

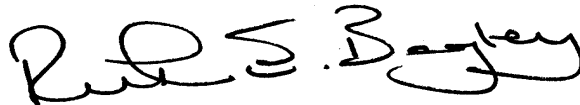
Date of despatch: 15th July, 2011

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, 26th July, 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

- | | | |
|----|---|--------|
| 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. | To approve as a correct record the Minutes of the Council held on 19th May, 2011 and 23rd June 2011 | 1 - 18 |
| 3. | To receive the Mayor's Communications. | |

Public Questions

- | | | |
|----|---|--|
| 4. | Questions from Electors under Procedure Rule 9. | |
|----|---|--|

5. Questions from Members re the Thames Valley Police Authority under Procedure Rule 10 (if any).

Recommendations of Cabinet and Committees

[Notification of Amendments required by 10 a.m. on Monday 25th July, 2011.]

6. Recommendation of the Cabinet from its meeting on 13th June 2011 - Statutory Service Delivery Plans 19 - 22

Officer Reports

7. Publication of Freedom of Information Requests 23 - 26
8. Streamlining Planning - amendments to the Constitution - recommendation of Member Panel on Constitution 27 - 38
9. Electoral Review - Local Government Boundary Commission for England and Polling District and Polling Place Review 39 - 42

Motions

10. To consider Motions submitted under procedure Rule 14. 43 - 44

Member Questions

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

MINUTES OF COUNCIL PROCEEDINGS

At a Meeting of the Council for the Borough of Slough held at the Town Hall, Slough on Thursday, 19th May, 2011 at 7.30 pm

Present:- The Worshipful the Mayor (Councillor Grewal), in the chair; Councillors Abe, Anderson, Bains, Buchanan, Carter, S Chaudhry, Chohan, Coad, Dale-Gough, Dar, Davis, A S Dhaliwal, S K Dhaliwal, Dodds, Long, M S Mann, Matloob, Minhas, Munawar, O'Connor, Pantelic, Parmar, Plenty, Plimmer, Qureshi, Rasib, Sharif, Small, Smith, Sohal, Stokes, Strutton, Swindlehurst, Walsh, A S Wright and S P Wright.

Apologies for Absence:- Councillors Basharat, P Choudhry, Haines, and P K Mann

PRAYERS

At the request of the Mayor, the Reverend Sue Smith said prayers on behalf of the Mayor's Chaplain.

1. Election of Mayor

The Mayor called for nominations to the office of Mayor of the Borough of Slough for the ensuing municipal year. Councillor Bains proposed and Councillor Matloob seconded the nomination of Councillor S K Dhaliwal.

There being no further nominations the Chief Executive declared Councillor S K Dhaliwal to be elected Mayor of the Borough of Slough for 2011/12 municipal year. Councillor S K Dhaliwal, having made and signed the requisite declaration of acceptance of office, was thereupon installed in the Chair.

(The Worshipful the Mayor, Councillor S K Dhaliwal, in the Chair)

2. Appointment of Deputy Mayor

The Mayor called for nominations for the office of Deputy Mayor of the Borough of Slough for the ensuing municipal year. Councillor Pantelic proposed and Councillor Parmar seconded the nomination of Councillor Small.

There being no further nominations, the Mayor declared Councillor Small to be elected Deputy Mayor of the Borough of Slough for the 2011/12 municipal year. Councillor Small made and signed the requisite declaration of acceptance of Office of Deputy Mayor.

3. Mayor's Communications

The Mayor welcomed Councillors Carter, Dar, Minhas, Munawar, Plenty, Sharif, Smith and Strutton to the Council and wished them well as they commenced their service to the community.

The Mayor advised that the Reverend Lynda Hillier would, at her request, continue to serve as the Mayor's Chaplain for the 2011/12 municipal year.

The Mayor advised that the Civic Service would be held at Kingsway United Reformed Church in September and further detail would be distributed in due course. The Annual Mayor's Reception would be held on the following evening, 20th May, 2011 at the Centre.

Reverend Paul Lipscomb

The Mayor paid tribute to the Reverend Paul Lipscomb, the outgoing Chair of the Standards Committee who had been associated with the Council for over twelve years and had conducted meetings of the Standards Committee with firmness and fairness at all times.

On the occasions that the Reverend Lipscomb had attended Council meetings he had brought a sense of calm to the proceedings. He had also acted as Chaplain to previous Mayors, worked with Officers and Group Leaders to develop the ethical framework, and established a close working relationship with the Council's Monitoring Officer and staff in Democratic Services. His general manner and attention to detail would be greatly missed.

The Mayor also thanked the Reverend Lipscomb's wife Pauline who had supported him at many Council functions and events. The Mayor wished the Reverend Lipscomb and his family very best wishes for the future.

4. Declarations of Interest

None were received.

5. Minutes of the Meeting - 19th April, 2011

The minutes of the last meeting of the Council held on 19th April, 2011 were approved as a correct record and signed by the Mayor.

6. Review of the Council's Constitution

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

- (a) That the proposed changes to the Council's current Constitution be endorsed.
- (b) That the revision to the Cabinet Portfolios (as tabled) be endorsed.

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- (c) That the Cabinet be requested to consider and endorse the Officer Scheme of Delegation insofar as it relates to executive functions.
- (d) That the Deputy Borough Secretary be authorised to make all necessary administrative alterations to the Constitution as required.

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

“That the consideration of the item be deferred to the next meeting to allow council more time to consider the relevant amendments to the Constitution.”

The amendment was put and lost by 11 votes to 24 votes with 1 abstention.

The recommendations were put and carried by 24 votes to 0 votes with 1 abstention.

Resolved-

- (a) That the proposed changes to the Council’s current Constitution be endorsed as set out in the report.
- (b) That the revision to the Cabinet Portfolios (as tabled) be endorsed.
- (c) That the Cabinet be requested to consider and endorse the Officer Scheme of Delegation insofar as it relates to executive functions.
- (d) That the Deputy Borough Secretary be authorised to make all necessary administrative alterations to the Constitution as required.

7. Appointment of Committees, Quasi Judicial, Other Bodies and Allocation of Political Group Officer Support to Political Groups

The Mayor advised that nominations had been tabled on lilac paper. The Chief Executive advised that since the circulation of the agenda papers, the following nomination had been received.

Planning Committee- Councillor Strutton

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

“That this Council resolves

- (a) That Committees be appointed and seats thereon allocated to political groups in accordance with the rules of proportionality, as set out in **Appendix 1 of the report**.
- (b) That appointments be made to Committees in accordance with the nominations received from political groups.

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- (c) That Councillor Anderson be appointed as Leader of the Council to May 2012.
- (d) That the report of the Leader on appointment of the Deputy Leader and Commissioners (the Cabinet) and their portfolios be received.
- (e) That the Chairs and Vice-Chairs of Committees be appointed as submitted.
- (f) That 1 FTE Political Group Officer be allocated to the controlling group and 1 FTE be allocated to the remaining groups (collectively). (3 days of political support to the main Opposition Group and 2 days of support to the second largest Opposition Group).
- (g) That appointments be made to quasi-judicial and other bodies as set out in **Appendix 2**, in accordance with the requirements of proportionality (where applicable) and group nominations.
- (h) That the timetable of ordinary meetings of the Council for the 2011/12 municipal year as set out in Paragraph 5.6 be approved”.

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

“That the commencement time for future council meetings be moved to 6.30 pm”.

Councillor Anderson proposed that this matter should be discussed at the Member Constitution Working Party. The mover and seconder accepted this proposal and withdrew the amendment.

Resolved-

- (a) That Committees be appointed and seats thereon allocated to political groups in accordance with the rules of proportionality, as set out in Appendix 1 to the report (tabled).
- (b) That appointments be made to Committees in accordance with the nominations received from political groups.
- (c) That Councillor Anderson be appointed as Leader of the Council to May 2012.
- (d) That the report of the Leader on appointment of the Deputy Leader and Commissioners (the Cabinet) and their portfolios be received.
- (e) That the Chairs and Vice-Chairs of Committees be appointed as set out in Appendix 1 to the report (tabled).
- (f) That 1 FTE Political Group Officer be allocated to the controlling group and 1 FTE be allocated to the remaining groups (collectively). (3 days of political support to the main Opposition Group and 2 days of support to the second largest Opposition Group).

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- (g) That appointments be made to quasi-judicial and other bodies as set out in Appendix 2, in accordance with the requirements of proportionality (where applicable) and group nominations.
- (h) That the timetable of ordinary meetings of the Council for the 2011/12 municipal year as set out in Paragraph 5.6 be approved.

8. Appointments to Outside Bodies

The Mayor advised that nominations had been tabled on green paper.

A number of amendments to nominations were received as follows:-

- Councillor Dale-Gough proposed that Councillor Coad be nominated to the Royal Berkshire Fire Authority. (The nomination proposing Councillor Stokes was deleted as this was made in error)
- Councillor Dale-Gough proposed that Councillor Smith be nominated to the Colne Valley Partnership.
- Councillor Dale-Gough proposed that Councillors Abe, Long and Smith be nominated to the Local Authorities' Aircraft Noise Council.
- Councillor Dale-Gough proposed that Councillor Coad be nominated to the Stoke Park Trust Management Committee. (The nomination for Councillor Stokes was deleted as this was shown in error).

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

“That appointments be made to Outside Bodies for the 2011/12 municipal year as now submitted.”

The Mayor then put all of the uncontested nominations to the vote and these were approved by the Council.

Each of the contested nominations were then put to the vote and the numbers voting for each of the nominees were set out below:-

Parking and Traffic Regulation Outside London Joint Committee – Councillors Strutton (12), Swindlehurst (24). Councillor Swindlehurst appointed.

Safer Slough Partnership – Councillors Dodds (23) and Strutton (12). Councillor Dodds appointed.

Slough Local Access Forum – Councillors Chohan (23), Parmar (23) and Strutton (12). Councillors Chohan and Parmar appointed.

Resolved - That appointments to Outside Bodies for the 2011/12 municipal year be as set out in Annex A attached.

9. Appointment of Monitoring Officer

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

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- (a) That the Monitoring Officer role be undertaken by the Assistant Director Professional Services, supported by the Head of Legal Services and the Deputy Borough Secretary as deputies.
- (b) That minor changes to the constitution be made to reflect the new arrangements.
- (c) That the supporting arrangements and suggested improvements to the Monitoring Officer functions be noted.

Resolved-

- (a) That the Monitoring Officer role be undertaken by the Assistant Director Professional Services, supported by the Head of Legal Services and the Deputy Borough Secretary as deputies.
- (b) That minor changes to the constitution be made to reflect the new arrangements.
- (c) That the supporting arrangements and suggested improvements to the Monitoring Officer functions be noted.

Chair

(Note: The Meeting opened at 7.30 pm and closed at 8.45 pm)

**MUNICIPAL YEAR 2011/12
APPOINTMENTS TO OUTSIDE BODIES (LEVEL 1)**

OUTSIDE BODY	APPOINTMENTS/ NOMINATIONS REQUIRED	MEMBER(S) APPOINTED
2M Group	1 Member	Stokes
Berkshire Healthcare NHS Foundation Trust	1 Member (preferably Commissioner for Health and Wellbeing)	Walsh
Berkshire Pension Fund Advisory Panel	1 Member (Chair of Employment & Appeals Committee)	Bains
East Berkshire Adoption Panel	1 Member	<i>No nominations received</i>
Heatherwood and Wexham Park Hospitals NHS Foundation Trust	1 Member (preferably Commissioner for Health and Wellbeing) [Councillor Small appointed until November 2010]	Walsh
Heathrow Airport Consultative Committee	1 and 1 Deputy (Member or Officer)	Bains & Walsh (Deputy)
James Elliman Trust	3 Members to serve until 2015	Parmar & Dodds
Older Persons' Champion	1 Member	Small
Parking & Traffic Regulation Outside London Joint Committee (PATROLJC)	1 Member	Swindlehurst
River Thames Alliance	1 (Commissioner for Public Protection or Environment Champion) & (Director of Green & Built Environment)	Haines
Royal Berkshire Fire Authority	4 Members including Commissioners for Public Protection & Young People's Services and Community Safety (proportional - 3:1) (The Fire Authority has requested that appointments be made for more than 1 year)	Coad, Dar, Rasib & Plenty
Safer Slough Partnership	1 Member	Dodds
Secure Accommodation Panel	1 Member	<i>No nomination received</i>

OUTSIDE BODY	APPOINTMENTS/ NOMINATIONS REQUIRED	MEMBER(S) APPOINTED
Slough Sport and Physical Activity Forum	1 Member (preferably Commissioner responsible for sport)	Parmar
Slough Children's Trust Board	1 Member (Commissioner for Children's Services)	Pantelic
Slough Focus Partnership Board	1 Member (Leader or nominee)	Anderson
Slough Home Improvement Agency Steering Committee	1 Member plus deputy	Small (Deputy – Swindlehurst)
Slough Local Access Forum	2 Members	Chohan & Parmar
Slough Local Safeguarding Children Board	1 Member (Commissioner for Children's Services)	Pantelic
Slough Safeguarding Adults Partnership Board	2 Members (including the Commissioner for Health & Wellbeing)	Walsh & Small
South East Employers	2 Members & 2 Deputies (Chair of Employment & Appeals Committee plus a Commissioner) (NB. Should not be employee of another local authority or official of any of the local government unions)	Bains & Matloob
South East Employers' Members' Scrutiny Network	1 Member (Chair of Overview & Scrutiny)	M S Mann
St Mary's School Charity	2 Members	Plenty & Small
Strategic Aviation Special Interest Group (SASIG)	1 Member (plus deputy)	Haines
Sustainability Champion	1 Member	Parmar
Thames Valley Athletics Centre Management Committee	1 (Commissioner for Leisure & Culture) +1 Deputy	Parmar (Deputy –Bains)

OUTSIDE BODY	APPOINTMENTS/ NOMINATIONS REQUIRED	MEMBER(S) APPOINTED
Thames Valley Athletics Centre Trust	1 (Commissioner for Leisure & Culture) +1 Deputy	Parmar (Deputy – Bains)
Thames Valley Athletics Centre LA Joint Committee	2 + 2 Deputies	Parmar & Bains (Deputies- S Chaudhry & S K Dhaliwal)
Thames Valley Police Authority	1 Member (Labour nomination requested)	Bains
Thames Valley Police Authority Joint Committee	1 Member	Bains
Thames Valley Waste Forum	2 Members (including Commissioner for Public Protection)	S Chaudhry & Parmar

**MUNICIPAL YEAR 2011/12
APPOINTMENTS TO OUTSIDE BODIES (LEVEL 2)**

OUTSIDE BODY	APPOINTMENTS/ NOMINATIONS REQUIRED	MEMBER(S) APPOINTED
Age Concern Slough	2 (Commissioner for Social Services or nominee and Older Persons' Champion)	Carter & Small
Berkshire Community Foundation	1 (Member or Officer)	Dodds
Britwell Youth & Community Project	2 (Member or Officer/Other)	Carter & P K Mann
Chalvey Community Association	1 (Member or Officer)	Sharif
Cippenham Youth Club	1 (Member or Officer)	Dodds
Citizens' Advice Slough	1 Member observer (nominee subject to approval of organisation)	AS Dhaliwal
Colnbrook with Poyle Parish Council – District Council Observer	1 Observer (Member or Officer)	Small
Colne Valley Partnership (Advisory only as no longer funded)	2 Members	Minhas & Smith
Crossroads – Caring for Carers	1 Member	Stratton
Groundwork Thames Valley	1 (Member or Officer)	Dodds
Local Authorities' Aircraft Noise Council	3 (Member or Officer)	Abe, Long & Smith
Middle Thames Relate	1 (Member or Officer)	O'Connor
Slough Area Fund Development Group of Berkshire Community Foundation	1 Member	Dodds
Slough Community Leisure Limited	2 Members (including Commissioner for Leisure & Culture)	Swindlehurst Parmar

OUTSIDE BODY	APPOINTMENTS/ NOMINATIONS REQUIRED	MEMBER(S) APPOINTED
Slough Council for Voluntary Service	1 Member + 1 Deputy + Chief Executive or Nominee	A S Dhaliwal (Deputy – S K Dhaliwal)
Slough Equalities Commission	2 (Members or Officers)	Munawar & Sohal
Slough Museum Board of Trustees	1 (Commissioner for Community and Culture or equivalent who is ex-officio member of the Trust) + Deputy	S Chaudhry (Deputy –Davis)
Stoke Park Trust Management Committee	1 (Member or Officer)	Coad

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MINUTES OF COUNCIL PROCEEDINGS

At an Extraordinary Meeting of the Council for the Borough of Slough held at the Town Hall, Slough on Thursday, 23rd June, 2011 at 7.00 pm

Present:- The Worshipful the Mayor (Councillor S K Dhaliwal), in the chair; Councillors Abe, Anderson, Bains, Basharat, Buchanan, Carter, S Chaudhry, Coad, Dale-Gough, Dar, Davis, A S Dhaliwal (left at 7.30 pm and returned at 9.12 pm), Grewal, Haines, M S Mann, P K Mann, Matloob, Minhas, Munawar (left at 9.30 pm), O'Connor, Pantelic, Parmar, Plenty, Plimmer, Qureshi, Rasib, Sharif, Small, Smith, Sohal, Stokes, Strutton, Swindlehurst, Walsh and A S Wright

Apologies for Absence:- Councillors Chohan, P Choudhry, Dodds, Long and S P Wright

10. Declarations of Interest

None.

11. Five Member Requisition- Ofsted report 'Inspection of safeguarding and looked after children services' published on the 1st June 2011.

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

“That in accordance with Procedure Rule 27, Council Procedure Rule 16, Rules of debate, Content and Length of speeches, be suspended, to allow the Commissioner for Children’s Services to make a presentation to the Council on the Ofsted Report published on 1st June, 2011.

Following the presentation the debate will return to normal debate rules as set out in Procedure Rule 16 other than the Commissioner for Children’s Services being entitled to reply to points raised during debate without prejudice to her entitlement to speak generally in the debate on any recommendations/amendments”.

The motion was put and carried by 24 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 motion –

Councillors Anderson, Bains, Carter, S Chaudhry, Dar, Davis, A S Dhaliwal, Grewal, M S Mann, P K Mann, Matloob, Minhas, Munawar, O'Connor, Pantelic, Parmar, Plenty, Qureshi, Rasib, Sharif, Small, Sohal, Swindlehurst and Walsh

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There voted against the motion:

Councillors Abe, Basharat, Buchanan, Coad, Dale-Gough, Haines, Smith,
Stokes, Strutton and A S Wright 10

There abstained from voting:

The Worshipful the Mayor 1

Councillor Pantelic made a presentation to the Council on the Ofsted Report published on 1st June, 2011.

(Councillor A S Dhaliwal left the meeting)
(Councillor Plimmer joined the meeting)

It was moved by Councillor Dale-Gough,
Seconded by Councillor Smith,

“That in light of the deplorable Ofsted inspection report of 1st June 2011 about Safeguarding Children and Vulnerable Children as administered by Slough Borough Council Education and Children’s Services department, which rated the department as inadequate, the Leader of the Council should acknowledge responsibility and make a public apology as did the Leader of Kent County Council when they too received and overall rating of inadequate from Ofsted last year”.

The motion was put and lost by 11 votes to 23 votes with 1 abstention.

Councillor Stokes sought to move an amendment on the subject of child trafficking but this was ruled out of order by the Mayor as it was not considered as part of the Ofsted report.

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

“This Council recommends,

- A complete review of all 1200 or so cases currently on the books to be satisfied that we have got to the bottom of the problem-
 - The formation of a working party comprised of 2 representatives from each Group to set the terms of reference and agree the criteria for this review
 - A stipulation that this Group meet fortnightly to monitor progress and produce update reports for the Full Council Meetings of the 20th July and 29th September (the latter being the target date for completion)
 - Adequate resources are made available to the Education and Children's services department to fund the review and all the changes necessary for the attainment of minimum legal requirements in child safeguarding out of general fund reserves if need be.

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- A monthly meeting to review complaints reports relating to safeguarding and Looked After Children attended by the Director of Education and Children's Services plus the relevant Commissioner with a view to strengthening monitoring and auditing of case files.
- In addition to this we would like the following information to be made available:
 - How often did the Director of Education and Children's Services conduct Complaints Meetings to review complaints regulating Safeguarding and Looked After Children between October 2010 and May 2011.
 - How many complaints were dealt with at each meeting.
 - In what categories did they fall.
 - How many resulted in a change of status or risk status or operational procedure.
 - Who was present at each of these meetings”.

It was moved as an amendment by Councillor Stokes,

“That discussions be initiated with Senior Officers drawn from all of the organisations represented on the Slough Local Safeguarding Children’s Board in order to assess the extent of the serious problem of child trafficking”.

Councillors Smith and Plimmer as mover and seconder of the original motion confirmed that they were prepared to accept the proposed amendment which then became the substantive motion.

The motion was put and lost by 10 votes to 23 votes with 2 abstentions.

It was moved by Councillor Dale-Gough,
Seconded by Councillor Haines,

“This Council: -

- Regrets that the Commissioner for Education and Children's Services, Cllr Pantelic has failed to ensure that child safeguarding policies and procedures have been effectively enforced.
- This Council regrets that Commissioner for Education and Children's Services, Cllr Pantelic, has presided over a decline in the rating given to Child safeguarding in Slough Borough Council from Ofsted over her two year tenure.
- Calls for Cllr Pantelic to acknowledge her failure and step down accordingly from her post”.

The motion was put and lost by 11 votes to 23 votes with 1 abstention, and on a show of hands, a prior request having been made, for a record of the voting:

Council - 23.06.11

There voted for the motion :-

Councillors Abe, Basharat, Buchanan, Coad, Dale-Gough, Haines, Plimmer, Smith, Stokes, Strutton and A S Wright 11

There voted against the motion :-

Councillors Anderson, Bains, Carter, S Chaudhry, Dar, Davis, Grewal, M S Mann, P K Mann, Matloob, Minhas, Munawar, O'Connor, Pantelic, Parmar, Plenty, Qureshi, Rasib, Sharif, Small, Sohal, Swindlehurst and Walsh 23

There abstained from voting:

The Worshipful the Mayor 1

(Councillor A S Dhaliwal rejoined the meeting)

It was moved by Councillor Coad,
Seconded by Councillor Abe,

“This Council recommends,

- In light of the damning Ofsted report Slough Borough Council received in regards to Child safeguarding on 1st June 2011, changes should be made to the management and structure of the Education and Children's Services department which showed systemic failure in its ability to safeguard children”.

The motion was put and lost by 11 votes to 24 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 motion :-

Councillors Abe, Basharat, Buchanan, Coad, Dale-Gough, Haines, Plimmer, Smith, Stokes, Strutton and A S Wright 11

There voted against the motion :-

Councillors Anderson, Bains, Carter, S Chaudhry, Dar, Davis, A S Dhaliwal, Grewal, M S Mann, P K Mann, Matloob, Minhas, Munawar, O'Connor, Pantelic, Parmar, Plenty, Qureshi, Rasib, Sharif, Small, Sohal, Swindlehurst and Walsh 24

There abstained from voting:

The Worshipful the Mayor 1

(Councillor Munawar left the meeting)

Council - 23.06.11

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

“This Council:-

- Acknowledges that the Ofsted Inspection Report notes that, ‘the quality of assessment including the identification of risk, care planning and quality assurance by managers and independent reviewing officers had consistently failed to identify ongoing harm to children and ensure appropriate action is taken’ (Ofsted Inspection report 1st June 2011, page 12, paragraph 33).
- In light of the failure to complete adequate risk assessments this Council recommends:-
 - A new quality management framework is written in partnership with external, independent organisations such as Barnado’s.
 - Training procedures are re-assessed and training is procured from organisations such as Barnado’s to enable all frontline, customer facing staff, to address Child Safeguarding in a holistic manner”.

The motion was put and lost by 11 votes to 23 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 motion :-

Councillors Abe, Basharat, Buchanan, Coad, Dale-Gough, Haines, Plimmer, Smith, Stokes, Strutton and A S Wright 11

There voted against the motion :-

Councillors Anderson, Bains, Carter, S Chaudhry, Dar, Davis, A S Dhaliwal, Grewal, M S Mann, P K Mann, Matloob, Minhas, O’Connor, Pantelic, Parmar, Plenty, Qureshi, Rasib, Sharif, Small, Sohal, Swindlehurst and Walsh 23

There abstained from voting:

The Worshipful the Mayor 1

Chair

(Note: The Meeting opened at 7.00 pm and closed at 9.40 pm)

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SLOUGH BOROUGH COUNCIL

REPORT TO: Council **DATE:** 26th July, 2011
CONTACT OFFICER: Catherine Meek, Deputy Borough Secretary
(For all enquiries) (01753) 875011
WARD(S): All

PART I
FOR DECISION

RECOMMENDATION OF THE CABINET FROM ITS MEETING ON 13th JUNE 2011

STATUTORY SERVICE DELIVERY PLANS

1 Purpose of Report

To consider the recommendations of the Cabinet with regard to the Statutory Service Plans in relation to Food Safety, Health and Safety and Trading Standards.

2 Recommendation

The Council is requested to resolve that the Statutory Service Plans as circulated to all Members in relation to the Food Safety, Health & Safety and Trading Standards work undertaken by the Council be endorsed.

3 Community Strategy Priorities

The plans are based around ensuring that the Council is able to fulfil its statutory obligations under the relevant Regulatory Services legislation. However, the focus of projects within all the Services is geared towards Sloughs specific community and business needs, based on local intelligence and our work with partners. Examples of where the plans contribute are given below;

- **Celebrating Diversity, Enabling inclusion**
 - Supporting and encouraging all the cuisines in Slough to provide healthy eating (Catering for Health) choices, safe food businesses including importation of ethnic foods.
 - Safeguarding migrant and other vulnerable workers
- **Adding years to Life and Life to years**
 - Reducing risks in the work place with specific projects such as Estates Excellence, Management of Asbestos; increasing awareness of food labelling and healthy eating, contributing to reducing obesity and CHD rates in Slough;
- **Being Safe, Feeling Safe**
 - Underage sales education and enforcement; projects to reduce the incidence of violence in retail and licensed premises e.g. Work Safe Slough; Loan Shark project;

- **A Cleaner, Greener place to live, Work and Play**
 - Advice for Slough businesses on waste and pest control; animal by-products waste disposal. Advice on Public Safety issues at outdoor events.
- **Prosperity for All**
 - Supporting local businesses in meeting their legal requirements' through seminars and fully funded consultancy; 'Buy with Confidence' and Food Hygiene courses; in other languages and with signers for hard of hearing. Recognises good standards with the Safe Food award

4 **Other Implications**

(a) Financial

There are no financial implications of proposed action. It is anticipated that the plans can be implemented within existing resources. The situation will be closely monitored, however, and any future resourcing implications reported to Members for consideration.

(b) Risk Management

Recommendation	Risk/Threat/Opportunity	Mitigation(s)
Approval of the plans	Limited risk to delivery from serious incidents such as Work Related Death Investigations, Animal Health Disease; food poisoning outbreak or unplanned staff absences	Contingency plans in place supported by re-assessment of priorities.
Failure to approve	Serious risk to delivery of statutory obligations, failure to delivery on projects that impact positively on health & well being issues in Slough	Re- assessment of resources and priorities

(c) Human Rights Act and Other Legal Implications

There is a legal obligation for the Council to establish and approve statutory Service Plans for food, health & safety and trading standards. There are no Human Rights Act implications in this report.

(d) Equalities Impact Assessment

Equality Impact assessments have already been completed for the core policy areas of these Services

5 **Supporting Information**

5.1 National guidance on the delivery of the Authority's enforcement activities is issued by The Food Standards Agency, the Health and Safety Executive and the Department for Businesses, Innovation and Skills; setting out standards for service provision, monitoring and auditing arrangements, in order to ensure that local enforcement activities are undertaken in a fair and consistent manner.

5.1 The Regulatory Landscape continues to evolve; in the last year the Coalition Government commissioned a review of the operation of health & safety Laws and has recently adopted the proposals of the Young Report, 'Common Sense – Common Safety'. The report, amongst other things, aims to focus regulations and enforcement where they are most needed. We have taken this risk based approach at Slough for several years. There is also an ongoing review of the Consumer Landscape which may have implications for the delivery of trading standards services, particularly for regional and national investigations. In addition a consultation is due to start shortly on the enforcement of food safety and standards.

5.3. Service Plans are an important part of the process to ensure national priorities and standards are addressed and delivered to meet local needs effectively. These Service Plans, which are required to be reviewed and updated annually, will

- focus on local priorities and the needs of our local community
- provide an essential link with financial planning
- set objectives for the future, and identify major issues that cross service boundaries; and
- provide a means of managing performance and making performance comparisons

5.4. Local authorities are required to include in their Service Plans:

- information about the services they provide
- the means by which they will provide those services
- the means by which they will set/monitor performance targets and standards
- a review of performance against proposed targets

5.4 The focus of our resources will be on high risk activities whilst aiming to reduce the regulatory burden on compliant business: making the best use of the resources we have available and ensuring positive outcomes and value for money.

5.5 We will seek to strengthen existing partnerships and develop others to ensure effective delivery across service areas; using an evidenced based approach to help meet the specific needs of Slough as identified in the Slough Sustainable Community Strategy, the Local Area Agreement and the Joint Strategic Needs Assessment.

5.6 The Primary Authority scheme was introduced by the Regulatory Enforcement and Sanctions Act 2008 and enables a new type of partnership to be formed between business and local authorities. This will, in turn, streamline and simplify

the regulatory compliance demands on local businesses in relation to trading standards, food and health & safety matters. Approval to provide a Primary Authority business support scheme was agreed by Cabinet on 24th January 2011 and replaces our former Home Authority business advice service. The new service was introduced on 1 April 2011 and will be self funding

6 **Recommendation of the Cabinet**

The Cabinet recommended as set out in paragraph 2 above.

7 **Conclusion**

The proposed Service Plans illustrate the Council's commitment to continuous improvement and accountability. They also show how the local authority has adopted a balance of techniques and approaches to support local businesses, drive up compliance, enhance consumer protection and promote safety in the workplace.

8 **Appendices**

'A' Food Safety Service
'B' Health and Safety Service
'C' Trading Standards Service

(Circulated separately to Members and available on request from Democratic & Member Services Ext. 5317).

9 **Background Papers**

Agenda & Minutes – Cabinet 13th June, 2011.

SLOUGH BOROUGH COUNCIL

REPORT TO: Council

DATE: 26th July 2011

CONTACT OFFICER: Tracy Luck, Head of Policy and Communications
(For all enquiries) 01753 875518

WARD(S): All

PART I
FOR INFORMATION

FREEDOM OF INFORMATION ACT

1 Purpose of Report

To note the publication of requests and responses under the Freedom of Information Act 2000.

2 Recommendations

The Council is requested to note:-

That from 1st August 2011 requests and responses under the Freedom of Information Act 2000 will be published on the Council's website, with the exception of vexatious and offensive requests.

3 Community Strategy Priorities

3.1 The FOIA facilitates access to a range of information about the way the Council works and its services and therefore all of the Community Strategy's priorities:

- Celebrating Diversity, Enabling inclusion
- Adding years to Life and Life to years
- Being Safe, Feeling Safe
- A Cleaner, Greener place to live, Work and Play
- Prosperity for All

4. Other Implications

(a) Financial

It is possible to charge for some FOI requests as set out in the FOIA Protocol section 8.

(b) Risk Management

There are legal obligations for the Council in terms of complying with the FOIA and therefore risks should these duties not be met, including possible fines and action by the Information Commissioner.

(c) Human Rights act and Other Legal Implications

The requirements placed on all councils by the FOIA are summarised in the Council's Protocol on FOIA.

(d) Equality Impact Assessment

The FOIA requires councils to be open about the information that they hold and ensure that it is accessible. Slough Borough Council's approach is to ensure that all of the protected groups should be encouraged to access information and that this should be facilitated. There are no differential impacts as a result of the Council's approach to the FOIA.

(e) Workforce

The Council manages FOI requests within existing resources, but has one dedicated officer who coordinates responses.

(f) Sustainability

There are no implications.

5 Supporting Information

- 5.1 The FOIA was enacted in 2000 and applies to public authorities and companies wholly owned by public authorities in England, Wales and Northern Ireland. This includes local authorities.

Public authorities are obliged to provide information:

- through a publication scheme, which should list all the information they routinely make available to the public; and
- in response to requests made under the right of access given by the Freedom of Information Act.

- 5.2 On 1st February 2011 the Council resolved:

Request that the following be referred to the next meeting of the Member Panel on the Constitution for discussion, and that a report be brought back to the next full Council for decision:

- Publish all Freedom of Information (FOI) requests and responses received on or after 1st January 2008 on a Freedom of Information log sited on the Slough Borough Council website by the 1st June 2011.
- Continue to publish all Freedom of Information (FOI) requests and responses received thereafter.

- 5.3 The Member Panel on the Constitution considered the matter on 16th March 2011 and asked for a report to this Council meeting.

- 5.4 The implications on resource requirements and other sensitivities had to be considered prior to putting in place a mechanism to publish all FOIA requests and responses. Publication will therefore commence on 1st August 2011. As part of this consideration the opportunity has been taken to consolidate the Council's procedures and practices in relation to FOIA in a Protocol, based on the legislation and guidance

from the Information Commissioner. As such the protocol does not introduce new ways of working but clarifies the current position.

5.5 The Council's protocol states:

"11. Publication

Freedom of Information requests and their responses will be published on the Council's website. However, vexatious or offensive requests as defined by section 14(1) the FOIA and Information Commissioner guidance, containing abusive or offensive language or suggestions (which will not receive a response in accordance with this policy) will not be published. Personal information will be redacted from both FOIA requests and responses. All requesters will be informed that their requests and the responses will be published at the time the request is made."

5.6 This fulfils Members' wishes to publish FOI requests and responses whilst protecting Members, staff and others against the risk of publishing potentially defamatory material. FOI correspondents will understand the intention to publish and the parameters around publication at an early stage.

5.7 The Council has identified a simpler model for a Publication Scheme and a comprehensive review is being led by the Monitoring Officer.

6 Background Papers

FOIA Protocol

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SLOUGH BOROUGH COUNCIL

REPORT TO: Council DATE: 26th July 2011

CONTACT OFFICER: Member Panel on the Constitution/Catherine Meek Deputy
Borough Secretary
(For all Enquiries) (01753) 875011

WARD(S): All

PART I
FOR DECISION

STREAMLINING PLANNING: IMPLICATIONS FOR THE CONSTITUTION

1. Purpose of Report

To consider recommendations from the Member Panel on the Constitution for changes to the Constitution relating to the Planning Service.

2. Recommendation(s)/Proposed Action

The Council is requested to resolve:

- (a) That the proposed changes to officer delegations (Development Control) as set out at Appendix 2 with regard to minor changes to major applications be endorsed.
- (b) That a deadline for members to call in applications for consideration by the Planning Committee be introduced at 7 days from expiry of the residents consultation

3. Community Strategy Priorities-

The administrative and procedural changes have no direct impact on the Community Strategy.

4. Other Implications

(a) Financial

Overall there will be some efficiency savings on the costs of delivering the Planning service, assisting the Council to cope with the withdrawal of the Housing and Planning Development Grant (HPDG).

(b) Risk Management

There are no significant risks. Changes in service are reductions in non mandatory activities and improvements in efficiency

(c) Human Rights Act and Other Legal Implications

None

(d) Equalities Impact Assessment

The changes are considered not to be significant and relate to internal procedures. Consultation procedures with the public remain and the increasing use of the web assists in the transparency of the service.

(e) Workforce

Will assist in the reduction of temporary assistance previously funded from HPDG.

5. **Supporting Information**

5.1 All aspects of the Planning Service are being scrutinised to achieve an efficient and effective service. The proposed changes to the Constitution comprise:

- a) Changes to the delegation to officers
- b) Changes considered to be of a minor administrative and procedural nature which stem from:

- The need to reduce levels of service consequent upon the withdrawal of Housing and Planning Development Grant.
- The increasing use of websites and email as forms of communication.
- Legislative changes.

Delegation to Officers

Minor changes to major applications

5.2 Changes to the scheme of delegation for decisions on planning applications were agreed by the Council at its meeting on 19th May 2011 on the recommendation of the Member Panel on the Constitution. [Copy attached at Appendix A].

5.3 The Panel had agreed a number of further amendments at its meeting on 17th February but these were omitted in error from the Council report in May 2011.

5.4 The scheme agreed in May 2011 included parameters, which would determine if an application could be decided under delegated authority or not. It was felt that these parameters would be too extensive and that some applications could be changed to such an extent that it would be significantly different from an application previously considered by the Planning Committee. For instance it has been suggested that an increase in floor space of 1000m² for a re-submitted scheme should not be considered by the Committee. However, if the original application consisted of a development to create 1000m² of commercial floor space and a subsequent application proposed 2000m², in accordance with the scheme as presented in November 2010, it would be possible for officers to determine the subsequent application under delegated authority. A proposed development with double the floor area, as given in this example, would have significant implications and it is believed that Members should be involved in the decision making process.

5.5 It is however agreed that some applications are currently determined by the Planning Committee, which do not have any major implications. Recent changes to planning system include the introduction of three additional types of applications. These are:

- Applications for the extension to the time limits for implementing existing planning permissions
- Applications for non-material changes to planning permissions
- Applications for minor material amendments

In addition to the above, applications for a variation to a condition attached to an approved major development are also currently being determined by the Planning Committee. These include for instance changes to the timing of the condition, changes to the hours of deliveries and operation, etc. All of the above mentioned types of applications rarely have any significant impact and do not affect the principle of the permission granted by the Committee and it is therefore considered that they can be determined under delegated authority. However, it is still up to the discretion of the Head of Planning and Strategic Policy to refer any application to the Planning Committee, if it is believed that the application should not be determined under delegated authority.

Deadline for Call – in.

- 5.6 The only other change relates to the introduction of a deadline for Ward Members to call in applications to the Planning Committee. Unlike other authorities, Slough does not currently have a deadline for Members to call in applications for consideration by the Planning Committee. For this reason, some applications have been determined before Members could exercise their call-in opportunity. The lack of a deadline also creates uncertainty with planning officers, applicants and neighbours. A planning application can be determined after the completion of the 21 day statutory consultation period. The Member Panel on the Constitution considered the proposal to introduce a deadline in detail. Some members felt that certainty and clarity in the process would be improved by the introduction of a deadline, others did not support the introduction of a deadline and did not see the need. It was proposed and agreed that a deadline for members to call in applications for consideration by the Planning Committee would be introduced and that the deadline would be 7 days from the expiry of the resident consultation (i.e. 28 days).

6. Conclusion

The proposals improve the efficiency of the service and offer some costs savings. Changes to officer delegation will also enable a more speedy service to be delivered to customers. Some of the changes are however essential, in light of legislative changes and reflect increasing use of websites.

7. Appendices Attached

- '1' - Extract from Constitution. Existing Delegations (May 2011)
- '2' - Extract from the Constitution with proposed changes to wording.

8. Background Papers

Agenda and Minutes – Member Panel on the Constitution 17th February 2011
 Agenda and Minutes – Council 19th May 2011

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DEVELOPMENT CONTROL FUNCTIONS

37. The following functions are delegated to the Head of Planning & Strategic Policy subject to any conditions set out below:-

1. Determination of all applications for planning permission (except for major developments ++) on sites without planning permission within the constraints set out below:-
 - (a) Approval of applications which comply with existing approved statutory statements of policy and substantially comply with non-statutory policy guidelines.
 - (b) Refusal of applications which do not comply with existing approved statutory and non-statutory statements of policy.

[++ defined as

- 1 Development of 10 or more dwellings (0.5 hectare where no numbers are given)
- 2 Development of buildings of 1,000 square metres floorspace or development on sites of 1 hectare or more
- 3 Working of minerals and waste development (excluding minor ancillary development to an existing use, details pursuant to a permission or variation or deletion of conditions previously imposed.)

On sites with planning permission decisions on major applications are delegated to the Head of Planning and Strategic Policy if the Planning Committee has considered an application on the site in the 5 year period prior to the submission of the application to be determined and one or more of the following conditions applies:

- 1 The application is to vary a condition, including any application to vary the timescale for implementation of a condition.
- 2 The application is to extend the timescale for an unimplemented planning permission.
- 3 The application is to vary a legal agreement.
- 4 The application is for the discharge of any reserved matters or for the discharge of any condition.
- 5 The application does not vary the proposal by more than
 - A 10 dwellings or 20% of the number of dwellings granted, whichever is the greater, or
 - B 1000 square metres of floorspace,
 - C 0.5 hectares of site area,

Compared with the most recent planning permission.

2. Matters of mutual interest referred to the Council by adjoining authorities when the proposed development has no adverse affect on the planning policies operating within the Borough.
3. Authorising the felling, lopping or other works to trees within a Conservation Area or any trees which are subject to a Tree Preservation Order.

4. The withdrawal or amendment of an Enforcement Notice when there has been a change in circumstances.
5. Directions requiring further details, information, evidence or particulars in respect of an application for planning permission pursuant to Article 3(2) of the Town & Country Planning General Development Procedure Order 1995.
6. Preparation and signature of decision notices in respect of planning applications after consultation with the Head of Legal Services in appropriate cases. (Such decision notices shall be dated with the date upon which the decision was taken).
7. The power to issue a Breach of Condition Notice under Section 187A of the Town and Country Planning Act 1990 is delegated to the Head of Planning and Strategic Policy in consultation with the Head of Legal Services.
8. In consultation with the Head of Legal Services to determine applications for Certificates of Lawful Use or Development.
9. In consultation with the Head of Legal Services, authority to enter into planning agreements in cases where in all other respects the application falls within this Scheme of Delegation.
10. Determination of applications deferred by the Planning Committee which are subsequently amended such that they comply with the provisions of 1(a) above, unless the Committee specifically reserves the determination to itself.
11. Decisions under the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999 as to:-
 - (a) whether or not an environmental impact assessment is needed;
 - and
 - (b) the main effects of a development which an Environmental Statement should cover.
12. Preparation and approval of conservation area character assessments.
13. In consultation with the Head of Legal Services to issue and serve a high hedge Remedial Notice under the Anti Social Behaviour Act 2003.
14. Applications to extend the time limits on Planning Permissions made in accordance with the Town and Country Planning (General Development) Procedure (Amendment No 3) (England) Order 2009.
15. Applications made pursuant to Section 96A of the Town and Country Planning for non material changes to planning permission in accordance with the Town and Country Planning (General Development) Procedure (Amendment No 3) (England) Order 2009.

16. Applications for the prior notification of the demolition of buildings pursuant to Part 31 of Schedule 2 of the Town and Country Planning General Development Order 1995.

Conditions

Ward Members

The Head of Planning and Strategic Policy shall refer applications under Paragraph 1(a) and 1(b) above to the Planning Committee for determination provided any Ward Member in which the Application Site is situated has:-

- (i) set out in writing to the Planning Case Officer the detailed planning issues/concerns which s/he has in respect of the Application and
- (ii) s/he has had an official and formal discussion on such planning issues/concerns with the Planning Case Officer or the Head of Development Control or the Head of Planning and Strategic Policy and the issues/concerns remain unresolved. The Ward Member will be informed of the date of the meeting so that s/he can attend and speak in support of the referral.

Council Applications

In the case of Applications made by the Council paragraph 1(a) shall apply unless an objection has been received against the proposal and if so the Application shall be referred to the Planning Committee for determination.

Petitions

Petitions submitted in respect of Planning Applications shall be copied to the relevant Ward Members and normally dealt with by the Head of Planning and Strategic Policy/Deputy Borough Secretary in accordance with the Public Participation Scheme.

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APPENDIX 2

DEVELOPMENT CONTROL FUNCTIONS

37. The following functions are delegated to the Head of Planning & Strategic Policy subject to any conditions set out below:-
1. Determination of all applications for planning permission in accordance with the Town & Country Planning Act 1990 and the Town & Country Planning (Development Management Procedure) (England) Order 2010 (except for major developments *) within the constraints set out below:-
 - (a) **Approval** of applications which comply with existing approved statutory statements of policy and substantially comply with non-statutory policy guidelines, except in the case of minor variations ** from approved planning standards and policies.
 - (b) **Refusal** of applications which do not comply with existing approved statutory or non-statutory statements of policy.
 2. Determination of the following:
 - (a) Applications for the extension to the time limits for implementing existing planning permissions made in accordance with the Town & Country Planning (Development Management Procedure) (England) Order 2010 and the Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2009.
 - (b) Applications for non-material changes to planning permissions made in accordance with Section 96A of the Town and Country Planning Act 1990 and the Town & Country Planning (Development Management Procedure) (England) Order 2010.
 - (c) Applications for minor material amendments*** and variation to conditions made in accordance with Section 73 of the Town and Country Planning Act 1990 and the Town & Country Planning (Development Management Procedure) (England) Order 2010.
 3. Matters of mutual interest referred to the Council by adjoining authorities when the proposed development has no adverse affect on the planning policies operating within the Borough.
 4. Authorising the felling, lopping or other works to trees within a Conservation Area or any trees, which are subject to a Tree Preservation Order.

5. The withdrawal or amendment of an Enforcement Notice when there has been a change in circumstances.
6. Issue directions requiring further details, information, evidence or particulars in respect of an application for planning permission pursuant to Article 4(2) of the Town & Country Planning (Development Management Procedure) (England) Order 2010.
7. Preparation and signature of decision notices in respect of planning applications after consultation with the Borough Secretary and Solicitor in appropriate cases. (Such decision notices shall be dated with the date upon which the decision was taken).
8. The power to issue a Breach of Condition Notice under Section 187A of the Town and Country Planning Act 1990 is delegated to the Head of Planning and Strategic Policy in consultation with the Borough Secretary and Solicitor.
9. In consultation with the Head of Legal Services to determine applications for Certificates of Lawful Use or Development.
10. In consultation with the Head of Legal Services, authority to enter into or vary planning agreements and unilateral undertakings in cases where in all other respects the application falls within this Scheme of Delegation or where there is no change to a previously approved major application.
11. Determination of applications deferred by the Planning Committee which are subsequently amended such that they comply with the provisions of 1(a) above, unless the Committee specifically reserves the determination to itself.
12. Decisions under the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999 as to:-
 - (a) whether or not an environmental impact assessment is needed;
 - and
 - (b) the main effects of a development which an Environmental Statement should cover.
13. Preparation and approval of conservation area character assessments.
14. In consultation with the Head of Legal Services to issue and serve a High Hedge Remedial Notice under the Anti Social Behaviour Act 2003.

15. Determine applications for the prior notification of the demolition of buildings pursuant to Part 31 of Schedule 2 of the Town and Country Planning General Development Order 1995.
16. Determine applications relating to footpaths and bridleways under Sections 257 and 261 of the Town and Country Planning Act 1990 (as amended).

Conditions

Ward Members

The Head of Planning and Strategic Policy shall refer applications under Paragraph 1(a) and 1(b) above to the Planning Committee for determination provided any Ward Member in which the Application Site is situated has:-

- (i) set out in writing to the Planning Case Officer, within 7 days from the expiry of the residents consultation, the detailed planning issues/concerns which s/he has in respect of the Application and
- (ii) s/he has had an official and formal discussion on such planning issues/concerns with the Planning Case Officer or the Development Control Manager or the Head of Planning and Strategic Policy and the issues/concerns remain unresolved. The Ward Member will be informed of the date of the meeting so that s/he can attend and speak in support of the referral.

Council Applications

In the case of Applications made by the Council paragraph 1(a) shall apply unless an objection has been received against the proposal and if so the Application shall be referred to the Planning Committee for determination.

Petitions

Petitions submitted in respect of Planning Applications shall be copied to the relevant Ward Members and normally dealt with by the Head of Planning and Strategic Policy/Deputy Borough Secretary in accordance with the Public Participation Scheme.

* Definition of Major Development:

- 1 Development of 10 or more dwellings (0.5 hectare where no numbers are given);
- 2 Development of buildings of 1,000 square metres floorspace or development on sites of 1 hectare or more;

- 3 Changes of use involving the creation of 10 or more residential accommodation or non-residential accommodation exceeding 1000 square metres or more
- 4 Working of minerals and waste development (excluding minor ancillary development to an existing use, details pursuant to a permission or variation or deletion of conditions previously imposed.]

** Minor variations are variations to the Council's standards in respect of the guidelines and policies, for example parking provision, minimum garden sizes, distances between buildings, etc and national planning policy framework as determined by the Head of Planning and Strategic Policy.

*** A minor material change is one whose scale and nature results in a development which is not substantially different from that which has been approved, as determined by the Head of Planning and Strategic Policy.

SLOUGH BOROUGH COUNCIL

REPORT TO: Council **DATE:** 26th July 2011
CONTACT OFFICER: 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 and POLLING DISTRICT AND POLLING PLACE REVIEW

1 **Purpose of Report**

To advise the Council of the decision of the Local Government Boundary Commission for England's (LGBCE) with regard to the most appropriate council size for Slough Borough Council and next steps in the Electoral Review process.

The report also advises the Council of the need to undertake a Polling District and Polling Place Review under the provisions of the Representation of the People Act 1983.

2 **Recommendation**

The Council is requested to

- (a) Note the Council size of 42 elected members as recommended by the LGBCE
- (b) Note the Polling District and Place Review currently underway
- (c) Endorse the establishment of a cross party working group comprising the Leader and a nominee of each Group with relevant officers to consider and make recommendations to the Council meeting on 29th September on a warding pattern for the Borough and consider the outcome of the review of Polling District and Places.

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**

ELECTORAL REVIEW

- 4.1 At its meeting on 21st February the Council was advised that the Local Government Boundary Commission for England (LGBCE) had advised the Chief Executive that it intended to commence an electoral review of Slough.
- 4.2 The review which is based on statutory criteria is to provide for good, or improved, levels of electoral representation across the Borough. This means ensuring that, as nearly as possible, each Councillor within a specific local authority 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 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

- 4.5 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 can not be done as part of an electoral review

- 4.6 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

- 4.7 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 is publicised as widely as possible.
- 4.8 Timescales for reviews vary widely. Before the detailed review starts the LGBCE wishes to agree the total number of councillors to be elected and invites views from the Council.

Council Size

- 4.9 The Council size (number of Members) is the starting point in any electoral review as it determines the average number of electors per councillor to be achieved across all wards. The Council agreed to establish a working group comprising the Group Leaders supported by key officers to consider the review criteria and make recommendations to the Council in April 2011 on proposals for Council size.

- 4.10 At its meeting on 19th April the Council agreed the Council's Submission to the LGBCE recommending a Council size of 42 elected members.
- 4.11 The Council has been advised that the Commission has considered the Council's submission and has recommended a Council size of 42 members. In reaching this decision the Commission 'noted that the representational pressures created by Slough's increasingly complex communities are significant and were satisfied that any reduction in Council size would be detrimental to the council's ability to meet the expectations of the diverse communities it represents. Given this and to reflect the fact that the Council elects by thirds, 42 Councillors is considered the most appropriate size for the Council'.

Next Steps

- 4.12 The next stage of the Review commenced formally on 4th July 2011 with an invitation to all interested parties to submit proposals for new wards based on a Council size of 42 members. The consultation will run until 4th October 2011.
- 4.13 The timetable is as follows:

Timetable			
Stage	Date start	Date finished	Duration
Information gathering for warding arrangements	4 July 2011	4 October 2011	13 weeks
LGBCE analysis and deliberation	5 October	20 December	11 weeks
Draft recommendations published	20 December		8 weeks
Draft recommendations consultation	20 December 2011	13 February 2012	
LGBCE analysis and deliberation	14 February 2012	8 May 2012	13 weeks
Final recommendations published	8 May 2012		

- 4.14 It is proposed that a cross party working group be established comprising the Leader and a nominee of each Group with relevant officers to consider and make recommendations to the Council meeting on 29th September on a warding pattern for the Borough.

POLLING DISTRICT AND POLLING PLACE REVIEW

- 4.15 Section 18C(1) of the Representation of the People Act 1983 places a duty on all local authorities to review their UK Parliamentary polling districts and polling places every four years. The last review was in 2007 and the authority therefore needs to conduct and complete the review by December 2011. Polling districts and polling places for local government elections are not automatically part of the review however given that in practice polling districts and polling places for local government elections are based on UK parliamentary polling arrangements it is recommended that a review of local government polling arrangements is conducted simultaneously.

- 4.16 The Review Process is set out in Circular EC 19/2010 and the Review is commenced formally by the publication of a notice stating that the local authority intends to commence a review and inviting representations. There is no requirement to change polling districts or places but any 'no change' decision must be fully justified.
- 4.17 A notice publicising the commencement of the Review was published on 11th July 2011 with representations invited up to the 7th September 2011. A copy of the Notice has also be sent to interested parties such as Members, Disability groups and other stakeholders. It is envisaged that any representations and recommendations will be considered by the cross party working group established in (c) above for report to Council on 29th September 2011.
- 4.18 The working group will be responsible for assessing the current arrangements and proposals for change and making recommendations to the Council on existing and proposed arrangements.

5 Background Papers

Local Government Boundary Commission for England– Electoral Reviews – Guidance

Agenda and Minutes – Council 19th April 2011

LGBCE Letter to Chief Executive – 16th June 2011

Circular EC19/2010 – Review of Polling Districts, polling places and polling stations

SLOUGH BOROUGH COUNCIL

REPORT TO: Council **DATE:** 26th July, 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. Cuts to Social Care Provision for the disabled

(Moved by Councillor Stokes, seconded by Councillor Haines)

“This Council resolves to:

Prepare a report within 4 weeks outlining the implications for Slough, of Mr Justice Walker’s High Court ruling of 19 May 2011 that the cuts Birmingham City Council was implementing to social care provision for disabled people were illegal”.

2. Fly the St George’s Flag

(Moved by Councillor A S Wright, seconded by Councillor Coad)

“This Council resolves to:

Reaffirm its commitment to the motion passed by full Council on the 27th July 2010 requiring the Council to: **“fly the St George’s Flag at the Town Hall on St George’s Day and other significant English occasions”**, which should include weekends and public holidays, and . fly the flag wherever the main Town Hall is to be re-sited after the conversion of the old Town Hall into a school annexe”.

3. Local retention of business rates

(Moved by Councillor Anderson, seconded by Councillor Swindlehurst)

“This Council resolves to:

Write to the Secretary of State for Business, Innovation & Skills, and the Secretary of State for Communities and Local Government to

express this Council's support for the proposals made by Government to allow local authorities to retain business rates collected locally as an incentive to support business development in their local area, and request the implementation of the proposals at the earliest opportunity".