

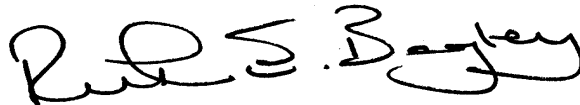
Date of despatch: 8th April 2011

To the Members of Slough Borough Council

Dear Councillor,

You are summoned to attend a Meeting of the Council of this Borough which will be held in the Council Chamber, Town Hall, Bath Road, Slough on **Tuesday, 19th April, 2011 at 7.00 pm**, when the business in the Agenda below is proposed to be transacted.

Yours faithfully



RUTH BAGLEY
Chief Executive

AGENDA

PRAYERS

Apologies for Absence

PAGE

PART I

1. Declarations of Interest-Members are reminded of their duty to declare personal and personal prejudicial interests in matters coming before this meeting as set out in the Local Code of Conduct.
2. Minutes of the Meetings of the Council held on 1st February 2011 and 21st February 2011(attached in Minute Book)
3. To receive the Mayor's Communications

Questions

- 4. Questions from Electors under Procedure Rule 9 (if any)
- 5. Questions from Members regarding the Thames Valley Police Authority under Procedure Rule 10 (if any)

Recommendations of Cabinet and Committees

[Notification of Amendments required by 10 am on Monday 18th April 2011]

- 6. Recommendations of the Licensing Committee of 23rd February 2011 1 - 14
 - (a) Review of Street Trading
 - (b) Equality Act 2011-Taxis and Private Hire Wheelchair Accessible Vehicles

Officer Reports

- 7. Local Government Boundary Commission - Electoral Review 15 - 18
- 8. Annual Overview and Scrutiny Report 2010/11 19 - 36

Motions

- 9. To consider Motions submitted under procedure Rule 14 37 - 38

Member Questions

- 10. To note Questions from Members under Procedure Rule 10 (as tabled)

Minute Book

- 11. To note the following Minutes of the Cabinet and Committees (circulated in the Minute Book)

Planning of 18th January 2011
Overview and Scrutiny of 20th January 2011
Cabinet of 24th January 2011
Audit of 25th January 2011
Overview and Scrutiny of 27th January 2011
Cabinet of 7th February 2011
Planning of 9th February 2011
Licensing of 23rd February 2011
Overview and Scrutiny of 3rd March 2011
Cabinet of 14th March 2011
Employment and Appeals of 15th March 2011
Planning of 17th March 2011



12. Vote of Thanks to the Retiring Mayor
13. Vote of Thanks to the Retiring Deputy Mayor

Minutes circulated herewith.

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SLOUGH BOROUGH COUNCIL

REPORT TO: Council **DATE:** 19th April 2011
CONTACT OFFICER: Shabana Kauser, Senior Democratic Services Officer
(For all Enquiries) (01753 875013)
WARD(S): All

PART I
FOR DECISION

RECOMMENDATIONS OF THE LICENSING COMMITTEE FROM ITS MEETING HELD ON 23RD FEBRUARY 2011

(A)- REVIEW OF STREET TRADING

1. **Purpose of Report**

To report the recommendation of the Licensing Committee on 23rd February 2011 for the proposed changes to the Councils Street Trading Protocol and Guidance to be approved.

2. **Recommendation**

The Council is requested to resolve that the proposed changes to the Street Trading Protocol and Guidance as contained in Sections 1 to 4 in **Appendix B** of the report be approved.

3. **Community Strategy Priorities–**

- **Being Safe, Feeling Safe**
- **Prosperity for All**

4. **Other Implications**

(a) **Financial**

In recommending the proposed changes to Street Trading in Slough, the result will be an increase of sites. It is anticipated that this may generate additional income of around £30,000. This will offset any additional expenditure in the administration of the Street trading Consents.

(b) **Risk Management**

Recommendation	Risk/Threat/Opportunity	Mitigation(s)
From section 2 above	The approval of the proposed amendments would significantly enhance economic prosperity within the Borough of Slough	If approved the new applications would be subject to wide consultation to ensure that any Street Trading

		would not be cause for concern or complaint to local businesses and local residents
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(c) Human Rights Act and Other Legal Implications

Section 1 and Schedule 1 Part 1 and 11 of The Human Rights Act 1998 apply:

Article 1 – Every person is entitled to a peaceful enjoyment of his or her possessions including the possession of a licence and shall not be deprived of the possession except in the public interest.

Article 6 – That in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal by law.

(d) Equalities Impact Assessment

An Equality Impact Assessment screening has been completed and the conclusions are that there are no adverse or negative impacts of opportunity for any equality target group or for any reason

5. **Supporting Information**

5.1 Street Trading is governed by Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 which was adopted by the Council in 1986.

5.2 A 'Street' as defined by the act includes:

- (a) any road, footway, beach or other area to which the public have access without payment; and
- (b) a service area as defined in section 329 of the Highways Act 1980.

And also includes any part of a street.

5.3 'Street Trading' means, subject to the below, the selling or exposing or offering for sale of any article (including a living thing) in a street.

5.4 The following are not street trading for the purposes of the Schedule-

- (a) trading by a persons acting as a pedlar under the authority of a pedlar's certificate granted under the Pedlars Act 1871.
- (b) anything done in a market or fair the right to hold which was acquired by virtue of a grant (including presumed grant) or acquired or established by vittue of an enactment or order.
- (c) trading in trunk road picnic area provided by the Secretary of State under section 12 of the Highways Act 1980.
- (d) trading as news vendor;
- (e) Trading which-
 - (i) is carried on at premises used as a petrol filling station; or
 - (ii) is carried on at premises used as a shop or in a street adjoining premises so used and as part of the business of the shop;

- (f) selling things, or offering or exposing them for sale, as a roundsman:
- (g) the use for trading under Part VIIA of the Highways Act 1980 of an object or structure placed on, in or over a highway;
- (h) the operation of facilities for recreation or refreshment under Part VIIA of the Highways Act 1980;
- (i) the doing of anything authorised by regulations made under section 5 of the Police, Factories, Etc (Miscellaneous provisions) Act 1916.

5.5 The Council Protocol and Guidance on Street Trading has been reviewed previously in 1999 and 2006 in relation to 'Prohibited Streets', 'Consent Streets' and the application procedure.

5.6 The current Protocol and Guidance details that all streets within the Borough of Slough are 'Consent Streets' however there are only a number of streets designated where trading can take place and trading in all other streets is prohibited. A list of the current 'Consent Streets' designated for trading is contained at **Appendix A**.

5.7 The current Protocol and Guidance also details the requirement of a Street Trading Consent on private land within 10 meters from the highway. It must be stressed that although the 10 meter distance is in place, Schedule 4 clearly defines 'Street' as in **point 5.2** above, which states 'where the public have access without payment' and this may include private land 10 meters from the highway if the public have access without payment at the time.

5.8 Since 2006 a number sites of designated streets have become non – viable as trading sites. In addition there is no longer enough suitable trading sites to accommodate the number of prospective traders wanting to apply for Street Trading Consents, which currently stands at 23.

6. Proposals and Consultation

6.1 In order to encourage employment initiatives and enhance local economic prosperity, which it is felt will ease some of the burden of unemployment within the Borough, a further review of Street Trading has been conducted and subject to consultation. The Consultation has been carried out with all Licensed Premises, all religious buildings such as churches, temples and mosques, residents associations, all elected Member's of the Council and Parish Councils, all current and prospective Consent holders, all consultees as detailed in the new proposals and formal consultation through the SBC website.

6.2 The new proposals (amended) following consultation are contained at **Appendix B** which in brief detail:

- That all streets to remain as Consent Streets in which Street Trading is prohibited without consent of the Council in addition to the current designated trading streets.
- The number of traders in the High Street to be kept as is.
- That all new applications will be subject to a full consultation exercise with the consultees as detailed.
- Determination periods and referrals to Licensing Sub Committee's
- A Full site assessment.
- A full inspection of the vehicle, van, trailer etc to be used for trading purposes.

6.3 There was a very minimal response to the consultation and areas of the attached

proposals have been highlighted in grey to show some minor amendments.

- 6.4 All other areas of the current Street Trading Protocol and Guidance such as the application procedure and standard conditions etc are to remain the same.

7. **Comments of Other Committees**

The Licensing Committee at its meeting on 23rd February 2011 considered the proposed changes to the Councils Street Trading Protocol and Guidance and recommended as set out in paragraph 2 above.

8. **Conclusion**

That Council approves the proposed changes to the Street Trading Protocol and Guidance as contained in Sections 1 to 4 in **Appendix B** of the report.

9. **Appendices Attached**

- 'A' - List of current 'Consent Streets' designated for Street Trading
- 'B' - Proposed amendments to current Street Trading Protocol and Guidance.

10. **Background Papers**

- '1' - Schedule 4 Local Government (Miscellaneous Provisions) Act 1982
- '2' - Equality Impact Assessment Screening
- '3' - Reports and Minutes - Licensing Committee 23rd February 2011

Appendix A

Locations for static street trading

Bath Road (A4) From Wellington Street junction to the borough boundary

Farnham Road From Whitby Road junction to Northborough Road / Cumberland Ave junction

High Street,(including the Town

Square and surrounding footway)

From Windsor Road junction to Yew Tree Road junction

High Street West, Slough All

London Road, Langley Service road/lay-by adjacent to and east of the Toby Carvery

Wellington Street (subway) From the entrance to the Queensmere shopping centre to Brunel bus station northern end, excluding all stairways and ramps

Wellington Street /William Street The central area only, excluding all stairways and underpass ramps

Colnedale Road, Poyle All

Galleymead Road, Poyle All

Newlands Drive, Poyle All

High Street, Chalvey The lay-by opposite The Green

White Hart Road, Chalvey All

Colnbrook by-pass From Sutton Lane, east to the M25 motorway bridge including the service road running adjacent to the by-pass west of Lakeside Road.

High Street, Colnbrook From number 9 Market Place to the junction with Vicarage Way

Poyle Industrial Estate To include - Poyle Road from the junction with Bath Road, south to the junction with Horton Road, Horton Road from the roundabout at Poyle road, east to the Borough Boundary adjacent to Wraysbury River, the whole of Millbrook Way, Mathisen Way, Arkwright Road, Prescott Road, Willow Road, David Road, Blackthorne Crescent, Augustine Close and Calder Way

Waterside Drive, Langley All

Petersfield Avenue, Slough From its junction with Wexham Road, east to the junction with Whittenham Way and the whole of Albion Close

Grassmere Parade, Slough At the junction of Grassmere Avenue and Wexham Road, outside the shopping parade

Appendix B

STREET TRADING REVIEW AND PROPOSALS

1. PROPOSALS REGARDING STREETS

The proposals in the review of Street Trading in Slough are as follows:

1. That all streets to remain as Consent Streets in which Street Trading is prohibited without the consent of the Council.
2. That the current streets that have been designated as streets where Street Trading is permitted to remain plus the proposals as contained in (1) above.
3. That the current number of Street Traders permitted to operate in Slough High Street, to remain.
4. With regards to (1) above, applications for Street Trading Consents will be accepted and will be subject to a full consultation exercise, site visit and inspection of the street trading unit as detailed below.

2. CONSULTATION

Before a **new** application for a Street Trading Consent is determined the Council will carry out a consultation process with various persons and groups. In particular we will consult with:

- Thames Valley Police
- Royal Berkshire Fire and Rescue Service
- Ward Members
- Slough Borough Council – Planning
- Slough Borough Council – Highways
- Slough Borough Council – Transport
- Slough Borough Council – Parking and Development
- Slough Borough Council – Trading Standards
- Slough Borough Council – Food and Safety Team
- Slough Borough Council – Neighbourhood Enforcement Team
- Slough Borough Council – Environmental Services and Quality
- The owner or occupiers of any property within 100 meters of the proposed site. This consultation will be by way of sending a copy of the Notice of Application to the relevant property owners

Please note a consultation process will not be conducted for renewal applications, unless there has been issues raised by any of the above listed consultees during the term of the previous Consent.

- (a) The consultation will normally take 28 days in order that any objections to the application can be made in writing.

- (b) If no objections are received the application will be granted and the Street Trading Consent issued (subject to full payment being received and the criteria set out in the site assessment and inspection of the street trading unit being completed)
- (c) The time scale for determination of a licence application where no objections have been received will normally take about 4 weeks as long as the full application criteria has been met.
- (d) If objections are received the application will be put before a Licensing Sub Committee for determination.
- (e) The time scale for determination of a licence application where objections have been received may take between 6 to 8 weeks dependant upon the date of the sitting of the Licensing Committee.
- (f) The Licensing Committee is made up of local Councillors who will determine each application on its own individual merits. At the committee hearing the applicant(s) and objectors will be given the opportunity to put their case forward. The Committee are empowered to grant, refuse or apply any relevant conditions in addition to the General Conditions to any licence application put before them.

Please note that an initial fee of £250 will be required when an application is made. This fee will be to cover the cost of the consultation and any Committee referral and is non-refundable.

3. SITE ASSESSMENT

Street Trading Consents from static locations will not normally be granted where:

- (a) Any effect on road safety would arise either from the siting of the trading activity itself, or from customers visiting or leaving the site, or
- (b) Where there are concerns over the recorded level of personal injury accidents in the locality where the street trading activity will be sited, or
- (c) There would be a significant loss of amenity caused by traffic, noise, odour or fumes, or
- (d) There is already adequate like provision in the immediate vicinity of the site to be used for street trading purposes, or
- (e) There is a conflict with Traffic Orders such as waiting restrictions, or
- (f) The site or pitch obstructs either pedestrian or vehicular access, or traffic flows, or places pedestrians in danger when in use for street trading purposes, or
- (g) The trading unit obstructs the safe passage of users of the footway or carriageway, or

- (h) The pitch interferes with sight lines for any road users such as at road junctions, or pedestrian crossing facilities, or
- (i) The site does not allow the Consent Holder, staff and customers to park in a safe a manner, or
- (j) The street trading activity is carried out after dusk and the site is not adequately lit to allow safe access and egress from the site for both customers and staff.
(This will be subject to consultation with SBC Street Lighting department).

4. INSPECTION OF STREET TRADING UNIT

The vehicle, van, trailer, stall or other device to be used for the proposed street trading activity will be inspected by an Authorised Officer's' of the Council, prior to the issue of any Street Trading Consents, where this is reasonably practicable. The unit to be used for the street trading activity shall comply in all respects to the legal requirements relating to type of street trading activity proposed. In particular the unit to be used shall comply with the following legislation:

- Food premises (Registration) Regulations 1991
- Food Safety Act 1990
- Food Safety (General Food Hygiene) Regulations 1995
- Health and Safety at Work etc Act 1974 and any Regulations made under this Act
- Environmental protection Act 1990

(B)- EQUALITY ACT 2010 – TAXIS AND PRIVATE HIRE WHEELCHAIR ACCESSIBLE VEHICLES

1. Purpose of Report

To report the recommendations of the Licensing Committee with regard to the provisions of the Equality Act 2010 (The Act) in relation to Hackney Carriage and Private Hire Vehicles and the duties placed upon the Licensing Authority to maintain a list of 'Designated Wheelchair Accessible Taxis and Private Hire Vehicles', therefore placing obligations on the drivers of these vehicles to carry out certain duties unless granted an exemption by the Licensing Authority on the grounds of medical or physical condition. Further to put in place systems for assessing drivers and for granting exemption certificates for those drivers who they consider should be exempt.

2. Recommendation

The Council is requested to resolve:

- (a) That the Authority maintains a list of all 'Designated Wheelchair Accessible Taxis and Private Hire Vehicles'.
- (b) That the Licensing Manager be given authority to grant exemptions on medical grounds, with all other applications for exemptions on physical capabilities e.g. weight, strength and height being referred to the Licensing Sub-Committee.
- (c) That ALL drivers of wheelchair accessible vehicles, both Taxis and Private Hire, that have not previously undergone 'Passenger Assistance Training (PATs) must do so by 30th April 2011 or at the earliest opportunity, to be able to comply with the new duties.

3. Community Strategy Priorities

- **Being Safe, Feeling safe**
- **Prosperity for All**

4. Other Implications

- (a) Financial

There are no financial implications.

Risk Management

Recommendation	Risk/Threat/Opportunity	Mitigation(s)
From section 2.	Approving the recommendations will ensure that all licensed wheelchair accessible vehicles are contained on a list held by the Licensing Authority and that drivers of such vehicles are subject to compliance with the new duties.	Any driver of a wheelchair accessible vehicle has the right to apply for an exemption certificate on medical and physical grounds, has the right of appeal if a certificate is refused and has the right of appeal against inclusion of the vehicle on the Councils' list of designated vehicles.

(b) Human Rights Act 1998 and Other Legal Implications

Section 1 and Schedule 1 Parts I & II of The Human Rights Act 1998 apply:

Article 1 – Every person is entitled to the peaceful enjoyment of his or her possessions (including the possession of a licence) and shall not be deprived of the possession except in the public interest

Article 6 – That in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

(c) Equalities Impact Assessment

An Equalities Impact Assessment has been completed by the Government and the conclusions are that there are no adverse or negative impacts of opportunity for any equality target group or for any reasons.

5. Supporting Information

5.1 The Equality Act 2010 brings together in one Act a number of different pieces of legislation about discrimination, including disability discrimination. The new Act includes many of the Taxi and Private Hire provisions which were contained in the Disability Discrimination Act 1995, but also includes some additional important changes. Sections 160 to 173 of the Act relate specifically to Taxis and Private Hire Vehicles.

6. Duties to Assist Passengers in Wheelchairs

6.1 Sections 165, 166 and 167 of the Act deal with the imposition of duties on drivers of wheelchair accessible taxis and private Hire vehicles to assist passengers who use wheelchairs.

6.2 Whilst The Act does not impose a requirement on drivers or operators to provide wheelchair accessible vehicles the duties which were contained in the Disability Discrimination Act 1995 had never been brought into force, so when the new duties are implemented it will constitute a substantive change in the law.

6.3 **Section 165** of The Act places duties on drivers of designated wheelchair accessible vehicles. Designated vehicles are those listed by the Licensing Authority under Section 167 of The Act. These duties are;

- To carry the passenger while in the wheelchair;
- Not to make any additional charge for doing so;
- If the passenger chooses to sit in a passenger seat to carry the wheelchair
- To take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
- To give the passenger such mobility assistance as is reasonably required

This section will be commenced at a later date, but not before April 2011.

The Slough Borough Council approved Policy and Conditions booklet already contains all the above duties in the Bye-laws and they are therefore currently in place but will now be a national requirement under the Act.

6.4 **Section 166** of The Act allows Licensing Authorities to exempt drivers from the duties to assist passengers in wheelchairs if they are satisfied that it is appropriate to do so on medical grounds or because the drivers' physical conditions makes it unreasonably difficult for him or her to comply with the duties.

6.5 This section commenced on 1st October 2010 and it is therefore necessary for Licensing Authorities to put in place systems for assessing drivers and for granting exemption certificates for those drivers whom they consider should be exempt. The recommendations in this report are that:

- The Committee delegates to the Licensing Manager the authority to grant exemptions on medical grounds, with all other applications for exemptions on physical capabilities e.g. weight, strength and height being referred to the Licensing Committee.

6.6 The Department for Transport advised all Local Authorities in 2010 that guidance and regulations specifying the exact format for the Exemption Notices would be published in early 2011. To date these have not been made available.

6.7 **Section 167** of The Act allows Licensing Authorities to maintain a list of 'Designated Vehicles', that is, a list of wheelchair accessible vehicles in their area. The consequences of being on this list is that the driver must undertake the duties set out in section 165.

6.8 Although the list of 'Designated Vehicles' will have no actual effect in law until the Duties are commenced, the DfT have recommended that Local Authorities start maintaining a list as soon as possible for the purpose of liaising with the trade and issuing Exemption Certificates.

6.9 From October 2010 it has been possible for drivers of 'Designated Vehicles' to appeal to the Magistrates Court against a decision by the Licensing Authority not to grant an exemption of duties to be carried out in accordance with section 165. As

with many other Local Authorities, Slough has been waiting for further guidance and regulations to be published as detailed in Point 6.6 above.

- 6.10 On 20th January 2011 all Hackney Carriage drivers and proprietors were written to advising them of the implications of the requirements under the Equality Act 2010. They were also provided with separate guidance for drivers published by the DfT.

7. Main Implications.

- 7.1 If a list of 'Designated Vehicles' is maintained the Licensing Authority will be required to:
- (a) Liaise with the trade and put the necessary procedures in place to deal with requests for exemptions
 - (b) Maintain records of all licensed drivers who drive vehicles that are on the list
 - (c) Maintain records that the proprietors of such vehicles to ensure that ALL drivers are trained in safe loading and securing of persons in wheelchairs.
- 7.2 If the Licensing Authority does not put a 'Designated Vehicle' list in place they could be open to criticism and possible challenge from Disability Groups. The Licensing Authority has a duty of care to show due diligence in ensuring that licensed drivers meet the requirements of the provisions set out in the Equality Act when dealing with disabled passengers in wheelchairs.
- 7.3 When section 167 comes into force it will be possible for the owner of a vehicle aggrieved by the decision of the Licensing Authority to include that vehicle on a list maintained under section 167 to appeal to the Magistrates Court before the period of 28 days beginning with the date of the inclusion.
- 7.4 Slough Borough Council currently licenses 107 Hackney Carriage Vehicles, which consists of 49 saloon vehicles and 58 wheelchair accessible vehicles.

Other areas included in the Equality Act 2010 (Information only)

8. Guide Dogs and Assistance Dogs

- 8.1 Section 168 to 171 of the equality Act 2010 deal with the carriage of guide dogs and other assistance dogs in England and Wales.
- 8.2 These sections have simply been lifted from the Disability Discrimination Act 1995 which imposed a duty on Taxi and Private Hire Vehicle Drivers (and Private Hire Operators) to accept guide dogs.
- 8.3 When these sections came into force on 1st October 2010, the existing sections in the Disability Discrimination Act 1995 were repealed, so the change is largely a technical one rather than one with any practical implications. The existing obligations to carry guide dogs and assistance dogs will continue but simply under different legislation.

9. The Control of Taxi Numbers

- 9.1 Since the implementation of the Transport Act 1985 it has been possible for Licensing Authorities in England and Wales (Outside London) to refuse a licence application if they are satisfied that there is no significant unmet demand for taxis in the licensing area.
- 9.2 Section 161 of the equality Act 2010 qualifies the law in this area, to ensure Licensing Authorities that have relatively few wheelchair accessible Taxis operating in their area, do not refuse licenses to such vehicles for the purposes of controlling numbers.
- 9.3 For section 161 to have effect, the Secretary of State must make regulations specifying:
- The proportion of wheelchair accessible Taxis that must operate in an area before the respective Licensing Authority is lawfully able to refuse to licence such a vehicle on the grounds of controlling Taxi numbers: and
 - The dimension of a wheelchair that a wheelchair accessible vehicle must be capable of carrying in order for it to fall within the provision
- 9.4 The DfT plans to consult on the content of the regulations before section 161 comes into force; the actual date will be announced in due course, but will not be before April 2011.

10. Comments of Other Committees

The Licensing Committee at its meeting on 23rd February 2011 considered the report and recommended as set out in paragraph 2 above.

11. Conclusion

Members are requested to endorse the recommendations set out in the report in order to comply with the duties placed upon the Council as set out in the Equality Act 2010.

12. Background Papers

Disability Discrimination Act 1995
Equality Act 2010
Slough Borough Council 'Hackney Carriage Driver and Vehicle – Policy and Conditions' Booklet
Explanatory Notes – Equality Act 2010
DfT Guidance to Local Authorities
Letter sent to all Hackney Carriage Drivers and Proprietors & DfT Guidance
Agenda and Minutes – Licensing Committee 23 February 2011

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SLOUGH BOROUGH COUNCIL

REPORT TO: Council **DATE:** 19th April 2011

CONTACT OFFICER: Ruth Bagley
Chief Executive
Catherine Meek
Deputy Borough Secretary

(For all enquiries) (01753) 875011

WARD(S): All

PART I
FOR DECISION

ELECTORAL REVIEW – LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND – SUBMISSION ON COUNCIL SIZE

1 Purpose of Report

- 1.1 To advise the Council of the Local Government Boundary Commission for England's (LGBCE) Electoral Review of Slough which is due to commence in May 2011. The detailed review timetable will be provided as soon as the start date is confirmed. Before that date the LGBCE wishes to agree the total number of councillors to be elected and has invited views from the Council. The full boundary review will follow during 2011.
- 1.2 A working Group consisting of Group Leaders was established by the Council on 21st February 2011 to consider Council size and this report presents the draft submission for the Council's consideration and approval.

2 Recommendation

The Council is requested to consider the Submission on Council Size, attached at Appendix A (TO FOLLOW), and, subject to any amendments it wishes to make, Resolve that it be approved and forwarded to the LGBCE.

3 Other Implications

(a) Financial

There are no financial or risk management implications as the report is administrative in nature.

(b) Human Rights Act and Other Legal Implications

There are no Human Rights Act Implications associated with this report.

4 **Supporting Information**

Background

- 4.1 The Council was advised at its meeting on 21st February 2011 that the Local Government Boundary Commission for England intends to commence an electoral review of Slough in May 2011.
- 4.2 The review is based on statutory criteria with an aim of providing good, or improved, levels of electoral representation across the Borough. This means ensuring that, as nearly as possible, each Councillor represents the same number of electors as his or her colleagues. The LGBCE has identified Slough as having a high number of wards with electorates more than 10% from the mean size.
- 4.3 This aim of the review is balanced with the need to reflect community identity and provide for convenient and effective local government.
- 4.4 The Commission also considers the appropriate number of Councillors for each ward.

What can be done as part of an electoral review

- 4.6 The LGBCE can make the following recommendations for electoral arrangements
- The total number of councillors to be elected to the council (council size)
 - The number and boundaries of wards
 - The number of councillors to be elected for each ward
 - The name of any ward.

What cannot be done as part of an electoral review

- 4.7 The LGBCE cannot make recommendations for changes to the external boundaries between local authorities, how often local authorities hold elections, or change Parliamentary Constituencies.

The Review Procedure

- 4.8 The LGBCE's approach to electoral reviews is one of consultation, openness and transparency. It aims to build as much of its recommendations as possible on locally generated proposals and to conduct as much consultation as is practicable in any review. The review will be publicised as widely as possible.
- 4.9 The LGBCE intends to commence the review in Slough in May 2011 and the detailed review timetable will be provided as soon as the start date is confirmed. Before that date the LGBCE wishes to agree the total number of councillors to be elected and has invited views from the Council. The full boundary review will follow during 2011. Where possible and practicable the LGBCE conducts a short consultation specifically on council size.
- 4.10 Representatives of the LGBCE have met with the Chief Executive and Group Leaders to outline the review process and a briefing of all elected members was arranged on 24th February 2011.

Council Size

- 4.11 The initial stage of an Electoral Review is to determine a preferred Council Size. This is the number of Councillors required to deliver effective and convenient local government (choosing the appropriate number of members to allow the council and individual councillors to perform most effectively). The Council size (number of Members) determines the average number of electors per councillor to be achieved across all wards.
- 4.12 This will subsequently determine the average (optimum) number of Electors per councillor to be achieved across all wards of the authority. This number is reached by dividing the electorate by the number of Councillors on the authority.
- 4.13 Guidance from the LGBCE states that “All proposals on Council size, whether for changing the existing size or not, should be justified and evidence must be provided in support of the proposal.”
- 4.14 The Council established a working group comprising the Group Leaders (supported by key officers) to consider the review criteria and make recommendations to the Council at this meeting on proposals for Council size.
- 4.15 The Group Leaders have met to consider the Council’s Submission to the LGBCE on Council size and a copy of the Submission is attached at Appendix A (TO FOLLOW) for the Council’s consideration and approval.

5 Background Papers

Local Government Boundary Commission – Electoral Reviews – Guidance
Agenda and Minutes – Council – 21st February 2011

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SLOUGH BOROUGH COUNCIL

REPORT TO: Council

DATE: 19 April 2011

CONTACT OFFICER: Sunita Sharma – Scrutiny Support Officer

(For all enquiries) (01753) 875480

WARD(S): All

PART I
FOR CONSIDERATION

ANNUAL SCRUTINY REPORT 2010/11

1 Purpose of Report

To present to the Council the Annual Overview and Scrutiny Report 2010/11.

2 Recommendation(s) / Proposed Action

The Council is recommended to receive the Annual Overview and Scrutiny Report 2010/11.

3 Key Priorities

Community Strategy Priorities

Overview and Scrutiny is a process by which decision-makers are accountable to local people, via their elected representatives for improving outcomes relating to all priorities for the Borough and its residents. Scrutiny seeks to influence those who make decisions by considering the major issues affecting the Borough and making recommendations about how services can be improved. The Annual Scrutiny Report supports the Scrutiny process by providing a record of the work carried out during the year and plans for the future year.

4 Other Implications

(a) Financial – None

(b) Risk Management – None

5 Supporting Information

5.1 Annual reports are an opportunity to review the scrutiny work for the previous year and help us to understand the nature of the work undertaken by Overview and Scrutiny and to assess its effectiveness. It also gives an opportunity to reflect on any lessons learned during the year to help guide future work.

5.2 The production of an Annual Report is a requirement of the Constitution.

5.3 The report provides highlights of the work of the individual panels.

5.3.1 The role of the Overview and Scrutiny Committee was instrumental in ensuring that the Office of National Statistics (ONS) gave proper consideration to the level and deployment of resources in Slough, “The Intervention of the Overview and Scrutiny Committee has made a marked difference in the way that the ONS now responds to Slough Council. The additional resources that have been provided by the ONS for Slough although not comprehensive are to be welcomed.”

5.3.2 Health Scrutiny continues to use its statutory powers effectively to hold the PCT and Hospital Trusts to account. In particular the JEBHOS¹ Scrutiny Review on the NHS Car Parking Arrangements in East Berkshire has secured some positive outcomes. Similarly the proposals into the re-siting of Mental Health Inpatient Care have been followed very closely over the year. The Health Scrutiny Panel proposed that further work was necessary on this subject and gained approval to form a Scrutiny Task and Finish Group; work is underway and the results will be published next year.

5.3.3 The scrutiny of local issues such as the Foster Care Allowances and the proposal to close the Wexham Nursery also led to some strong recommendations.

5.3.4 The Neighbourhoods & Renewal and the Communities, Leisure and Environment Panels led to some productive joint working. Combining efforts in this way gave greater awareness on topics such as the zero-carbon homes now completed and on-stream in Chalvey.

5.4 There is scope to build on and develop different approaches to scrutiny next year; continued attention needs to be given to forward planning and appropriate selection of items within the work programme with fewer routine reports for noting and challenging the status quo by making evidence based recommendations.

5.5 The Annual Report concludes with a summary of some of the challenges that lie ahead both externally and internally.

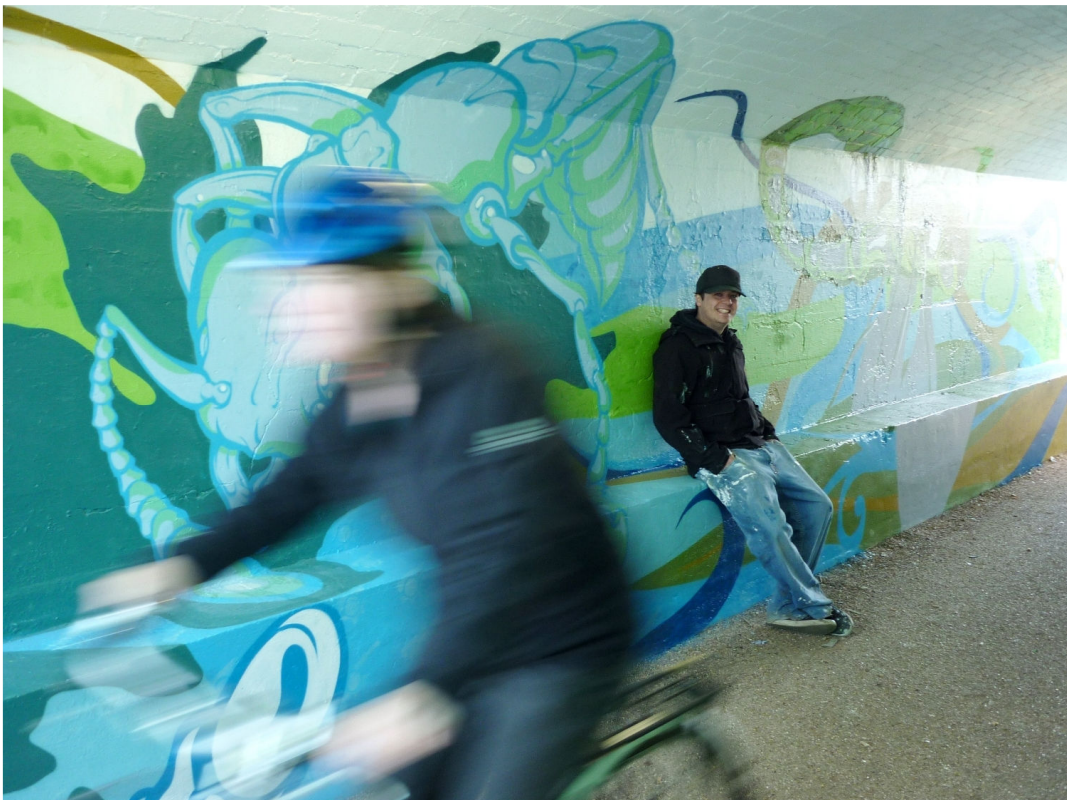
6 Conclusion

The local authority through its Overview and Scrutiny function has an influential as well as a statutory role in scrutinising the activities and performance of the Cabinet and external bodies. The Annual Scrutiny Report 10/11 provides an opportunity to communicate the work the Committee and it's Panels have undertaken, challenges faced and the improvements made as a result of scrutiny.

JEBHOS¹ comprises representatives, including elected members from Bracknell Forest Borough Council, Slough Borough Council and the Royal Borough of Windsor and Maidenhead. It was established to enable the authorities to meet and jointly respond to health related issues arising in the region.

Slough Borough Council

Annual Scrutiny Report 2010 / 11



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1. Foreword by Chair

It gives me great pleasure to introduce for the second year running, the Annual Scrutiny Report. This report highlights some of the key outcomes and achievements from the year and maps out some of the main areas on which we intend to focus on in the year ahead.

Nationally and locally we are faced with difficult economic times. In particular, the impact of the Government's spending cuts is still being assessed. Scrutiny's role over the coming months will be to ensure that it continues to be involved in decisions concerning spending and that every effort is made to ensure that we arrive at the best possible outcome for council services and our residents.

To this end I am particularly proud of the strong challenge that we presented to the Office for National Statistics with respect to the upcoming Census. All local authorities rely on census population figures to get the government funding needed for public services. Like many authorities, Slough believes that there is an under-estimation in the population numbers and that the council is catering for the needs of a far larger and more diverse population than that suggested by official sources. The 2011 Census represents, therefore, an opportunity to set right the population and profile of Slough's residents.

I am proud of our strong track record in Health Scrutiny and the continued robust challenges that the panel presents to our local Health partners across primary and acute healthcare. In particular the consultation process on Inpatient Mental Health care has caused great concern amongst elected members, representatives from Slough LINKS¹ and local residents. The Health Scrutiny Panel used its powers to intervene and monitor closely the consultation process. The Panel will continue to monitor the outcomes from the consultation this year.

The scrutiny review into NHS car parking arrangements across East Berkshire mentioned in last year's Annual Report was completed this year. As well as the robust recommendations and challenges that flowed from the report, the Review had other positive outcomes. These included the benefits of working collaboratively with our counterparts from Bracknell Forest Council and the Royal Borough of Windsor & Maidenhead, in bringing a controversial piece of work into the public domain.

¹LINKS – Local Involvement Networks are an independent network of individuals, organisations and community group representing patients who work together to improve local Health and Social Care Services

We have also undertaken work on key issues of concern for Slough residents and I am particularly pleased at the public turnout over the matter of Foster Care payments. This issue was raised as a result of a member call-in and illustrated the potential of the scrutiny process to challenge and change a proposal presented to Cabinet.

Furthermore, the Committee was instrumental in ensuring that members of staff with learning disabilities at Wexham Nursery should be granted a period of 9 months support (rather than the 6 months proposed) to assist them with future employment opportunities. This was in light of the decision to close Wexham Nursery due to the council's budget pressures.

The Communities, Leisure & Environment and Neighbourhoods and Renewal Panels joined forces to look at Eco Homes. Through Scrutiny we were able to promote the positive initiatives in Slough with respect to sustainability and carbon reduction.

As you will see we have looked at a range of issues and I would like to thank my fellow Vice-Chair, Councillor Tony Haines for his support and leadership throughout the year. My thanks too to each of the Chairs and Vice Chairs of the standing panels who have shown great stewardship in driving the work programme forward.

2. Scrutiny in Slough

Overview & Scrutiny was introduced as part of the modernisation of local government and derives its powers from Section 21, Part II of the Local Government Act 2000. This requires local authorities operating under executive arrangements (i.e. leader and a cabinet) to create at least one Overview and Scrutiny Committee (OSC) consisting of non-executive (i.e. non-cabinet) elected members.

The OSC's function is to review and scrutinise the decisions and actions of the Executive or the authority and to make reports or recommendations accordingly. OSC may also make reports and recommendations on matters affecting the local authority's area or its inhabitants.

The OSC at Slough Borough Council appoints a series of Standing Panels enabling greater focus on specific subject matter. SBC currently has four Standing Panels each working to a thematic agenda:

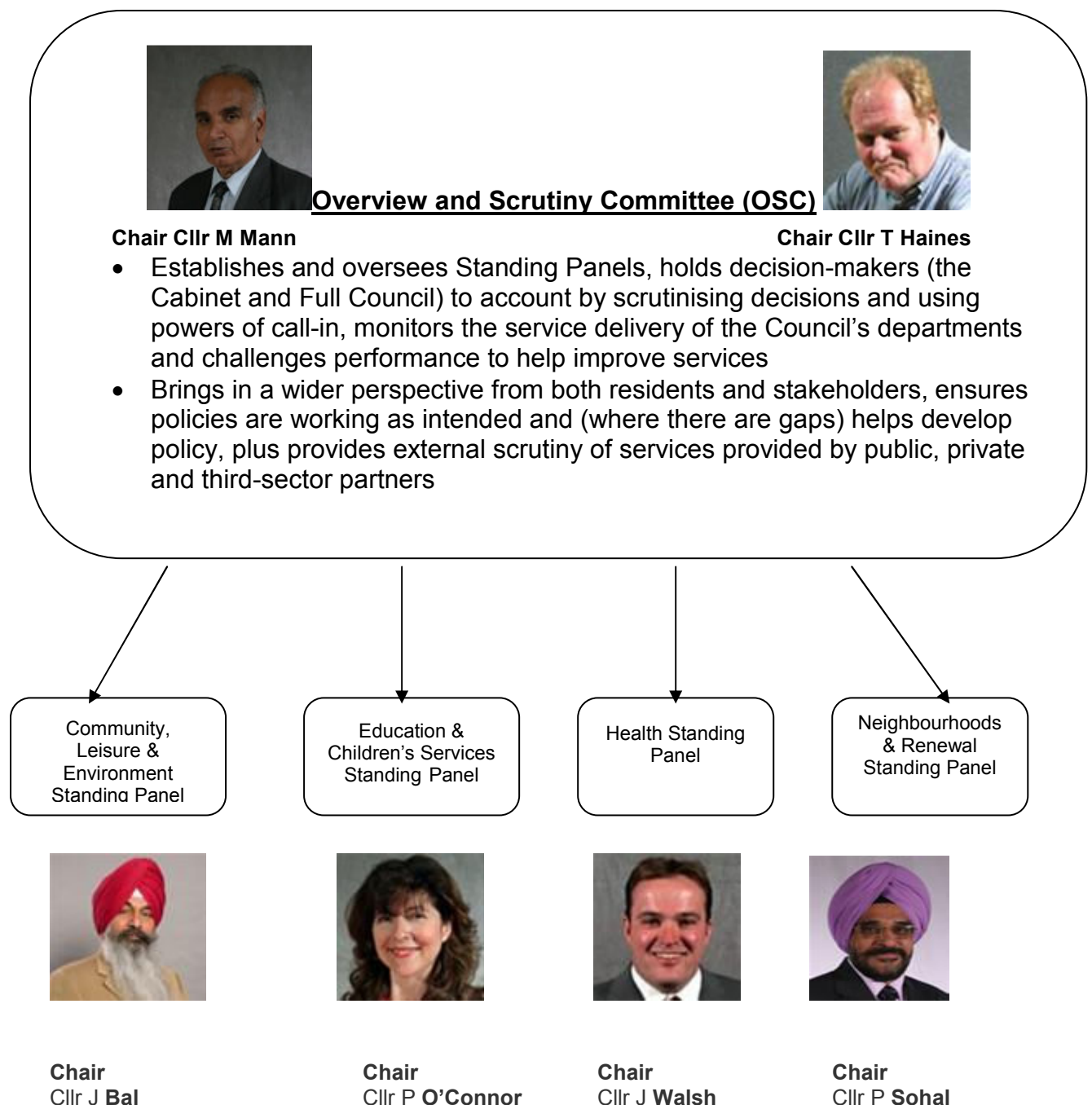
- Community, Leisure & Environment
- Education & Children's Services
- Health
- Neighbourhoods & Renewal

The Health Scrutiny panel is established to carry out the statutory functions of the Health and Social Care Act 2001 (Section 7) which requires review and scrutiny of local National Health Service (NHS) provision as well as wider health issues. With the responsibility of public health and health improvement returning to the

local authorities in 2013, however, health scrutiny will need to adapt and shift its focus accordingly.

Scrutiny also has powers to examine current local improvement targets (LAA targets), require information from partner organisations signed up to LAA targets and require those organisations to have regard to Scrutiny’s recommendations which relate to relevant local improvement targets. As the new Decentralisation & Localism Bill is still passing through Parliament, the future of the LAA and associated targets remains unclear.

2.1 The structure of Overview & Scrutiny Committee at Slough Borough Council





3. Census 2011

The Overview and Scrutiny Committee having acknowledged for some time, the poor response rate across the borough at the time of the 2001 Census were concerned with progress for the upcoming Census 2011. The Office for National Statistics (ONS) was requested to appear before the Committee to answer member concerns on the preparations and commitment to an accurate Census in Slough.

In September 2010 Mr Glen Watson, ONS Census Director, Helen Bray, Head of Communications ONS and Richard Giel, Census Area Manager, attended the Overview and Scrutiny to provide an update on the 2011 Slough Census.

The Committee was advised that it was estimated the national population would have grown by 3 million since the last Census and in Slough the response rate for the last Census was 84.9%, being the lowest response rate outside of London. The objective for the 2011 Census was to achieve an overall response rate of 94%.

Members of the committee were concerned that the particular challenges in Slough were not being addressed by the ONS such as problems associated with a high number of annexes, difficulties due to Slough's diverse community and the nature of the town's transient population.

There was a particular concern regarding "hot bedding" when households were occupied by two sets of residents who worked different shifts. If the information was not collected correctly then people would be using Slough's services but the Council would not receive sufficient funding.

The Committee made a number of recommendations following members concerns that sufficient resources were not being provided for Slough given the issues that it faces currently.

Summary of Recommendations

- That the Area Manager focuses his effort and time on the Slough area, in particular due to the extra ordinary circumstances of the resident and transient population of the area
- That additional questionnaires are issued to, and followed-up with, houses of multiple occupations (HMO's)
- That the ONS makes it clear to Slough residents that any data provided by them to Census 2011 is supplied to the ONS on a confidential basis
- That the ONS monitors responses during the return period and adjusts the workforce, collector activity and the publicity awareness campaign accordingly
- That ONS works with officers and elected members of the Council to locate, in particular, those residing in HMO's, those that "hot-bed", those in "sheds" and also potential illegal immigrants

Cllr Tony Haines states *"we wanted to ensure that we maximised responses to Census 2011 so that a true reflection of the population of Slough was obtained to ensure fair funding from national government in the future.*

It was important to lay down some strong recommendations so that we secured firm commitment from the ONS."

3.1 Outcome

As a result of scrutiny the ONS agreed to provide additional support and give priority to engage with local community groups. The arrangements and resourcing of completion events (events held in community venues across Slough to assist residents with their Census forms) would also be examined. In particular hard to count classifications such as Houses with multiple occupations, annexes, hot bedding would be supported with extra questionnaires and follow up resources where appropriate. *(The ONS has allocated 8,000 hours for follow up in Slough – a four fold increase from 2001).*

The intervention of Overview and Scrutiny Committee has made a marked difference in the way that the ONS now responds to Slough Council. The additional resources that have been provided by the ONS for Slough although not comprehensive are to be welcomed. The Committee continues to follow the progress of the Census operation and looks forward to a positive outcome.

4. Proposals to re-site Slough Inpatient Mental Health Services

Berkshire Healthcare NHS Foundation Trust (BHFT) launched a consultation in August 2010 on the future of Inpatient Mental Health services in East Berkshire. The background to this was that the Trust was faced with making savings and was considering three options:

- Option 1** All beds to be relocated to Prospect Park Hospital in Reading
- Option 2** Beds for older people to be at St Mark's Hospital in Maidenhead and for working age adults in Prospect Park
- Option 3** For the 2008 decision of a new unit on the Upton site to proceed

This issue was one followed very closely by the Health Scrutiny panel, given the impact that a relocation of mental inpatient care from Slough would have on patients and families in Slough.

Overall members felt there was a lack of transparency and detail in the consultation paper and the impact and benefits to the community were not made clear. Justification for the loss to services in Slough and how they would be covered needed to be made clear in terms of number of beds, and transport arrangements for those displaced. It was also felt that there was a heavy bias towards Option 1 – the relocation to Prospect Park.

Members of the panel made clear throughout the year that Option 1 would be at the detriment of Slough residents; that even if supported with a transport scheme, however comprehensive it would not be able to serve adequately those needing inpatient care.

Through close scrutiny, members identified that there were two sets of questionnaires in circulation, one of which was biased towards one end of the response spectrum and was accepted as such by the Trust. Members insisted that the questionnaire would need to be re-issued.

Scrutiny twice questioned the accuracy of the Travel Survey being used for and referred to within the consultation. The panel pressed the Trust for clarity on this issue and a number of other points.

The results of the consultation are now known and the Trusts Boards have stated their preferred choice for Option 1, with a final decision being made in June 2011.

4.1 Outcome

Cllr James Walsh Chair of Health Scrutiny Panel states

“Health scrutiny has extensive powers – if consultations or reconfiguration of services lack transparency, the matter can be referred to the Secretary of State for Health. In this case we found there to be many questions. Due to our intervention, Berkshire Health NHS had to re-issue their consultation and provide a lot more information on specific questions. Despite Option 1 being preferred, there are still some unanswered questions and we will continue to investigate until we are confident that each option has been considered fully.”

5. Zero Carbon Homes - Greenwatt Way, Chalvey

The Panel received a presentation from the Head of Property and the Research Project Leader from Scottish and Southern Energy Group (SSE). The presentation advised of the SSE’s commitment to sustainability and the ethos behind the project to build a zero carbon housing development on part of the former depot in Chalvey.

The homes were rented by SSE and Slough Borough Council Staff. The Panel were given further information on the zero carbon features including the energy centre which was designed to look like other homes and provided heating and hot water.

Members were advised that the building cost of the properties related to a traditional build and were advised that the new venture costs were higher in monetary terms than those for a normal house. However the project’s focus was on learning and it was hoped that valuable lessons would be learnt about how the next generation of houses could be built.

Members were informed also that the SSE was reasonably confident that the cost of maintenance would show a positive reflection against more traditional homes. There would certainly be cheaper electricity costs although the whole point of the project was to provide a learning opportunity for future home development.

SSE explained that tenants were sought through SSE and Slough Borough Council Employees and not through the council’s housing list as tenants needed to remain in the properties for a fairly long time and participate in the recording of energy consumption. Tenants paid slightly below market rent to reflect their additional commitment.

The Panel was informed that there was a lot of monitoring equipment in place and electricity was monitored across half hour intervals and water use across five minute intervals. Further information was also collected from tenants on their lifestyles for example, if they had visitors staying. Many factors were taken into account such as body heat from occupants and appliances.

Members were keen to know SSE's plans for housing projects in future and the future of the development in Slough. It was noted that with regards to the houses in Slough anything was possible at present in terms of future use, including the potential of offering them to current tenants for sale. In terms of future projects SSE would possibly be looking at retro fitting schemes for existing housing stock.

Members of the Joint Panel noted the excellent work by SSE on the project and looked forward to visiting the development.

A tour of the development took place on 25 October 2010.



From left to right Cllr Robert Plimmer, Andrew Millard (Interim Scrutiny Officer), Cllr Mewa Mann, Cllr Raja Zarait and Cllr May Dodds – on their tour of Zero Carbon Homes in Chalvey.

6. Foster Carer Allowances – Member Call-in

Call In

Any Member of the Council or any Co-opted Member of the Overview and Scrutiny Committee or Panel may request that the Overview & Scrutiny Committee consider

(i) Any decision/proposed decision of the Cabinet....

In September 2010 the **Education and Children's Scrutiny** panel considered a member Call-in on Foster Care Allowances. Councillor Maclsaac's Call-in was submitted in response to the proposal to reduce the fees paid by the Council to foster carers.

There were several concerns: Councillor Maclsaac emphasised that by reducing the fees, the Council would not be able to sustain current levels of foster carers or recruit additional foster carers to meet targets to reduce dependence on independent fostering agencies. It was felt that Slough was more comparable to London areas and accordingly, the fees paid by the Council should be examined in relation to Slough's statistical rather than geographical neighbours. Councillor Maclsaac supported Slough's Foster Carers' alternative proposal that the fee for the first Looked After Child placement (LAC) be reduced to £300 rather than £200.

In support of the Call-in, foster carers Eugene Travers and Zareen Keeton were invited to address the panel and speak on behalf of Slough's Foster Carers. The committee was asked to understand the highly difficult and 24/7 nature of the role of foster carers and that it was no ordinary job. The representatives highlighted that the Council wanted professional foster carers and had previously encouraged foster carers to become full-time and give up other employment.

Further to this, it was emphasised that foster carers did not receive sick pay, or other such employee benefits. It was felt that the care offered to LAC would be affected if foster carers were required to subsidise their income with alternative employment. However, in recognition of the difficult financial situation faced by the Council, an alternative proposal was suggested which limited the reduction from £400 to £300 for the first LAC placement for each carer.

Members discussed the issue and debated at length. With respect to recruitment, members were advised that there was currently a shortage of foster carers. The fees paid to foster carers had originally been increased to the current

rate partly to attract a greater number of new foster carers to the service. However, it was emphasised that despite a small initial increase, this level of recruitment had not been sustained and it was evident that motivations for becoming a foster carer were complex. The Council intended to recruit sufficient foster carers to reduce the number of LAC Placements met by independent fostering agencies. Members were keen to know more about what action was being taken to meet this target and was advised that Slough was running an ongoing recruitment campaign but that the assessment process was lengthy.

Members of the Panel also considered the option of maintaining the fees at the current levels for existing foster carers but that the lower fees be applied to any foster carers recruited subsequently. A number of Members acknowledged the merits of this proposal but the Panel agreed that it would lead to the creation of an inequitable system.

Having considered the representations of the foster carers, and the cost implications outlined by Officers, the Panel resolved to endorse the alternative proposal put forward by Slough's foster carers that the fee paid for the first child in placement be reduced to £300 per week.

It was resolved that the Cabinet be advised that the Education and Children's Services Panel endorsed the proposal put forward by representatives of Slough's Foster Carers - that the allowance paid for the first looked after child for each carer be set at £300, a reduction of £100 from the current allowance provided. All other allowances paid to Foster Carers should remain at the current rate.

6.1 Outcomes

In evaluating the outcomes, Councillor Patricia O'Connor, chair of the panel says "This is a clear example of how by using the call-in process, scrutiny can ultimately influence and challenge a decision or proposal made by the cabinet and how scrutiny can be strengthened by the participation of residents and service users becoming involved in our work".

7. Scrutiny Review – Car parking charges at NHS establishments

The Joint East Berkshire Health Overview and Scrutiny Committee (JEBHOS)² completed their scrutiny review into car parking at the area's hospitals.

The issue of hospital car parking had been identified by elected members as a key public issue relating to the accessibility of an essential public service. In June 2009, members of the JEBHOS put forward a proposal to set up a Working Group to investigate the arrangements around car parking in more detail.

The initial view of the Committee was that there were serious concerns about the existing contractual arrangement and investigation was necessary as to how income from car parking charges was being utilised, availability of parking spaces and level of information for the public on exemptions.

The review, which started in 2009, looked at five NHS sites across East Berkshire: The five considered in the Review were:

Community hospitals, not offering Accident and Emergency (A&E)

- **King Edward VII Hospital, Windsor**
- **St Mark's Hospital, Maidenhead**
- **Upton Hospital, Slough**

Acute hospital (with minor injuries unit)

- **Heatherwood Hospital, Ascot**

Acute hospital (with A&E)

- **Wexham Park Hospital, Slough**

The two Car Park Operators responsible for the management of the Car Parks sites contributed to the Review: CP Plus for HWPB Trust and Berkshire Shared Services (BSS) for BEPCT.

As the Review progressed, the Group focussed on the charges levied, the different charging mechanisms employed, the methodology and rationale behind exemptions, how exemption refunds are obtained and, ultimately, how the money raised through car parking charges is used.

In summary the Review made the following recommendations to the Trusts.

- a) Undertake a complete review of car parking provision and practices across each of their individual sites to ensure alignment of the key principles and incorporate the specific operational recommendations contained within the Review
- b) Introduce and implement Green Transport Plans at each of the five sites without further delay to introduce a fair payment scheme for staff car-parking, reduce on-site congestion and reduce CO2 emissions all of which will help contribute to the area's climate change strategy and National Indicators 185, 186 and 188
- c) Create a separate per site security budget, fully costed and fully funded independently, to provide the necessary security to ensure all five sites are safe and that security is not subsidised either now or in the future by car parking charge revenue
- d) Introduce a clear, consistent and significant set of exemptions and discounts for car park charging to ensure that car parking charges are substantially reduced (by at least 50%) for patients and visitors who attend hospital regularly and that parking is not charged to those who must attend on a daily basis for acute and/or long-term conditions

- e) Once the above four recommendations are complete, if minimum key performance indicator standards are not being achieved there should be an opportunity to give notice to break existing contracts and invite tenders for the management and operating of car park services and the provision of facilities; this should include the possibility of the relevant local authorities in their areas being invited to tender and possibly run and manage such car parking provision in the future particularly due to their expertise in this area

Councillor Plimmer, from Slough Borough Council who chaired the working group says:

“Most of us have had first hand experience of using the car-parks either as patients or visitors and it is often a time of heightened stress.

The review enabled the group to unpick some of the issues around car-parking and as a result we have made some very clear recommendations.

The study is valuable because it takes the ordinary person’s experience, looks at the facts and makes recommendations that really could make a difference in the future.

“I hope both the PCT and Heatherwood and Wexham trust look seriously at the issues and recommendations we have raised and improve the service for their residents.”

In their formal response, Heatherwood & Wexham Park Hospitals NHS Foundation Trust (HWPH Trust) accepted that the provision and practices across the two sites should be aligned and supported the Group’s recommendation that more work was required around the display and communication of exemptions, stating that whilst “the existing arrangements broadly comply with the recommendations, greater provision should be considered for those visiting patients over an extended number of days, possibly weeks, and this will be a consideration in a forthcoming internal “review” that they will be undertaking.

The Trust advised that they had introduced a new Green Transport plan in February 2011 and were confident that this would have a significant beneficial impact including on car parking demand.

The Trust, however, was unable to agree to creating a separate security budget. The current car parking arrangements were based on a “widely accepted model” which did not allow identification of component factors. The Trust was further satisfied that the terms, obligations and performance of their contract with CP Plus met the necessary service levels. No further comment was made with respect to conditions around length of break clause, key performance indicators and future tenders for the contract.

Berkshire East PCT agreed to adopt a clearer policy on exceptions and to publicise the policy more widely. New car park machines and the use of smart phone technology may be considered in the future. Similarly, the PCT ruled out the creation of a separate security budget stating that “a budget to provide security separately would ultimately come from a clinical service allocation,

therefore NHS Berkshire East do not agree to fund security separately". They also state that future tenders for the management of the Car Parks would be viewed in line with their policy, benchmarking and market testing of tendering support services.

7.1 Outcome

It was hoped from the outset that clear recommendations would flow from the Review which might benefit patients and visitors, the health providers concerned and other stakeholders. It is clear that the review has been successful in digging deeper into the issues resulting in some very positive recommendations.

The full report may be viewed at www.slough.gov.uk

²JEBHOS comprises representatives, including elected members from Bracknell Forest Borough Council, Slough Borough Council and the Royal Borough of Windsor and Maidenhead. It was established to enable the authorities to meet and jointly respond to health related issues arising in the region.

8.0 Looking Forward

Given the financial climate, the current scrutiny arrangements have also been examined for efficiencies. The Committee has recommended that the number of Standing Panels will be reduced from four to three by combining the Community Leisure & Environment and Neighbourhood & Renewal panels. The proposed name for the new Panel is Neighbourhoods and Community Services Scrutiny Panel.

Further, the Scrutiny Officer will now be responsible for clerking the two non-statutory Scrutiny Standing Panels in the form of factual listing, bullet points and recommendations/resolutions for each meeting with no summary of debate.

The Annual Report has shown that the Committee and its Standing panels have examined some important issues and have had a strong impact in those areas. In the year to come, the financial challenge facing the council and its partners is clear. But there are other important challenges many, stemming from Central Government. As power is passed from central government to local communities and inspections and performance targets are reduced, local accountability mechanisms such as Scrutiny and self regulation will become increasingly important.

In the future, the way public services are delivered and the degree to which local communities and groups are involved in them could also change. Through scrutiny, members will be well placed to influence these changes to gain the best outcomes for their residents, ensuring also that safeguards are in place to make sure that no groups of society become unequally excluded in the process.

The Police Reform and Social Responsibility Bill 2010 is in the final stages before it becomes law. As new Police and Crime Panels are established and Police Commissioners are elected, local scrutiny will be in a good position to understand

and bring together the different threads of accountability and ensure arrangements are coherent and not duplicated.

Similarly the Health and Social Care Bill 2010 is gathering pace through the House of Commons and soon will be enacted. This legislation will bring new commissioning arrangements through the NHS Commissioning Board and GP Consortia. This too requires that existing Health Scrutiny Panels are ready to monitor the transitional and shadow arrangements as well those in the future.

Closer to home, the externalisation of transactional services is a huge change for the authority but what will it mean for the ordinary resident? Scrutiny has a key role in ensuring that we take account of the social value of services when making decisions about savings and improvements taking care that our most vulnerable are not forgotten. Through scrutiny we need to challenge the cabinet to ensure that it looks at the cumulative effect of their decisions on our residents in Slough. I hope that Overview and Scrutiny keeps oversight over our priorities and ensures that an assessment on the impact on poverty runs through each and every priority.

Finally, I look forward to the challenges that lie ahead and hope that scrutiny continues to make a difference. I commend this Annual Report to the Council.

SLOUGH BOROUGH COUNCIL

REPORT TO: Council **DATE:** 19th April, 2011

CONTACT OFFICER: Teresa Clark
(For all enquiries) Senior Democratic Services Officer
(01753) 875018

WARD(S): All

PART I
FOR DECISION

MOTIONS SUBMITTED TO COUNCIL UNDER PROCEDURE RULE 14

The following motions have been received in accordance with Council Procedure Rule 14:-

1. Disability

(Moved by Councillor Stokes, seconded by Councillor Maclsaac)

This Council resolves to:

- Support the continuing campaign by Mobilise - the charity that supports disabled drivers – to combat Blue Badge fraud.
- Require SBC Officers to produce a Blue Badge fraud control action plan for consideration by this Council within three months.
- Liaise with big retail units – such as supermarkets – to ensure that they enforce the regulations surrounding the use of blue badges effectively (such as encouraging spot checks of blue badge users to ensure that badges are in their name, etc).
- Look again at all measure brought in by the current administration and re-consider their impact on people living with disabilities in Slough.
- Liaise with Non-Governmental Organisations working in the field of disability rights to ensure that all measures that SBC instigates in order to cut the council's budget do not impact adversely on those living with disabilities in Slough.

2. Putting residents in the driving seat

(Moved by Councillor Anderson, seconded by Councillor Swindlehurst)

This Council resolves:

- To remain true to local priorities and context and not to allow the Government cuts to force the Council into actions which would be damaging to the local economy, in so far as funding allows.

- To continue the protection of front line services which are important to residents from damaging Government cuts, and explore ways of delivering these services in new ways to reduce costs and drive up service levels.
- To continue investment in infrastructure projects in Slough which are crucial to the local economy in the face of Government decimation of the Homes & Communities Agency budget from £30bn a year to £2.5bn a year.
- To compel any ruling group to adopt their election manifesto as Council policy at the first Cabinet meeting of the new municipal year, so that residents and Council Officers are clear about the priorities of the ruling group and so that their achievements can be judged against their proposed legislative programme.