmar, Small, Swindlehurst and Zeib ..... 10

There voted against the motion:-

Councillors Arnold, Buchanan, Burkmar, Cryer, Dhillon, Edwards, Haines, Howard, L Khan, S Khan, Maclsaac, Munkley, Pond, Smith, Stokes and Wright ..... 16

There abstained from voting:-

The Worshipful the Mayor and Councillors Hewitt, Janik, Plimmer and Shine ..... 5

Not present during voting:-

Councillors Hayat and Jenkins ..... 2

**Resolved -** That the motion be rejected.

(F) Candidates for Election

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It was moved by Councillor Swindlehurst,  
Seconded by Councillor Anderson,

“Slough residents dismayed at seeing national coverage of their town being associated with guns and the glamorisation of weapons, have every right to be concerned about the character of people who seek public office.

Therefore this Council;

Calls on all political groups on this authority to commit to take the strongest possible action to ensure that people who do not behave appropriately do not get adopted as candidates, and that the candidates they do present to the people of Slough are worthy of their trust.

Furthermore, that if they then betray that trust they will act to remove those people swiftly and decisively from their ranks.”

It was moved as an amendment by Councillor Smith,  
Seconded by Councillor Stokes,

“That the motion be amended by the deletion of the first and third paragraphs and the rewording of the second paragraph as follows:-

‘This Council calls on all political groups to commit to taking the strongest possible action to ensure that people who do not behave appropriately do not get adopted as candidates in Slough and that the candidates they present to the electorate are worthy of their trust.’ ”

The amendment was put and carried by 19 votes to 7 votes with 2 abstentions and became the new substantive motion.

It was moved as an amendment by Councillor Janik,  
Seconded by Councillor Swindlehurst,

“That the substantive motion be amended by the deletion of the word ‘groups’ and its replacement with the word ‘entities’.”

The amendment was put and carried by 13 votes to 9 votes with 5 abstentions.

The new substantive motion was then put and carried by 17 votes to 10 votes with 3 abstentions.

**Resolved –** This Council calls on all political entities to commit to taking the strongest possible action to ensure that people who do not behave appropriately do not get adopted as candidates in Slough and that the candidates they present to the electorate are worthy of their trust.

## 78. Continuation of Meeting

At 10.30 p.m., during consideration of motion (F), the Mayor moved in accordance with Procedure Rule 8(1) that the Council continue past 10.30 p.m. to complete all of its business. The Council indicates its consent.

**79. Questions from Members under Procedure Rule 10**

The Mayor advised that a number of questions had been received from Members under Procedure Rule 10, copies of which have been tabled. She invited the appropriate Commissioners to respond to the questions and, where present, the questioners were given the opportunity of asking supplementary questions arising from the answers given.

**80. Minutes of Meetings of Cabinet and Committees**

The minutes of meetings of the Cabinet and Committees held since the last meeting of the Council were moved, seconded and received as follows:-

Cabinet of 29<sup>th</sup> November, 2004  
Employment and Appeals Committee of 1<sup>st</sup> December, 2004  
Planning Committee of 9<sup>th</sup> December, 2004  
Cabinet of 14<sup>th</sup> December, 2004  
Licensing Committee of 16<sup>th</sup> December, 2004  
Cabinet of 4<sup>th</sup> January, 2005  
Planning Committee of 18<sup>th</sup> January, 2005  
Scrutiny and Overview Committee of 19<sup>th</sup> January, 2005  
Standards Committee of 20<sup>th</sup> January, 2005

**81. Common Seal**

It was moved, seconded and

**Resolved –** That the fixing of the Common Seal of the Council to the documents referred to in the entries numbered 111880 to 111944 in the Seal Register now produced by the Director of Law and Corporate Governance be approved.

Chair.

(Note: The meeting opened at 7.00 p.m. and closed at 11.20 p.m.)