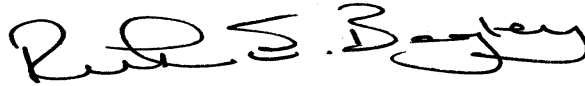


Date of issue: 29<sup>th</sup> March, 2011

<b>MEETING</b>	<b>OVERVIEW &amp; SCRUTINY COMMITTEE</b> (Councillors M S Mann (Chair), Basharat, Davis, Haines, Minhas, Munawar, O'Connor, Plenty and Smith )
<b>DATE AND TIME:</b>	TUESDAY, 10TH APRIL, 2012 AT 6.30 PM
<b>VENUE:</b>	FLEXI HALL, THE CENTRE, FARNHAM ROAD, SLOUGH
<b>DEMOCRATIC SERVICES OFFICER: (for all enquiries)</b>	TERESA CLARK (01753) 875018

NOTICE OF MEETING

You are requested to attend the above Meeting at the time and date indicated to deal with the business set out in the following agenda.



**RUTH BAGLEY**  
Chief Executive

AGENDA

PART 1

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
	Apologies for absence.		
	<b>CONSTITUTIONAL MATTERS</b>		
1.	Declaration 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).		

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
2.	Minutes of the Meeting held on 13th February 2012	1 - 6	
3.	Minutes of the last Meeting held on 6th March, 2012	7 - 12	
<b>SCRUTINY ISSUES</b>			
4.	Member Questions  <i>(An opportunity for Committee Members to ask questions of the relevant Director/ Assistant Director, relating to pertinent, topical issues affecting their Directorate – maximum of 10 minutes allocated).</i>		
5.	Project, Performance and Financial Reporting for 2011/12 <i>(REPORT TO FOLLOW)</i>		
6.	Localism Act 2011	13 - 28	All
7.	Annual Scrutiny Report 2011/2012	29 - 58	All
8.	Consideration of reports marked to be noted/for information  <i>(The Committee will consider any reports marked to be noted/for information and determine whether future scrutiny is considered necessary: maximum of 5 minutes allocated).</i>	59 - 70	All
	<ul style="list-style-type: none"> <li>• Post-Implementation Review of Art @ the Centre Scheme</li> </ul>		
9.	Forward Work Programme	71 - 74	
10.	Attendance Record	75 - 76	
11.	Date of Next Meeting- 31st May, 2012	-	

Press and Public

You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before the Committee considers any items in the Part II agenda. Special facilities may be made available for disabled or non-English speaking persons. Please contact the Democratic Services Officer shown above for further details.



**Overview & Scrutiny Committee – Meeting held on Monday, 13th February, 2012.**

**Present:-** Councillors M S Mann (Chair), Basharat, Davis, Minhas, Munawar, Plenty and Smith (arrived at 6.40pm).

**Also present under Rule 30:-** Councillors Anderson and Parmar

**Apologies for Absence:-** Councillor O'Connor.

**PART I**

**76. Declaration of Interest**

None were received.

**77. Minutes of the Last Meeting held on 17th January, 2012**

The minutes of the last meeting held on 17<sup>th</sup> January, 2012 were approved as a correct record.

**78. Member Questions**

None received.

**79. Forward Work Programme**

The Scrutiny Officer outlined details of the Work Programme for the Committee. It was noted that the Indices of Deprivation report would be considered at the first meeting of the new municipal year.

Members were reminded that the Chief Constable of Thames Valley Police was due to attend the meeting of the Committee in March and that any questions should be submitted in writing to the Scrutiny Officer by the 24<sup>th</sup> February 2012.

**Resolved** – That details of the work programme be noted.

**80. Project, Performance and Financial Reporting for 2011/12**

Julie Evans, Director of Resources and Regeneration highlighted the Council's overall performance from delivery of service to financial management covering the period up to and including December 2011, against the following key areas:-

- i. Council's Gold Projects
- ii. Performance Scorecard
- iii. Revenue and capital monitoring position to 31<sup>st</sup> December 2011.

## Overview & Scrutiny Committee - 13.02.12

It was reported that of the ten active gold projects, seven had been assessed to have an overall 'Green' status and three as 'Amber'. Members' attention was drawn to the fact that no component of any project had been assessed as being of 'Red' status.

With regard to the Britwell Regeneration Project a Member asked for details relating to the relocation of the business premises within the affected area. The Director of Resources and Regeneration informed Members that dialogue had been entered into with all those affected by the project and details relating to the current position would be sent to Members for their information.

A Member asked a question with regard to the Delivering Personalised Services Programme Gold Project and in particular the Voluntary Sector Commissioning aspect. Corporate Director of Community and Wellbeing, Jane Wood, updated Members that evaluation of tenders that had been received had been undertaken and that a final evaluation was close to conclusion.

A number of questions were asked with regard to the gold project relating to School Places in Slough. A Member questioned whether the Local Authority was playing 'catch-up' on school places or whether the projection for school places in the future was accurate. Clair Pyper, Strategic Director Education and Children's Service stated that the demand for school places and the supply of school places was extremely fluid and depended on a number of factors. These included the number of applications received, which varied on a weekly basis and the number of places vacated by families moving their children. The matter was further complicated by movements of people in and out of Slough and changes in parental preference for specific schools. Members were informed that the process of placing children was ongoing and the objective was to maintain a small surplus of places so that supply nominally exceeded demand. However, Members attention was drawn to the concern for secondary school places within the borough for 2014. Members were informed that although the intake at Wexham Secondary school had recently been increased, the Authority still required the equivalent of three secondary schools within the next ten years to cater for demand and that the situation was being closely monitored.

### Financial Reporting

The Committee was informed that there was currently a forecast underspend for the 2011/12 General Fund of £2.578m and that this was a reduction in net expenditure of £1,255K since the previous month. It was noted that further details regarding financial reporting would be discussed under agenda item 4.

**Resolved** – That the report be noted.

## Overview & Scrutiny Committee - 13.02.12

### 81. **Draft Medium Term Financial Strategy 2012/2013-2015/2016: Presentation by Julie Evans, Strategic Director of Resources**

Julie Evans, Strategic Director of Resources and Regeneration outlined details of the Medium Term Financial Strategy (MTFS) which would deliver the Council's objective to secure a substantial balanced budget position for the medium term. It was highlighted that in doing so, a balanced budget position would be presented across the five year period, accommodating both identified savings and known future challenges.

It was explained that Members of the Council provided the framework for the strategy and that they had set clear objectives for community and service priorities which included:

- Delivering savings requirements resulting from national government cuts in public sector spending
- Protecting frontline services
- Accommodating the withdrawal of government subsidy for housing stock.
- Investing in service improvements to secure improved quality.
- Maintaining and increasing employment opportunities in the town.
- Providing capital investments, major regeneration, housing and infrastructure schemes.
- Investing in local community priorities.
- Increasing general fund balances to provide improved financial security in the current economic climate.

It was noted that the draft MTFS would be submitted to Cabinet for approval at its meeting on 14<sup>th</sup> February, 2012 in advance of its submission for agreement at Council on 21<sup>st</sup> February, 2012.

Members attention was drawn to the fact that an alternative approach had been adopted with regards to formulating the MTFS and that the proposed revenue and capital budgets contained within the report were a reflection of the Council's ongoing prioritisation of resources to ensure services were focused on delivering the strategy outlined in the face of significant funding reductions. The MTFS outlined the savings, growth and assumptions and capital financing whilst incorporating new aspects including the housing revenue accounts subsidy removal, fees and charges, debt management and collection and senior officers pay.

The details of the draft five year revenue budget (requirements and resources) were outlined. A Member questioned the area of activity relating to an increase in part time opportunities and how this would reflect in overall savings. It was explained that part-time posts provided a greater degree of flexibility to both employer and employee and that research had indicated that quality of work was not affected whether an individual was employed on a part-time basis.

Details regarding the investment (growth) areas for the forthcoming year were outlined. Significant areas of increased funding included £100k in 2012/13 for

## Overview & Scrutiny Committee - 13.02.12

concessionary fares. It was explained that the Local Authority was recharged by the bus operator on an annual basis and it was anticipated that there would be an increase in cost by £100k. Other areas included the impact of the localisation of council tax benefit which was anticipated to be a £1m for 2012/13 as the government had only provided 90% of funding for this financial year. It was further explained that the contingency fund was reducing and this was primarily due to two factors, firstly, the safety net was growing and robust financial plans were in place. There was also a planned investment in the Community Investment Fund which would enable Members to ensure that community based investments were funded. In response to clarification regarding the carbon emissions levy, it was explained by Roger Parkin, Director of Customer and Transactional Services that this was a Central Government tax which meant that all businesses would be charged retrospectively for a period of two years.

Details of the capital investment programme were outlined. The major sources of funding were external grants and contributions, usable capital receipts and prudential borrowing. Members were reminded that the Council was currently considering the option of procuring a partner to enter into a Local Asset Backed Joint Venture (LABV). Although the procurement process had begun, the decision to proceed would be taken subject to the LABV offering value for money to the Council. If a decision was made to enter a LABV then significant capital projects in future years would be delivered via this route. However, it was stressed that no assumption regarding the LABV had been made.

Members attention was drawn to the HRA (Housing Revenue Account) subsidy implications. It was noted that the Government had ended the housing subsidy scheme and that although a £127m loan would be provided by central government, this left a shortfall of £10m as a total of £137m was required. A robust model was essential in order that the debt could be repaid whilst at the same time continuing to invest and deliver a good service. It was anticipated that future rental schemes would be available at a rate of 3.05% and that the anticipated borrowing date was 26<sup>th</sup> March for the financial year 2011/12. A government formula would be used to assess and determine the annual rent setting for the Council. In response to what the period of time that the loan would be repayable over was, Members were informed that it was anticipated that the loan would be over a period of twenty-one years which offered the best value for the Council.

A number of new policies were included within the MTFS and included:

- Fees and Charges - Local Councils could charge users for the provision of a wide variety of services. It was noted that the Council raised approximately £18m of its total income from general fees and charges and these charges were a crucial funding source for the provision of services as well as maintaining the council tax at a reasonable level. It was noted that whilst under delegated powers for 2011/12 Strategic Directors could in consultation with the Strategic Director of Resources and Regeneration and the appropriate Commissioner set rent, fees charges and other

## Overview & Scrutiny Committee - 13.02.12

income levels, it was proposed that during 2012/2013 a comprehensive review of fees and charges would be undertaken. Thereafter annual increases to fees and charges would form part of the budget setting process and decided by Members.

- Debt Strategy – As part of the budget strategy Members were provided with details of the Income Collection and Debt Recovery Policy in relation to the collection of the Council's debt. The policy recognised the Council's responsibility to protect the council tax payers by collecting debt whilst at the same time recognising the need to support vulnerable debtors. In the ensuing discussion a number of Members requested that alternative methods of providing an incentive or discount for individuals paying their council tax by direct debit be investigated further.
- Pay Policy Statement – under the recently enacted Localism Act 2011 Local Authorities' were now required to prepare a Pay Policy Statement for the financial year 2012/2013 and each subsequent financial year. Details of the current chief officer salaries and the proposed chief officer salaries for week beginning 1<sup>st</sup> April 2012 were outlined and within this details of the proposed restructure of the senior management team was noted. It was brought to Members attention that this new structure would achieve a further net saving of £500,000 over two year. Within the policy it was highlighted that any officers who had received redundancy payment and/or early access to their pension would not be engaged by the Council on any consultancy basis.

(Chief Officers left the meeting prior to any discussion regarding the Pay Policy Statement by the Committee).

A number of issues were raised in the ensuing discussion including comparison of chief officers salaries with other local authorities. It was noted that salary levels were in line with other local authorities in Berkshire. Councillor Anderson stated that given Slough's proximity to London Boroughs it was crucial that salaries for chief posts were advertised at the market rate in order to attract and retain the most suitable individual for the job.

The Committee placed on record their thanks to the Director of Resources and Regeneration for her detailed presentation.

**Resolved** – That the draft Revenue and Capital Budget for 2012/13 and draft Medium Term Financial Strategy for 2015/16 be approved and that Cabinet investigate methods of providing a discount or incentive to individuals to pay for their council tax by direct debit.

### 82. **Income Collection and Debt Recovery Policy/ Write off of Irrecoverable Debt**

Consideration of this item was discussed within agenda item 4 – the Draft Medium Term Financial Strategy.

## **Overview & Scrutiny Committee - 13.02.12**

**Resolved** – That the report be noted.

### **83. Housing Revenue Account (HRA) Annual Rent Setting 2012-2013**

Consideration of this item was discussed within agenda item 4 – the Draft Medium Term Financial Strategy.

**Resolved** – That the report be noted.

### **84. Consideration of reports marked to be noted/for information**

Details of the following information reports were noted.

- *Police Reform and Social Responsibility Act 2011*: A Member requested that scrutiny of the new Police Commissioners be considered for a Task and Finish Group. The Scrutiny Officer advised that consideration to the request be discussed when further details with regard's to the implications of the Act became available.
- *National Health Service and Public Health Reforms*
- *Asset Disposals 2011*

**Resolved** – That the information reports be noted.

### **85. Attendance Record**

**Resolved** - That the report be noted.

### **86. Date of Next Meeting- 6th March, 2012**

The date of next meeting was confirmed as 6th March, 2012.

Chair

(Note: The Meeting opened at 6.35 pm and closed at 9.04 pm)



**Overview & Scrutiny Committee – Meeting held on Tuesday, 6th March, 2012.**

**Present:-** Councillors M S Mann (Chair), Basharat, Davis, Minhas (arrived at 7.00pm), Munawar (until 7.40pm), O'Connor, Plenty and Smith (until 7.40pm)

**Also present under Rule 30:-** Councillors Bains, S Chaudhry, Long, Plimmer, Stokes, Strutton and A S Wright

**PART I**

**87. Declaration of Interest**

None were received.

**88. Minutes of the Last Meeting**

It was noted that the minutes of the last meeting would be presented to the next meeting on 10<sup>th</sup> April, 2012 for approval.

**89. Member Questions**

None were received.

**90. Presentation by Sara Thornton, Chief Constable, Thames Valley Police**

Sarah Thornton, CBE, QPM, Chief Constable, Thames Valley Police (TVP), gave a presentation to the Committee, setting out the Strategy for Policing in the Thames Valley 2011-2014. Spt Richard Humphrey, Local Area Commander, Slough Local Police Area, also contributed to the discussion.

Ms Thornton discussed a number of issues including, reducing crimes that were of most concern to the community, the increase in the visible presence of the Police, protecting communities from the most serious harm and improving communication with the public in order to build trust and confidence in communities. The presentation also covered the issue of bureaucracy and the development of staff skills. It was reported that the visibility of the police presence had been increased and the number of front line officers and PCSO numbers had risen by 6.4% demonstrating TVP's continued commitment in this area. The Committee noted that a budget saving of £55.5 m was required over the next 4 years which would be achieved through cost and efficiency savings, whilst continuing to reduce crime and protecting communities.

Ms Thornton highlighted that violent crimes had reduced and that a reduction in neighbourhood boundaries in Slough would be introduced after the Olympics (from 16 areas to 7), giving a smaller number of larger areas.

The Committee was reminded that in November 2012, the public across England and Wales would elect a Police Commissioner who would be accountable for how crime was tackled in their police force area.

## Overview & Scrutiny Committee - 06.03.12

Ms Thornton responded to a number of questions including those relating to the recent newspaper report that 23 Police Officers in the Thames Valley area had a criminal record, and the likelihood that security guards would be used to carry out policing in some areas. Ms Thornton was unable to confirm the location of the 23 Officers but advised it was likely the offences were minor in nature as candidates would have been required to satisfy stringent vetting procedures. Existing Officers would have been dismissed had they committed an offence which undermined their position in the force. It was confirmed that in some areas of the country contracts were in place for security staff to carry out policing duties. TVP would closely monitor the success of these schemes.

A Member questioned the high number of child referrals made by TVP to SBC, where only 7% resulted in action being required by children's social care services, Ms Thornton acknowledged that this was a problem across the force and explained that when the police were called to a case of domestic violence, the police had to complete a form whenever children lived at the address and then notify the Council. Measures were in place to review the procedure and it was likely that a triage system would be used to identify those cases where social care intervention was required.

Ms Thornton responded to further concerns regarding the disparity between parking enforcement arrangements across boundaries, e.g Wexham Park Hospital. She advised that these offences had been decriminalised in some areas but not in others and her view was that this should happen across all areas. She acknowledged however that obstruction by vehicles would never be a top priority in policing.

Spt Humphrey responded to concerns regarding crime in the Colnbrook area and the change which would mean that the boundary would butt up to the Metropolitan (Met) Police area. There was a good liaison process in place with the Met and this would continue. The Committee was advised that many of the stolen vehicles abandoned in the Colnbrook area were from outside of the Borough.

A number of further questions were raised regarding the role of the new Police Commissioner and local accountability. Ms Thornton advised that the Chief Constable would be held to account by the Commissioner but nothing was set down in statute to say how this would be done and there were a number of practical areas that would need to be addressed.

A Member in attendance under Rule 30 raised the issue of child trafficking and vulnerable children in Slough. Ms Thornton requested that the Member forward the full detail of the issue and questions to her in writing so that she could have the opportunity to provide a comprehensive written response to the Member.

**Resolved-** That the Committee thank Sarah Thornton, Chief Constable, Thames Valley Police, and Supt Richard Humphrey, Local Police Area Commander, Slough, for their attendance, the presentation

## Overview & Scrutiny Committee - 06.03.12

regarding the Strategy for Policing in the Thames Valley 2011-14 and their responses to submitted questions.

### 91. Project, Performance and Financial Reporting for 2011/12

Kevin Gordon, Assistant Director (AD), Professional Services, introduced a report setting out the Council's overall performance covering the period up to and including 31<sup>st</sup> January, 2012.

#### Gold Projects

The AD highlighted that of the ten active gold projects, eight had been assessed to have an overall 'Green' status, and two as 'Amber'. Five projects had been evaluated at 'Amber' status for '*Issues and Risks*', and two at 'Amber' status for '*Timeline*'. None of the projects had been assessed as having a 'Red' status.

In the ensuing debate Members raised a number of concerns regarding the School Places in Slough Gold Project relating to the availability and location of places and the provision of statistics relating to attendance at schools inside and outside of the Borough. Clair Pyper, Strategic Director, Education & Children's Service advised that Slough had the 9<sup>th</sup> highest growing birthrate in the country and would increase by 28% between 2005 and 2015. The Director suggested that the subject of school places in Slough could be considered by the Education Panel at a future meeting and the Scrutiny Officer would take this forward.

A Member referred to the key issues of risk/ obstacles to progress within the Britwell Regeneration Project and asked for further explanation regarding the comments: 'unable to reach agreement with highest scoring Regeneration Tenderer preferred bidder – risk attenuated by pre-contract and the 'delay with delivering commercial housing due to economic downturn, / housing market down turn'. The AD advised that this question would be forwarded to the Interim AD, Environment & Regeneration for response.

Further questions were raised regarding future savings under the Transactional Services Project and the number of clients in receipt of personal budget/ direct payments. The Committee was advised that Officers had visited Chesterfield Council to discuss savings achieved by Arvato and for example savings would be achieved in Slough through payroll, printing and post services.

#### Performance Scorecard

The AD presented an update on the performance scorecard and responded to a number of questions.

#### Financial Reporting

Emma Foy, Interim Head of Central Finance, outlined the finance report and reminded the Committee that the Council's net revenue budget for 2011/12 was £105.1m and the Housing Services agreed net operating budget for this

## Overview & Scrutiny Committee - 06.03.12

period was a surplus of £87k. The current forecast under spend for the 2011/12 general fund at the end of period 10 was £2.380m following the reallocation of resources. There was currently a forecast under spend of £161k for the Housing Revenue account. The Committee noted the month on month movement in variances within each directorate, emerging opportunities, staffing budgets and the capital monitoring position.

### **Resolved-**

- i) That the current position regarding project management, the performance scorecard and financial performance be noted and
- ii) That the Education and Children's Services Scrutiny Panel be recommended to undertake further scrutiny on the issue of school places in Slough.

## **92. Corporate Procurement Strategy 2012-2015**

Jane Wood, Director of Community & Wellbeing introduced a report, setting out the Council's Draft Corporate Procurement Strategy 2012-2015, which would be considered by Cabinet at its meeting on 12<sup>th</sup> March, 2012.

It was noted that the Corporate Procurement Team had undergone a restructure in 2011 to build new capacity into the procurement function and this would enable improvements to be made in the Council's procurement practice.

In response to a Member question regarding which weaknesses identified by the District Auditor had been corrected, the Director advised that the issues related to the delay in awarding contracts and that there were too many exemptions. These areas had been addressed. A Member was concerned that the Strategy should more fully reflect the Council's commitment to social responsibility. It was explained that this was reflected under sustainable procurement but it was acknowledged that it would be helpful to highlight this specifically in the strategy.

**Resolved-** That Cabinet be recommended to endorse the Corporate Procurement Strategy 2012-2015 at its meeting on 12<sup>th</sup> March, 2012, subject to an addition to the Strategy to ensure that it reflects the Council's commitment regarding social responsibility.

## **93. Recommendation of the Health Scrutiny Panel- Appointment of Co-opted Member**

The Committee was advised that at its meeting on 1<sup>st</sup> February, 2012, the Health Scrutiny Panel recommended that the membership of the Panel be amended to provide for the co-option of a member from the Slough LINK (non-voting). This was suggested in view of the number of changes to the National Health Service and the 'Shaping the Future' agenda. It was thought pertinent that a Member of the Slough LINK be formally appointed to the Panel to reflect the voice of the public.

## **Overview & Scrutiny Committee - 06.03.12**

In practice, the Slough LINK had a number of Members who specialised in various aspects of health. It was agreed that the LINK would nominate one Member to attend each meeting, having regard to the nature of the agenda.

**Resolved-** That a member of the Slough LINK be appointed to the Health Scrutiny Panel as a non-voting co-optee with immediate effect (the representative at each meeting to be selected by LINK depending on the content of the meeting agenda).

### **94. Consideration of reports marked to be noted/for information**

None received.

### **95. Forward Work Programme**

It was suggested that the Parks and Open Spaces Strategy be submitted to the next meeting of the Panel as an information report and a briefing would be provided for Members if required.

A Member expressed great concern regarding the number of 'Slough Sheds' that now existed in the town and she felt that these were not always fit for human habitation. It was agreed this matter be referred to the relevant Scrutiny Panel for consideration and a report on the findings could be submitted to the Committee at a later date.

**Resolved-** That the report be noted and that the subject of 'Slough Sheds' be referred to the Neighbourhoods and Community Services Scrutiny Panel for consideration of the concerns highlighted.

### **96. Attendance Record**

**Resolved** – That the report be noted.

### **97. Date of Next Meeting- 10th April 2012**

The date of the next meeting was confirmed as 10<sup>th</sup> April, 2012.

Chair

(Note: The Meeting opened at 6.35 pm and closed at 9.00 pm)

This page is intentionally left blank

**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Overview and Scrutiny Committee **DATE:** 10 April 2012  
**CONTACT OFFICER:** Tracy Luck, Head of Strategic Policy and Communications  
**(For all enquiries)** (01753) 875518  
**WARD(S):** All

**PART I**  
**FOR COMMENT AND CONSIDERATION**

**LOCALISM ACT 2011**

**1. Purpose of Report**

This report outlines the measures in the Localism Act 2011, their implications for Slough, and the actions required to ensure Slough responds to the challenges and opportunities presented by the Act. Although it is intended primarily as an information report to raise awareness of changes, and alert members to the initial work underway, guidance is sought with regard to the necessary governance arrangements that need to be put in place in relation to those parts of the legislation that are likely to come into effect within the next few months.

**2. Recommendation(s)/Proposed Action**

2.1 That the Overview and Scrutiny Committee:

- a) consider the report setting out the implications for the Council of the Localism Act, the actions taken so far and the lead officers who are responsible for implementing the legislation;
- b) comment on the future development of the Council's approach to localism; and consider whether any follow up action should be included in the Committee's work programme;
- c) request that the Corporate Management Team, following consultation with the relevant portfolio holder and Lead Officer, develop and put in place the necessary governance arrangements and procedures to enable the Council to undertake its functions with regard to Assets of Community Value and the Community Right to Challenge; and
- d) agree to receive further reports, specifically on the Council's Housing allocation policy and Neighbourhood plans and on others key policy issues where required, in response to any specific procedures that the Council's Executive need to put in place ahead of provisions in the Act coming into force.

**3. Sustainable Community Strategy Priorities**

3.1 The SCS which was refreshed in 2011, sets out the strategic objectives and priorities for the Borough for the period 2008 – 2028. These are reflected in the Strategic Plan 2009 – 2011 and other key strategies, policies and plans produced by the Council. The Localism Act therefore supports and contributes to the delivery of the following priorities:

- Economy and Skills
- Regeneration and Environment
- Housing

3.2 The Localism Act gives new powers and duties to Local Authorities and new freedoms and rights to local people to run their lives and neighbourhoods in their own way. This does not mean that the Council need re-visit its corporate objectives but it will mean that the Council will have to consider, for example, how it engages with local communities and local groups in the future and the impact that it will have on:

- Delivering Public Services: the Council will need to respond to the Act, particularly processes such as the Right to Challenge in a way that ensures that public services are delivered in the best way to local people.
- Securing jobs and homes: changes to housing and housing benefit will need to be managed to ensure that Slough's residents have access to decent, affordable housing.
- Delivering good value for money: To ensure the best value for money in responding to the challenges and opportunities in the Act, the focus will be on using our existing projects, established approaches and work already underway to contribute to our approach wherever possible. There may be a need to consider value for money implications in more detail around specific changes associated with the Act as approaches in different areas are developed, for example in assessing the options around our processes for responding to community rights.

#### **4. Joint Strategic Needs Assessment (JSNA)**

4.1 The aim of JSNA is to provide an evidence base for the Borough that covers all aspects of the local population including health, mental health, housing, education, deprivation, economy etc. By identifying these diverse needs in a single resource the JSNA enables decision makers to see the current areas of highest need, and how these are likely to change in the future and local partners to work together to coordinate their planning so that our services are better placed to meet these current and future needs – thereby informing commissioning; achieving better outcomes and reducing inequalities.

4.2 A full assessment of how the Localism Act might support the objectives of the JSNA has not been carried out. However JSNA implications can be considered when developing detailed plans and processes for various parts of the Act.

#### **5. Other Implications**

##### **(a) Financial**

There are a number of broad financial implications arising from the Localism Act.

The Council will need to continue to carefully consider the level at which it sets its Council tax, and make a value for money assessment of the implications of any rises above the government-determined level.

The Community Right to Challenge may provide the Council with the opportunities to achieve savings and value for money through alternative providers. However, the Right to Challenge may also increase costs to the Council, particularly in procurement,



as the Council will have to respond to expressions of interest and may have to then run procurement exercises.

The provisions regarding Assets of Community Value may also impact on the Council's ability to realise the commercial value of any land and property that it deems to be surplus to requirements. The inability to dispose of assets as quickly as in the past could lead to additional costs being incurred, for example on maintenance and security of assets.

Further significant changes are expected in the Local Government Finance Bill which will provide a statutory basis for the localisation of both Council Tax and Business rates.

(b) Risk Management

Key risks, and the approach to managing them, are summarised below:

<b>Risk</b>	<b>Mitigating approach</b>
Implementation of changes and new approaches in Act results in delay or interruption to planned delivery of projects or services due to having to change approach, or through unexpected intervention or challenge by groups / communities.	<ul style="list-style-type: none"> <li>• Ensure that planning for change and future project and service delivery plans take into account new powers within the bill for community challenge, bidding etc.</li> </ul>
Increased requirements and duties around responding to bids and challenges under community rights, and wider changes extend the length of time these processes take and direct resource away from other tasks.	<ul style="list-style-type: none"> <li>• Ensure that these impacts are included in business planning and project planning for future work in these areas.</li> <li>• Accept that there is a risk of extended project time as a result of new engagement processes.</li> <li>• Ensure forthcoming community engagement strategy and guidance emphasise need to consider asking communities for their views early in relation to potential services and assets, to be able to plan ahead for resource requirements.</li> <li>• Consider these changing requirements as part of ongoing value for money considerations about the most effective use of resource and teams, including the changing role of support services.</li> </ul>
Lack of political buy-in to approach.	<ul style="list-style-type: none"> <li>• Hold discussions with Members to ensure buy-in to direction and steer on areas for priority and our approach to these.</li> <li>• Provide briefings / training sessions as required.</li> </ul>
Unrealistic expectations develop over outcomes, involvement and resources.	<ul style="list-style-type: none"> <li>• Clear guidelines need to be established and changes</li> </ul>

	<p>communicated early to set up reasonable expectations amongst staff, community groups etc.</p> <ul style="list-style-type: none"> <li>• Those managing changes should invite challenge throughout to keep all key stakeholders informed and to ensure work is as successful as possible.</li> </ul>
<p>Equalities and diversity principles are challenged by difficulty of meeting all needs and taking into consideration those of disadvantaged groups.</p>	<ul style="list-style-type: none"> <li>• Equality Impact Assessments will be conducted on detailed changes and proposals to respond to the Act to ensure that the risks of any adverse impacts are identified and action taken to minimise these.</li> <li>• Implementation and action resulting from this work will need to carefully review where equalities risks are likely to arise and provide support to minimise them.</li> </ul>
<p>Staff are reluctant to engage with the requirements of the Act. As an organisation we fail to achieve buy-in and adapt to the new structures and systems proposed, with morale and motivation suffering.</p>	<ul style="list-style-type: none"> <li>• A range of approaches will be developed (and evaluated) to raise staff awareness, take into account the likely impact on staff and the requirements around transition, managing change and any other staffing implications that would result from future alternative methods of delivery. The impact on staff, particularly those at the frontline, will be a key consideration throughout.</li> </ul>

(c) Human Rights Act and Other Legal Implications

There are no Human Rights Act implications arising from this report.

The Localism Act received Royal Assent in November 2011. A full timetable for the coming into force of the various parts of the Act is still awaited.

So far the Government has introduced two Commencement Orders, which came into force in December 2011 and January 2012 respectively. These Orders introduce some (but not all) of the legislation necessary to pass the Act's various powers on to communities.

Some parts of the Act may not become law for some considerable time.

The Council will need to ensure that it complies with the various parts of the Act as and when they come into force.

A number of provisions have already come into force.

(d) Equalities Impact Assessment

The Government has conducted impact assessments on the overall implications of the Localism Bill and key elements within it. A full Equality Impact Assessment has not been carried out for this report as it is largely for information. However, Equality Impact Assessments will be considered when developing detailed plans and processes for various parts in the Act.

To comply with the Equality legislation, consideration will need to be given to Section 149 of the Equality Act 2010, which places a general duty on public authorities in exercise of their functions to have regard to the need to promote equality. This includes the need to eliminate discrimination and advance equality of opportunity.

(e) Workforce

There may be staffing implications if services are subject to a successful challenge under the Community Right to Challenge and are no longer delivered by the Council. The Council will need to work closely with staff and new providers on any TUPE implications, where appropriate.

(f) Property and Assets

Under the provisions for Assets of Community Value, the disposals planned as part of the Council's Property Strategy may be affected if any of the Council's properties are listed as assets of community value. This may lead to a delay in assets being disposed of. There may also be implications if a Council service is subject to a successful Community Right to Challenge, as the asset the service is delivered from may need to be leased to a new organisation, or may no longer be required.

## **6. Supporting Information**

- 6.1 The Localism Act 2011 (the Act) received Royal Assent on 16th November 2011. The Act devolves more powers to Local Authorities in relation to governance and planning, and gives local communities more control over local decisions such as housing and neighbourhood planning. It also introduces "community rights", such as the right for community groups to bid to run local services and to take over local assets.
- 6.2 Although a full timetable for the commencement of some of the provisions in the Act is yet to be published, the Government has indicated that the majority of the Act will come into force in April 2012. Therefore the Council needs to prepare now for the changes that will be coming in to ensure that we take advantage of the opportunities in the Act, and prepare ourselves for the challenges that may present themselves to the Authority, residents and businesses as a result.
- 6.3 This report provides an overview of the final structure and content of the Act, areas of work that are already currently underway to assess implications, and asks members to indicate any other areas that should be considered in detail ahead of expected implementation in 2012. The report also seeks approval to put some initial governance arrangements in place to ensure the Authority is able to respond to those parts of the Act which are likely to come into force this spring.
- 6.4 The Localism Act introduces a wide range of changes to the operation of local government. The key changes are outlined below, along with the implications for Slough (where known) and the likely input required from Members.

#### 6.4.1 **General Power of Competence (GPC)**

The GPC allows Local Authorities to do anything that an individual may do which is not specifically forbidden by law. The Secretary of State may amend, repeal or revoke any pre-existing statutory provisions which prevent Local Authorities from exercising the general power of competence (except for a list of 48 functions). The GPC cannot be used to charge for services that a Council is statutorily required to provide.

##### **Implications**

The GPC potentially gives the Council greater freedom and flexibility. It may also be that innovative ideas are easier to implement because of the GPC. It is therefore likely to be a change implemented through ensuring that Members and officers are aware of, and consider in their current projects and roles, any opportunities created by GPC.

#### 6.4.2 **Transfer and delegation of functions to Local Authorities**

Any Council will be eligible to make an application to the Secretary of State to take over other local public functions that are a high priority for their communities. There is now a duty on the Secretary of State to consider such proposals from Local Authorities, considering whether a transfer would promote economic development or wealth creation, or increase local accountability.

##### **Implications**

Like the GPC, this provision offers an opportunity for the Council to gain greater freedom, and to implement innovative ideas for locally responsive public services.

#### 6.4.3 **Governance**

##### **Decision Making**

The Act amends the Local Government Act 2000 to allow Local Authorities to change the permitted forms of governance. Under the Act a Local Authority must operate executive arrangements, a committee system or 'prescribed arrangements' (a more localised model which would require approval by the Secretary of State). A resolution of the full Council would be required for any such change of arrangements. Once passed no further change to governance arrangements can be made for five years.

The Act also consolidates a range of scrutiny legislation and leaves them largely unchanged. The Act sets out what is required if an Authority chooses to change its governance arrangements. Where an Authority continues with executive arrangements it must still have an Overview and Scrutiny Committee. If an Authority chooses to change to the committee system it is not obliged to operate a formal overview and scrutiny committee and it is open for the Authority to decide what, if any scrutiny arrangements to put in place.

The requirement for a local Authority to designate one of their officers a 'scrutiny officer' as set out in the Local Democracy, Economic Development and Construction Act 2009 is restated in the Act.

##### **Standards and Code of Conduct**

The Standards Board regime and the model Code of Conduct have been abolished.

However a Council must adopt a Code of Conduct that is consistent with Nolan principles and must set out the registration and required disclosure of pecuniary and non-pecuniary interests.

Local authorities may put in place arrangements for investigating and taking decisions on allegations of breaches of the Code. These arrangements must make use of an "Independent Person", who must be a public appointment.

It will become a criminal offence to deliberately fail to declare a personal interest in a matter.

## **Implications**

The Council can decide whether it wishes to change its governance system. Any decisions in relation to these aspects of the Act will be a Council rather than an Executive decision, and the process of considering any implementing options for change is being overseen by the Assistant Director of Professional Services. The Group Leaders will be considering these aspects of the Act at their meeting in April.

The Council's Standards Committee have already considered the implications of the changes, including the content of Slough's Code of Conduct. Proposals were discussed by the Standards Committee on 15th March and will be reported to full Council 24<sup>th</sup> April 2012 for approval.

The Council's Constitution will need to be amended to reflect any changes in the Council's governance arrangements. Any necessary amendments will be reported to the Annual Council Meeting via the Member Panel on the Constitution.

The Monitoring Officer and Democratic Services are leading on this part of the Act.

### **6.4.4 Pay Policy**

Councils will be required to publish annual pay policy statements which set out an authorities' approach to the remuneration of its highest and lowest paid staff, and its approach to the relationship between the remuneration of its chief officers and the rest of the workforce.

Full guidance on this will be produced; it is expected that the statement will have to include the Council's policies relating to:

- a) the level and elements of remuneration for each chief officer;
- b) remuneration of chief officers on recruitment;
- c) increases and additions to remuneration for each chief officer;
- d) the use of performance related pay for chief officers;
- e) the use of bonuses for chief officers;
- f) the approach to the payment of chief officers on their ceasing to hold office under or to be employed by the Authority; and
- g) the publication of and access to information relating to remuneration of chief officers.

## **Implications**

The Council has developed a Pay Policy Statement to meet the requirements of the Act, which was approved by resolution of full Council as part of its 2012/13 budget setting process.

The Council will need to ensure all current pay arrangements meet this pay policy statement. A process of ongoing review and annual publication of this policy will need to be implemented. The Pay Policy Statement must be published on the Slough Borough Council's public website.

Central Finance is responsible for responding to this part of the Act.

These are Council rather than Executive decisions.

### **6.4.5 Local Finance (Local Government Finance Act Bill)**

The Government has produced a draft Local Government Finance Bill which is currently undergoing its third reading in the House of Commons. Under the current proposals, Local Authorities will be allowed to retain business rates raised in their area and will be able to:

- set local discounts and raise supplementary rates with agreement from the business community;
- capture an increase in income from business rates from infrastructure development, and borrow against future income.

## **Implications**

The impact of the above proposals has already been modelled into the Council's Medium Term Financial Strategy.

It was announced in the spending review of 2010 that support for Council Tax would be localised from April 2013 and expenditure reduced by 10%. This means that Local Authorities will be able to determine their own schemes. The Council is currently undertaking financial modelling to ascertain the impact of this scheme on our Council Tax arrangements.

The Strategic Director of Resources, Housing and Regeneration is responsible for responding to this part of the Act.

### **6.4.6 Local Democracy**

Residents will get the power to veto excessive Council tax increases<sup>1</sup>. Central government will decide on an annual basis what would count as "excessive"; if a Council wishes to raise Council Tax above this level then they will be required to hold a referendum. Levies issued to local authorities by levying bodies should be disregarded when calculating whether a Council Tax increase is excessive.

The requirement to have a petitions scheme and the duty to promote democracy have also been repealed.

---

<sup>1</sup> When first introduced, the Localism Bill included the ability for local people to instigate a referendum on any local issue. This provision was removed during the Bill's passage through Parliament.

## **Implications**

The Council will need to evaluate its proposals for Council Tax in coming years against the government's definition of an "excessive" rise. Should a referendum occur then resources and officer capacity will be needed to support it.

The Council existing petitions scheme - based on Statutory Guidance issued at the time clearly sets out how petitions will be dealt with and includes the facility to submit petitions electronically.

The Member Panel on the Constitution considered the implications of the Act on our current Scheme at its meeting on 3<sup>rd</sup> April. Recommendations concerning a way forward are expected shortly.

Democratic Services, with input from Central Finance in relation to Council Tax, will be the lead for responding to these parts of the Act.

### **6.4.7 Community Right to Challenge**

The Community Right to Challenge gives civil society organisations (VCS, charities, staff groups) the right to bid to take over and potentially run a service currently being delivered by a Council.

Local groups, including groups of two or more Council employees, may submit an "expression of interest" in running a service. The Council must then decide whether to accept or reject the expression of interest. If it is accepted, then a full procurement process (in line with procurement law thresholds) is triggered.

The Council may specify periods during which expressions of interest may be submitted, and will have to decide on how long it will take to make decisions.

The Secretary of State may do "anything appropriate" to give advice or assistance to community groups seeking to submit an expression of interest to take over a service or participate in a procurement exercise. This may include providing financial assistance.

## **Implications**

Council services may be subject to "expressions of interest", which, if accepted, will result in an open procurement process. While only local groups can submit "expressions of interest", there is no restriction on what type of providers may bid – and may ultimately be successful – in a procurement exercise. Therefore it seems likely that the current "mixed economy" of service delivery will grow, with services being delivered by a range of private providers, social enterprises, community groups, and the Council itself.

As "expressions of interest" can relate to an individual element of a service, it is possible that the Right to Challenge could also lead to one part of a service being delivered by a community organisation or private provider, while the rest is delivered by the Council. Should this be the case the Council will need to work closely with the external organisation to ensure that services are aligned for the service user.

There are likely to be resource implications from handling "expressions of interest", and from running procurement exercises. There may also be ongoing resource implications from managing contracts and monitoring the performance of external providers for services that were previously run in-house.

During the Report Stage in the Commons, the Government proposed a new clause to the Act which will empower the Secretary of State to provide financial assistance to support the Community Right to Challenge. However, there has also been discussion in Parliament about whether Local Authorities might be given a role in supporting organisations to take on a public service delivery role. Exactly what such a role might entail is uncertain. However, consideration will need to be given to the legal implications of any such support as it could be perceived as anti-competitive and could lead to legal challenge.

The 'Right' as presently enacted does not take account of the protected groups specified in the Equality Act (particularly those groups that feel consistently excluded from the decision making process, such as older and younger people). Any process adopted by Local Authorities will need to mitigate against any potential adverse impact to these groups during the implementation of any changes made to the way some services are procured and / or delivered.

The Council will need to put the necessary governance arrangements and procedures in place to respond to "expressions of interest", including:

- specifying periods during which expressions of interest may be submitted to fit with our commissioning and planning cycles;
- the process for considering and responding to bids;
- defining the criteria we will use when considering a challenge (taking into account the requirements of the legislation / guidance), including what we would require of a reasonable business plan, who and how we would take a decision;
- the process for managing bids from groups of staff, and what additional support would be available to staff to prepare business cases.

The process will need to be publicised on the Council's website. The Council will also need to consider to what extent it will publicise the process to staff and local community groups, and whether it will offer training or advice and guidance to build capacity in communities and amongst staff to bid for services.

The Corporate Management Team will shortly be considering where the officer lead on this work will sit. The work will also need to be undertaken in association with wider work around value for money and business planning

#### 6.4.8 **Assets of Community Value**

This provision seeks to give local groups and people the opportunity to buy local assets if they come up for disposal on the open market. Community groups may nominate assets which they believe to be of community value. The Council will then have to decide whether to accept or reject the nomination, and list all accepted assets on a publicly available register. The Council must also keep a list of unsuccessful nominations. For the purposes of the legislation, "community value" is defined as:

- an actual current use of the building or other land (that was not an ancillary use) furthers the social wellbeing or social interests of the local community, and it is realistic to think that there can continue to be use of the building or other land which will further (whether or not in the same way) the social wellbeing or social interests of the local community; OR
- there is a time in the recent past when an actual use of the building or other land that was not an ancillary use furthered the social wellbeing or interests of the local community, and it is realistic to think that there is a time in the next five years when



there could be non-ancillary use of the building or other land that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community.

When the owner of a listed asset wishes to sell the asset, s/he must inform the Council who will then be required to inform the organisation who nominated the asset in the first place. A moratorium then begins during which the sale cannot happen, to give the community the opportunity to organise itself to offer to purchase the asset. The owner does not have to sell the asset to a community group – it is up to them who they ultimately sell the asset to.

Where different parts of any land of community value are in different Council areas, the local authorities will have a duty to co-operate with each other.

### **Implications**

The Council will need to design and implement its own procedures to receive and process community nominations for assets of community value, and maintain and publicise the database.

There may also be an impact on the Council if an asset owned by the Council is listed. Should the Council then wish to dispose of the asset, it will need to take into account the additional time needed for the moratorium period before any sale can take place.

Proposals to establish a dedicated cross-Council working group to examine these provisions and develop the necessary procedures to deal with the Council's responsibilities with regard to Assets of Community Value are currently being considered by the Corporate Management Team.

#### **6.4.9 EU fines**

The Act allows for Councils to be required to make payments in respect of EU financial sanctions, where the European Court of Justice imposes a fine for a breach or infringement of European Law and the Secretary of State concludes that the Local Authority caused or contributed to the breach or infringement. Currently, the UK Government is responsible for any fines as a member state of the European Union. Under the terms of the Act Ministers will be able to lay before both Houses of Parliament, on a case-by-case basis, details of every local or public authority they intend to pass on a fine to, including the EU law they have breached and the total of the fine. This will be subject to a vote in both Houses. An independent panel will also scrutinise, and advise, on any suggested fine, with some members of the panel nominated by local government.

#### **6.4.10 Planning**

The Act replaces the Infrastructure Planning Commission with a democratically accountable system that seeks to provide a fast track process for major infrastructure projects. A Major Infrastructure Planning Unit has therefore been established within the Planning Inspectorate to now determine **Major Infrastructure Projects** – as established by the 2008 Planning Act – like wind farms and nuclear power stations. Ministers will ultimately take decisions on applications within the same statutory timeframe as the current regime.

The Act also seeks to **streamline National Planning Policy Guidance**. The Coalition Governments Agreement (published in May 2010) committed the government to present to

Parliament a simple and consolidated national planning framework covering all forms of development and setting out national economic, environmental and social priorities. In December 2010, the Department for Communities and Local Government published a general consultation, inviting organisations and individual to suggest ways in which to make the planning system more streamlined and more decentralised. DCLG received around 3,426 responses by the deadline of 28 February 2011. Also in December 2010, the Minister for Decentralisation and Cities, the Rt Hon Greg Clark MP, set up the Practitioners Advisory Group (PAG) to prepare a first draft of the National Policy Planning Framework (NPPF). The PAG published its draft on 20 May 2011. Subsequently in July 2011 the Government published its draft of the NPPF for consultation. This consultation ended on 17 October 2011 with DCLG receiving over 10,000 responses.

DCLG has indicated that the new National Planning Policy will be published by April 2011 and that the finalised document will replace all current Planning Policy statements (PPSs) and Policy Planning Guidance notes (PPGs). If this happens over 1,000 pages of documentation will be replaced by just some 50 pages. Members should note that there is however some residual concern that some parts of the NPPF still need fine tuning and better internal consistency. There is also a need for greater clarity around some key policy areas.

The **Community Infrastructure Levy** (CIL) has been retained and amended to allow Local Authorities to set charges which developers must pay when bringing forward new development in order to contribute to new infrastructure. The Act now enables for some CIL funds to be passed to neighbourhoods where the development has taken place.

**Local finance considerations** can be a material consideration in planning applications (i.e. Community Infrastructure Levy and government grants such as the New Homes Bonus).

The Act will introduce **compulsory pre-application consultation** for developments above 200 dwellings or 10,000 square feet. This is intended to give people a real chance to comment on proposed development which may have an impact on them, when they still have a real chance to influence proposals before they are finalised. Constraints on the conduct of councillors determining planning applications are to be relaxed and overtaken by new laws on pre-determination. Pre-application consultations carried out before the Act comes into force will count.

Some of the requirements around the **Local Development Framework** (LDF) have also been amended, giving greater discretion to Local Authorities on how LDFs proceed.

**Regional Spatial Strategies** have been abolished. New housing and regeneration powers will be given to the GLA, and the London Development Agency has been formally abolished.

A key component of the Act is the right for communities to shape their local areas by creating a Neighbourhood Planning Authority (NPA). The NPA could be based on existing parishes – or a group of parishes or by an organisation designated by the Local Planning Authority as a “**Neighbourhood Forum**”. The Neighbourhood Forum, once established, will take effect for 5 years.

To be designated as a Neighbourhood Forum a group or organisation must have a purpose which seeks to promote the overall economic, social and environmental wellbeing of an area. The minimum number of people required for a Neighbourhood Forum to be valid is 21; membership criteria includes people who work in an area or are neighbourhood

Councillors, not just those who live there. Forums will be expected to try to recruit members from a broad spectrum of the community, and from all 3 groups (residents, businesses and Councillors). Neighbourhood Forums can cross Council boundaries.

Once a Forum has been set up it will then be able to develop **Neighbourhood Development Plans** (NDPs), and hold a referendum in the area to approve the plan. Local Authorities should approve NDPs if they receive 50% of the votes cast in a referendum and meet strategic goals.

NDPs are still required to be consistent with national planning policy and conform to the strategic elements of a Local Authorities Development Plan Document Plans. The Localism Act ensures that NDPs do not override these wide ranging plans, including the proposed changes in national planning policy guidance (see above).

Local Planning Authorities can designate an area as a Neighbourhood Area, and in doing so must also consider whether the area should be designated as a “Business Area”. In Business Areas there would need to be two referendums in relation to any Neighbourhood Business Plan – one referendum of local residents, and one of non-domestic ratepayers in the area. The Authority may (but need not) make the Plan if there is a majority vote in favour in one of the referendums (it has no choice if the Plan is voted through in both referendums, or is voted down in both).

Local Planning Authorities may withdraw the status of an organisation or body as a Neighbourhood Forum if they consider it is no longer meeting the conditions subject to which it was designated or any other criteria which the Authority were required to have regard to when they made the original designation.

The Act also provides for **Neighbourhood Development Orders** (NDOs) to allow communities to approve development without requiring normal planning consent; and introduces a **Community Right to Build Order** (CRBO) where local communities have the power to take forward developments in their area without the need to apply for planning permission, where there is overwhelming local support for development and subject to certain safeguards being met.

The extent to which Slough’s Parish Councils and/or local groups will want to participate in neighbourhood planning is presently unknown. Nonetheless, suitable governance arrangements and procedures to enable the Council to undertake its functions with regard to the development of Neighbourhood Forums and the assessment of NDPs is being developed and will shortly be put in place.

The Act introduces a “**duty to cooperate**”, meaning that Local Authorities will be required to cooperate on issues where the development or use of land would have a ‘significant impact’ on at least two planning areas (and in particular on strategic infrastructure).

The Duty relates to the preparation of Development Plan documents and other local development documents, and “other activities that support the planning of development”. It covers Local Planning Authorities and “other prescribed bodies or persons” and requires them to “engage constructively, actively and on an ongoing basis” in these activities. In particular this includes a requirement to give a substantive response to consultations or other requests to assist in the undertaking of these activities.

The revocation of regional strategies is part of the Government’s policy for a more localist planning system. This is supported by the proposed duty for public bodies to cooperate. Local Authorities will be expected to demonstrate evidence of having successfully

cooperated to plan for issues with cross-boundary impacts when their local plans are submitted for examination. There already is a requirement to consult neighbouring Authorities when producing plans. This level of involvement is however likely to change (and potentially increase), as Councils seek to influence and become more involved in the development of adjoining authorities plans.

## **Implications**

The abolition of the Regional Plan and introduction of a new Duty to Cooperate means that the Council will have to be much more proactive in getting involved in the plans of adjoining authorities.

There has not been any interest to date in Neighbourhood Planning in Slough but we will need to continue to monitor this in order to be aware of what future work programmes may be. It will also be necessary to review the Scheme of Delegation to ensure that decisions about Neighbourhood Planning are taken at the appropriate level.

It is proposed to start work on the Community Infrastructure Levy this year so that a scheme can be in place by 2014.

The National Planning Policy Guidance, which was published on 27<sup>th</sup> March, could have a significant impact upon planning in Slough. A report on this will be put to a future meeting of the Planning Committee once we have had time to consider what the implications will be.

Planning Policy will lead on responding to these parts of the Act.

Final decisions with regard to these matters will be for the Council rather than Executive functions.

### **6.4.11 Housing**

Under the Act the **allocation of housing** will only be given to eligible persons, with the Council deciding who qualifies. The Secretary of State has the power to prescribe classes of people who are eligible or ineligible. Councils must put in place an allocations scheme for determining priorities and procedures to follow. Reasonable priority must be given to certain specified groups of people.

Every Local Housing Authority has a duty to produce a **tenancy strategy** and for registered providers of social housing to have regard to this.

**Tenure** will be provided for a minimum of two years (although only below five years if there are exceptional circumstances) as opposed to previous lifetime tenancies. There will be no automatic succession rights to spouses or partners. Beyond this, Councils will have flexibility to develop tenancy agreements to meet local need

In order to create greater consistency across the housing sector in handling complaints the functions of the Local Government Ombudsman will be transferred to the **Housing Ombudsman Service** (HOS). The remit of the HOS will be extended to cover the tenants of Local Authority housing as well as those of Housing Association Registered Providers (HARPs). Tenants will be able to access the Housing Ombudsman through a local Councillor, MP or directly if they want their privacy protected. Where their MP, Councillor or Tenant Panel reject the complaint or refuse to take it to the Ombudsman then the tenant can refer it directly.

The Act brings to an end the **Housing Revenue Allowance** (HRA) Subsidy system, and introduces a self-financing system, allowing Local Authorities that operate HRA to keep the rent received and become self-financed. The Act also enables the Secretary of State to retain a proportion of Right to Buy receipts, and provides the power to change the settlement payment in the future and to determine how much housing debt a Local Authority is allowed to take on.

On **social housing**, there will be a new form of flexible tenure for social housing tenants. Local Authorities will have the power to limit who can apply for social housing within their areas. Social landlords will be expected to support tenant panels (or equivalent bodies) in order to give tenants the opportunity to carefully examine the services being offered. There will also be a requirement for social landlords to participate in a national home swap scheme. The Act also makes provisions for a landlord to regain possession of a property if the tenant has died and the tenancy has been inherited by someone who does not qualify as a successor.

Requirements around **tenancies** are also amended to:

- remove the requirement that a tenancy with a fixed term exceeding three years must be executed as a deed; and
- remove the requirement that a tenancy with a fixed term exceeding seven years must be entered at the Land Registry.

Councils will now be able to discharge their duty to persons with priority need who are not intentionally **homeless** into the private rented sector, whereas previously an applicant could refuse the private rented sector and wait in temporary accommodation for a social home.

The Localism Act reforms the way that **social housing** is regulated with the functions of the current regulator, the Tenant Services Authority (TSA) being transferred to the Homes and Communities Agency (HCA) via a regulatory committee. The regulator will set a standard for all local landlords.

The requirement to have **Home Improvement Pack** has also been abolished.

## **Implications**

This report provides a useful overview of the main provisions of the new Act, however, in common with most legislation it is not until the subordinate legislation, regulations, guides and codes of practice are published that flesh is added to the bare bones of the statute. The housing service is beginning to explore potential options introduced by this Act however it is unlikely that any major policy changes will be proposed until the government publishes the necessary guidance. At present we have no indication as to when this will take place.

A new housing allocations policy is being developed for adoption by Cabinet this summer.

Housing will lead on responding to these parts of the Act.

## **7. Comments of Other Committees**

- 7.1 The views of other committees with an interest in the Localism Act have not been sought for this report.

7.2 When developing further proposals for responding to the Act, lead officers will work with relevant Portfolio Holders, appropriate Members and Member bodies, relevant committees and partners, including the voluntary and community sector, as and where appropriate.

## 8. **Conclusion**

8.1 A full implementation timetable is expected to be published by the government soon. It is expected that the majority of key elements in the Act will come into force in April 2012.

8.2 In order to ensure that the Council meets the requirements of the Act, the Corporate Management Team has already identified a number of key policy areas for initial examination/research. Lead officers for these policy areas have been identified and are currently assessing the likely implications for Slough as a result of these provisions coming into force.

8.3 Subject to Members' views, reports on the topics listed in Section 6 above and any others topics required by members can be brought to the appropriate member bodies' attention, subject to further discussion with Portfolio Holders, the Corporate Management Team and Lead Officers, where appropriate

8.4 The following policy areas are expected to require further reports and Executive decisions:

- Any changes to the governance system
- Code of Conduct and Constitution
- Pay Policy Statement
- Process for Community Right to Challenge
- Process for Assets of Community Value
- Community Infrastructure Levy
- Tenancy Strategy
- Housing Allocations Policy
- Approach and process for considering neighbourhood plans

8.5 There may be further government consultation on the implementation of parts of the Act that officers will wish to engage with members on.

## 9. **Appendices attached**

None

## 10. **Background Papers**

- *The Localism Act 2011 [www.legislation.gov.uk/ukpga/2011/20/contents/enacted](http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted)*
- *The Localism Act 2011 (Commencement No.1 and Transitional Provisions) Order 2011 [www.legislation.gov.uk/uksi/2011/2896/made](http://www.legislation.gov.uk/uksi/2011/2896/made)*
- *The Localism Act 2012 (Commencement No.2 and Transitional Saving Provisions) Order 2012 [www.legislation.gov.uk/uksi/2012/57/contents/made](http://www.legislation.gov.uk/uksi/2012/57/contents/made)*
- *Equalities Impact Assessments on the Localism bill [www.communities.gov.uk/localgovernment/decentralisation/localismbill/](http://www.communities.gov.uk/localgovernment/decentralisation/localismbill/)*
- *Local Government information and guidance [www.communities.gov.uk/localgovernment/decentralisation/localismbill/](http://www.communities.gov.uk/localgovernment/decentralisation/localismbill/)*

**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Overview and Scrutiny  
Committee

**DATE:** 10 April 2012

**CONTACT OFFICER:** Sarah Forsyth – Scrutiny Officer  
**(For all Enquiries)** (01753) 875657

**WARDS:** All

**PART I**  
**FOR COMMENT & CONSIDERATION**

**ANNUAL SCRUTINY REPORT 2011/12**

1. **Purpose of Report**

It is customary at this time of year to be drafting the Annual Scrutiny Report. The purpose of this cover report is to provide the Committee with background on the constitutional requirement of an Annual Scrutiny Report to Council, and to provide members with an opportunity to comment on the draft report and seeks views on any other information that should be included in the Report.

2. **Recommendation**

The Committee is requested to:

- 1) suggest any amendments to the draft Report they feel necessary; and
- 2) subject to any amendments, endorse that the Report be presented to Council on 24 April 2012.

3. **Sustainable Community Strategy Priorities**

- **Economy and Skills**
- **Health and Wellbeing**
- **Housing**
- **Regeneration and Environment**
- **Safer Communities**

3.1 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 function by providing a record of the work carried out during the year and plans for the future year.

#### 4. **Supporting Information**

- 4.1 Annual reports are an opportunity to review the scrutiny work programme for the past year and assess the impact of scrutiny has had on influencing policy and holding the Executive to account. Looking at an Annual Report can 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.
- 4.2 The production of an Annual Report is a statutory requirement of the Constitution and in addition the Committee “must report annually to the full Council on future work programmes and amended working methods if appropriate/”
- 4.3 This Committee is provided with a draft of the Annual Scrutiny Report which highlights some key achievements from the year where Scrutiny has made a difference.
- 4.4 There is scope to build on and develop different methods of scrutiny next year; particular attention needs to be given on evidencing how Scrutiny actually makes a difference and forward planning (things that changes in officer support during the 2011/12 year made difficult to track).
- 4.5 The Annual Report includes brief summaries of some of the challenges that lie ahead both externally and internally.

#### 5. **Conclusion**

- 5.1 The Local Authority, through its Overview and Scrutiny function, has an influential, as well as statutory, role in scrutinising the activities and performance of the Executive and External Bodies. The Annual Scrutiny Report provides an opportunity to communicate the work the Committee and its Panels have undertaken, challenges faced and the improvements made as a result of scrutiny.

#### 8. **Appendices Attached**

- Annual Scrutiny Report 2011/12.

#### 9. **Background Papers**

None.



**Slough Borough Council**

**Draft  
Annual Scrutiny  
Report**

**2011/2012**

## **Foreword by Chair**

It gives me great pleasure to introduce for the third year running, the Annual Scrutiny Report. The Report highlights key pieces of work each of the Scrutiny Panels and the main Committee have completed over the past year, and a look ahead to what we see as the primary challenges that face us going forward.

The main Overview and Scrutiny Committee and all three Panels have had a busy year, and the full work programmes for the year are attached at the end of this report. I have asked each of the Chairs and Vice Chairs to highlight the key achievements of their Panels, as I have done for the main Committee, so that this report gives a good picture of big issues that Scrutiny has looked to provide effective challenge and support to during 2011/12.

Issues I would like to highlight, in particular, are: the work of the Health Scrutiny Panel around the proposals to relocate the provision of mental health in-patient services to Reading (an issue that is on going); the work of the Neighbourhoods and Community Services Scrutiny Panel monitoring the reforms of the Police Authority, a subject which the Overview and Scrutiny Committee questioned the Chief Constable on during this annual visit; and the successful extraordinary meeting of the Education and Children's Services Scrutiny Panel in February looking at the issue of Child Trafficking and Exploitation. Scrutiny plays a vital role in providing effective challenge, bringing transparency and examples of best practice into the services we provide to the public, and both of these issues demonstrate the value that the scrutiny process can bring.

The 2012/13 municipal year promises to be a challenging and rewarding year for Overview and Scrutiny with the continued economic challenges and proposals for changes in the health service just a couple of the issues we will need to grapple with. I look forward to working with all members to ensure that Overview and Scrutiny adds value to the work of the Cabinet and officers across all issues.

I would like to thank my own Vice Chair, as well as the Chairs and Vice Chairs of all the Panels for their support and leadership through the year. And on behalf of the all the Chairs and Vice Chairs I would also like to thank all members, officers and partners who have contributed to the work of the Overview and Scrutiny function over the past year.

**Councillor Mewa Mann**

## What is Overview and Scrutiny?

The Local Government Act 2000 introduced a new structure within Local Government decision-making and accountability, creating a separation between the Executive Member role and the non-Executive Member role. The former propose and implement policies and the latter review policies and scrutinise decisions.

The Overview and Scrutiny function was created to include:

- Holding decision-makers to account
- Challenging performance and help improve services
- Ensuring policies are working as intended and, where there are gaps, to help develop policy (through its own policy development work and making recommendations to decision-makers)
- Bringing a wider perspective, from citizens and stakeholders
- Examining broader issues affecting local communities

In order to carry out this role, Overview and Scrutiny can request written information, ask questions of decision-makers, make comments and formal recommendations to key decision-makers including the Cabinet and other statutory bodies such as NHS Trusts and the Police.

In this way Members are able to review the quality of local services, hold decision-makers to account and put forward ideas for developing and improving services.

The Centre for Public Scrutiny ([www.cfps.org.uk](http://www.cfps.org.uk)) has produced a guide to effective public scrutiny, which gives 4 Principles of Effective Scrutiny:

- **Critical friendship** to decision-makers
- **Engaging the public** enabling the voice of the public and communities to be heard in the process
- **Owning the process** with non-Executive Members driving the scrutiny process
- **Making an impact** through driving forward improvements in public services

In order to do all of this Overview and Scrutiny must:

- Be independent
- Be robust, rigorous and challenging
- Fully engage of all non-Executive Members
- Come from a positive culture that supports and promotes the process
- Involve local citizens and service users
- Ensure that its purpose is clear and widely understood
- Demonstrate the value added
- Be creative in its ways of monitoring service performance
- Have dedicated resources
- Bring the conclusions of its Reviews to the attention of Full Council
- Have a comprehensive Member Development programme

Therefore 'acid test' for reviewing the effectiveness of an Overview and Scrutiny function asks:

- Is it effectively holding decision-makers to account?
- Is it helping to improve services?
- Is it building links between the Council, its partners and the community?
- Is it helping to improve the quality of life for local people?
- Is it adding value?

This report is aimed at assessing the effectiveness of the work done by the Overview and Scrutiny function at Slough Borough Council during the 2011/12 municipal year, and looks forward to challenges that it will face in the coming year.

### **Structure of Overview and Scrutiny in Slough**

The Overview and Scrutiny function for Slough Borough Council is made up of the Overview and Scrutiny Committee, Health Scrutiny Panel, Neighbourhoods and Community Services Scrutiny Panel, and Education and Children's Services Scrutiny Panel.

The Panels enable greater focus on specific subject matter, while the Overview and Scrutiny Committee focuses on the corporate, financial and performance management of the Council. The Committee and Panels look to work closely together, using joint meetings where appropriate, to develop their work programmes and effectively scrutinise the work of the Council and its partners.

## **Overview and Scrutiny Committee**

### **Membership:**

- Councillor Mewa Mann (Chair)
- Councillor Mohammed Basharat (Vice-Chair)
- Councillor Roger Davis
- Councillor Tony Haines
- Councillor Harjinder Minhas
- Councillor Sohail Munawar
- Councillor Patricia O'Connor
- Councillor Ted Plenty
- Councillor Dexter Smith

### **Remit**

The Overview and Scrutiny Committee is the overarching scrutiny body at Slough Borough Council and is therefore responsible for the consideration of all scrutiny matters within the Council. It has appointed and oversees the work of the 3 Scrutiny Panels, to whom it has delegated specific Cabinet Portfolios to ensure a comprehensive review of all public services in Slough. The primary focus of the Overview and Scrutiny Committee are the Cabinet Portfolios of Finance and Strategy, and Performance and Accountability.

### **Major Issues**

#### **Census 2011**

During the latter part of the 2010/11 municipal year and into this municipal year the Committee closely monitored the preparations and operation of the Census 2011, which was managed through the Chief Executive's directorate at the Council, in conjunction with partners. The Committee noted the improved response rate that had been achieved in comparison with the previous Census in 2001, and also they looked at what lessons could be learned from the process for future projects of this nature. The Committee also challenged the ONS on their approach to the Census in Slough.

The Committee noted the importance of strong quality assurance in securing a good base figure, and the project was keen to build on work already undertaken to ensure that projections from that base were accurate and maximised our population projection. This element was seen as particularly crucial in an area such as Slough with such a varied community make-up, some of which such as the Roma community, were difficult to engage with. The Panel recognised the success of the progress.

The Committee is waiting for the final figures from the Census to be released by the Office of National Statistics (expected in July 2012) and will review the results at this time to consider whether further investigation is required.

#### **Call-Ins**

The Committee dealt with one call-in this year which was received in response to a paper to Cabinet in March 2011 regarding Integrated Youth Support Services. The call-in looked at the administrative costs of the provision since its transfer into the responsibility of Slough Borough Council and the perceived erosion of services in that time. The Committee took evidence from the Strategic Director of Education and Children's Services as to how the service was being delivered differently and with versatility, and therefore the perceived erosion of services was not substantiated.

The Committee followed up the call-in with a further report on wider issues around the Integrated Youth Support Services.

### **Staff Appraisals**

In July 2011 the Committee raised concerns around the completion rate of staff appraisals, which was seen as key to ensuring staff were properly performance managed. This was something the Committee decided should be monitored closely over the year and we have been pleased to note a dramatic improvement in completion rates, from 37.2% in September 2011 to 58.2% in January 2012. Although good progress has been made, the Committee is keen to continue monitoring this.

### **Localism Act 2011**

The Committee received an initial report on the proposals contained in the Localism Act 2011 in November 2011, and noted in particular that it gave new powers and duties to local authorities and new freedoms and rights to local people to run their lives and neighbourhoods in their own way. At the time of this briefing the proposals had not been enacted, so the Committee agreed to note the implications of the proposals for Slough, continue to monitor progress and then formally revisit it once the detail was available.

As we near the end of the municipal year, that detail is becoming clearer, and so we have commissioned a further report on officer proposals for putting in place the wide range of provisions contained in the final Act. We will review these, and decide where best the monitor of the various elements will sit within our Scrutiny function.

### **The Future**

The next municipal year will be a challenging and busy time for us all. The Overview and Scrutiny Committee will continue its regular monitoring of performance and financial management, as well as the development of the budget.

The Committee we will also play a key role in providing central co-ordination for all of the Scrutiny Panels as well as picking up cross-cutting issues such as:

- Localism Act 2011
- Meeting Accommodation Arrangements
- Engagement of the Community –we have attempted to do this with limited success this year through our Scrutiny Surgeries, so we will need to review the format of these and potentially look at alternative ways of engagement
- Co-optees – the engagement of co-optees on the different Scrutiny Panels this year has been mixed. We may decide that a review of these appointments is necessary to ensure that the Panels are receiving the level of effective support in their work which was anticipated from having co-optees on the Panels.
- Call-ins – as these arise, whether they are in direct response to a decision taken at Cabinet, or a broader request for Scrutiny to look at a particular subject of public interest.

## **Health Scrutiny Panel**

### **Membership:**

- Councillor Mohammed Sharif (Chair)\*
- Councillor Julia Long (Vice-Chair)
- Councillor Nimrit Chohan
- Councillor Roger Davis
- Councillor Jagjit Grewal\*\*
- Councillor Sohail Munawar
- Councillor Robert Plimmer
- Councillor Mohammed Rasib
- Councillor Wayne Strutton

\* Councillor Mohammed Sharif was elected as Chair of the Health Panel on 1 February 2012, following Councillor Pavitar Mann's appointment to the Cabinet.

\*\* Councillor Jagjit Grewal was appointed to the Health Scrutiny Panel at Council on 31 January 2012 to fill the vacant Labour seat following Councillor Pavitar Mann's removal.

### **Remit**

The Health Scrutiny Panel performs the statutory role of scrutinising the provision of local health services in the Local Authority area, as set out in the Health and Social Care Act 2001 and The Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002.

### **Major Issues**

#### **Mental Health In-Patient Provision**

The issue of the future of mental health in-patient services in East Berkshire has been a top priority for the Health Scrutiny Panel since Berkshire Healthcare NHS Foundation Trust (now NHS Berkshire) launched a public consultation on the issue in August 2010.

The Health Scrutiny Panel opened its annual work programme by considering the report back from the Task and Finish Group (T&F Group). We had formed the group to undertake further detailed scrutiny of the Trust's recommendation in February 2011, of Option 1 (all services to be located at Prospect Park in Reading) for final ratification by the NHS Board. The T&F Group looked to seek the views of local people and other relevant stakeholders (including GPs) to conclude whether the evidence used by the Board in reaching its decision was fair and accurate.

The outcomes of our deliberations were that the Panel did not accept the findings of the public consultation which the recommendation of Option 1 for approval by the NHS Board was based on, and it was agreed that in the event that the NHS Trust did decide to relocate mental health in-patient provision to Prospect Park Hospital, Reading, that consideration would be given to referring the decision to the Secretary of State for Health.

In addition, the Panel requested that Berkshire Healthcare Foundation Trust sought independent advice on the cost of a new purpose built facility and that the resulting detail be submitted to the Panel at the earliest opportunity, and if this determined that a new facility was not financially viable, that an improved and enhanced service in conjunction with Heatherwood and Wexham Park Hospital be put forward at the preferred option.

Impact – In response to comments made by the Panel in June 2011, along with the fact that no clear consensus had emerged on the way forward and significant

concerns had been raised by a number of key stakeholders about some of the options, NHS Berkshire and Berkshire Healthcare NHS Foundation Trust (BHFT) agreed to undertake a further period of clinical and stakeholder engagement during the summer 2011 in order to inform the decision-making on the future of this service provision.

The Panel received the results of the extended engagement process at its meeting on the 8 December 2011. The Panel still stressed its concern that it could not express an informed opinion on the options without all the information and facts being presented to Members, in particular the financial viability of each option and a detailed proposal for the provision of transport to the facility. NHS Berkshire agreed to provide a detailed report outlining all the options available against a number of criteria, including impact on community services, financial options, impact on clinical outcomes and impact on accessibility at its next meeting. This information was provided in January 2012, with the NHS Cluster Board scheduled to take a decision on the options 3 weeks later. The Panel, therefore, submitted a letter to the Cluster Board asking for a deferment in the decision. The decision was taken before the Panel was able to respond to the detailed options report.

Impact – At the Panel meeting on the 1 February it was agreed that subject to research into internal processes and Department of Health requirements, the Panel would refer the decision to the Secretary of State for review, following additional research on the process both internal and with the Department of Health for doing this. This matter is still being dealt with at the time of writing.

However, the Panel is keen that whatever the final outcome of this process, the residents of Slough who need use of the facility are given the best possible services. Therefore we have continued to work with the NHS in taking forward the decision, alongside our referral to the Secretary of State. This can be seen in our consistently raised concerns around the issue of transport should option 1 (Prospect Park) be taken forward.

Impact – This was an issue of high importance and one that is still under development, which the Panel is closely involved with, with two members of the Panel being asked to participate in a T&F Group being run by NHS Berkshire to finalise the proposed arrangements for the transport provision.

### **National Health Service and Public Health Reform**

An underlying theme of the Panel's discussions this year, and one that will continue throughout the next municipal year is the national reform of health services, which will see a new model of delivery for the NHS and the transfer of the Public Health function to the Council. Although this controversial legislation is still being debated in Parliament, preparations for implementation are still being put in place, and it is important that during this crucial development time the Scrutiny Panel are involved in the process, as a critical friend, on behalf of Slough.

Should the proposed legislation be agreed in Parliament, it will have major implications for the local health system and the relationship we, as the Local Authority, will have with that system. The major elements of the legislation which the Panel have looked at are:

- The abolition of the PCT (for us NHS Berkshire East) and the establishment of the Slough Clinical Commissioning Group (CCG) to take on the majority of its responsibilities, which will be led by GPs who will commission services locally;
- The transfer of the Public Health provision into the Council; and



- The establishment of the Health and Wellbeing Board as a committee of the Council (we considered the terms of reference for the shadow arrangements at our meeting on the 1 February 2012).

In addition to these, the Panel is very interested in how the replacement organisation for LINks, to be called Local HealthWatch, will be organised and this is something that we will be scrutinising over the coming year.

### **Shaping the Future**

Sitting alongside the national NHS reforms is the most dominant issue that has emerged for the Health Scrutiny Panel this year, and one that will continue throughout the next municipal year as well: Shaping the Future.

Shaping the Future are NHS Berkshire's proposals for the future of primary healthcare provision in East Berkshire. The proposals are aimed at establishing a financial and clinically sustainable model of care, improving care pathways and outcomes for patients, making the most efficient use of the NHS estates in East Berkshire (which recognise the importance of local access) and ensuring that every available pound is spent on patient care.

Because of the scale of the proposals, the Joint East Berkshire Health Overview and Scrutiny Committee (JEBHOS) has agreed to begin meeting informally so that the Local Authorities of East Berkshire are aware of each area's views, and where there is common ground, that those views are represented jointly for maximum effect. This development of strong partnership working on these proposals through the JEBHOS began in January 2012, and so has been seen as a highly positive step in formulating our responses to the proposals.

Slough's Health Scrutiny Panel will ensure that the needs of Slough are adequately represented in the discussions as they move forward, through the JEBHOS and also directly with the Shaping the Future programme.

With the constantly evolving landscape for health provision we will have to continually monitor and investigate the options, drawing conclusions and feeding into the process.

### **Joint East Berkshire Health Overview and Scrutiny Committee (JEBHOS)**

The JEBHOS has been relatively quiet this year, but is playing a central role in bringing together the Health Scrutiny representatives across East Berkshire to discuss and draw together thoughts on the proposals for Shaping the Future. This role will become more and more important as the Shaping the Future agenda is taken forward.

### **The Future**

As our work over the latter half of the 2011/12 municipal year demonstrated, the national NHS reforms alongside the Shaping the Future proposals will form the backbone of our work programme for the coming year. However, in addition to these, there are a number of other issues that will occupy our work programme:

- Car Parking Review – a year after the JEBHOS Review into NHS car parking provision across East Berkshire, the Panel will be looking at the implementation of the recommendations that were made.
- Maternity Services – possible in-depth piece of work into the provision of maternity services in Slough. This is a subject which has achieved national attention with the well-publicised lack of midwives in England and the impact of this on the quality of services across the country. The Panel are considering an in-depth piece of work looking at the quality of provision in Slough, the numbers of midwives available in Slough and the mitigation that

is being put in place to ensure that we are able to recruit qualified staff despite strong competition from the London areas.

- Relationship Building – with the changes in the NHS altering the way we, as the Local Authority, will work with the local health system, we will need to spend a significant amount of time building our relationships with those newly established bodies such as the Clinical Commissioning Group and Health and Wellbeing Board.

## **Neighbourhoods and Community Services Scrutiny Panel**

### **Membership:**

- Councillor Harjinder Minhas (Chair)
- Councillor Anna Wright (Vice-Chair)
- Councillor Duncan Buchanan
- Councillor Martin Carter
- Councillor Haqeeq Dar
- Councillor Sohail Munawar
- Councillor Ted Plenty
- Councillor Paul Sohal
- Councillor Wayne Strutton

### **Neighbourhoods and Community Services Non-Voting Co-opted Members:**

- Darren Morris (Slough Customer Senate Representative)
- Sandra Malik (Slough Fed Representative)
- Leaseholder Forum Representative (Vacant)

### **Remit**

The Neighbourhoods and Community Services (NCS) Scrutiny Panel was a newly formed Panel for the 2011/12 municipal year, combining the previous Community, Leisure & Environment and Neighbourhoods & Renewal Scrutiny Panels. Constitutionally the NCS Scrutiny Panel takes on the remit of scrutinising the Cabinet portfolios for: Neighbourhoods & Renewal; Community & Leisure; and Environment & Open Spaces.

As Chair of this Panel, one of the first issues that needed to be addressed was that the membership was completely new. Therefore, throughout the year, we worked hard to build a cohesive relationship amongst the Panel members and dedicated ourselves to driving the agenda forward.

### **Major Issues**

#### **Police Reforms**

The Neighbourhood and Community Services Panel remit to scrutinise crime, disorder and anti-social behaviour has brought it to the forefront of looking at the reforms that will be taking place to the Thames Valley Police Authority in 2012. We have received a briefing on the main elements of the reforms, and this work will be taken through to the new municipal year.

#### **Prostitution**

In October 2011, the Panel received a report on prostitution in certain neighbourhoods in Slough. It raised a number of concerns as to what approach was being taken to tackling this issue, which often had anti-social behaviour (another area of concern to the Panel) attached to it. In particular, the Panel was keen that the issue be tackled and not displaced to other areas of the Borough. Taking evidence from Chief Inspector Reeves (Thames Valley Police), he confirmed that the characteristics of Slough, given its proximity to the airport, good transport links and cheaper housing all meant that Slough was a popular destination for those entering the country for this purpose. The Panel then received a further update on the situation in March 2012, and again stressed concerns of displacement rather than solving the problem. We were pleased to note that the numbers of street workers had decreased and that a number of positive collaborative approaches were being developed across the Thames Valley to tackle this problem. The Panel will continue to monitor the progress of these initiatives.

### **Community Regeneration**

The Panel has kept a close eye on specific regeneration projects that the Council has undertaken over the last year. A very successful meeting was held at the new Chalvey Community Centre in January 2012, where the Panel was able to tour the facility and scrutinise how the new approach to creating a community hub had been received in Chalvey. The Panel was pleased to note the positive engagement of the local community. Following on from this, the Panel was able to bring its knowledge, and using the evidence it had garnered from the discussions around the Chalvey hub, to discussions on the proposals for a similar, but larger, hub project in Britwell. With the success of Chalvey, and the impressive proposals for Britwell the Panel is keen to see how the lessons learned from these two regeneration projects can be used in other parts of the Borough.

### **Olympics and Paralympics**

The Panel have been keeping a close eye on the Council's preparations for the Olympics coming to the area in July/August 2012. This has been an extremely large logistical operation, and the Panel was keen to ensure that it was done to, as far as possible, limit the disruption to the local community, along with engaging the community in the celebratory aspects of the events.

### **Slough Customer Senate**

The Scrutiny Panel has forged links with the Customer Senate, a panel of tenants and leaseholders established under the remit of the Tenant Services Authority to scrutinise the management of the council's housing stock. In December the Panel was pleased to receive the Senate's first review into the operation of caretaking and estate services. This review will form the basis of a service improvement plan which will be periodically scrutinised to ensure delivery against the original aims.

### **The Future**

There are some major themes that will be form the bulk of the Panel's work programme for the 2012/13 municipal year:

Police Reforms – we will be looking at the arrangements for the creation of the Police and Crime Panel early in the new municipal year, to ensure that the strongest possible scrutiny of the new Police and Crime Commissioner is established. Alongside this, we will need work with the Safer Slough Partnership to look at how Slough's priorities are encompassed in the plans of the new Commissioner, and build relationships with those in the new structure that is put in place.

Olympics and Paralympics – reviewing the lessons learned from the Olympics and Paralympics.

Heart of Slough – there are a number of areas of this that the Panel should be looking to monitor, but it has been agreed that an in-depth review of the lessons learned from the development of the bus station in order to inform similar projects in the future will form part of the work programme early in the year.

Highways and Traffic – always major public issues in Slough and the Panel are looking to fully investigate and monitor throughout the year.

Community Centres – with the Panel already inputting into the process of developing the community hub in Britwell, and holding a meeting to review the work at the community hub in Chalvey, this is a subject at the very heart of the Panel and work that we will continue going forward.

Customer Senate – the Panel will continue to work with the Customer Senate and looks forward to receiving their review of the housing repairs service.

## **Education and Children's Services Scrutiny Panel**

### **Membership:**

- Councillor Patricia O'Connor (Chair)
- Councillor Frank Abe (Vice-Chair)
- Councillor Haqeeq Dar
- Councillor Roger Davis
- Councillor Harjinder Minhas
- Councillor Sohail Munawar\*
- Councillor Mohammed Sharif
- Councillor Dexter Smith
- Councillor Sean Wright

### **Education Voting Co-opted Members:**

- Northampton Diocese Representative (Vacant)\*\*
- Oxford Diocese Representative (Vacant)
- Parent Governor Representative (Vacant)

### **Education Non-Voting Co-opted Members:**

- Charlie McGeachie (Head Teacher Representative)
- Primary Teacher Representative (Vacant)
- Secondary Teacher Representative (Vacant)

\* Councillor Sohail Munawar was appointed to the Education and Children's Services Scrutiny Panel at Council on 31 January 2012 to fill the vacant Labour seat following Councillor Pavitar Mann's appointment to the Cabinet.

\*\*Kieran McKeown stepped down from the Panel in January 2012.

### **Remit**

The Education and Children's Services (ECS) Scrutiny Panel has the remit for scrutinising the Cabinet portfolios for: Education and Children; and Opportunities and Skills.

### **Major Issues**

**The issues covered by the Panel are those that have been raised as priorities for the Council; within the Children and Young People's Plan; and matters that have arisen during the year of interest to the Panel.**

These include the provision of school places at primary and secondary level; educational achievement; adult learning; provision for children with special educational needs; safeguarding; children and young people's health; services for young people; youth offending; early intervention services and child poverty.

One major feature of the 2011-12 municipal year has been the Safeguarding Improvement Plan. At our inaugural meeting of the year we received a report on the outcome of the April 2011 Ofsted announced inspection which had judged Slough Borough Council's Children's Social Care Services as 'inadequate' for safeguarding and 'adequate' for Looked After Children. We were asked to endorse the proposed Improvement Plan for rectifying the areas of concern. As a Panel we noted the positive practice highlighted in the Inspection and the key areas of improvement that were now being addressed. The first stage of this was an Immediate Action Plan, followed by the Improvement Plan based on the Ministerial Notice which arrived in October 2011. Panel Members have received copies of the Improvement Plan, and have continued to monitor progress against the Plan at each meeting throughout the year, recognising the link between this work and other areas of concern such as

domestic violence. The Panel was pleased to note the signs of improvement that were evident in the update we received at our meeting in January 2012.

### **Child Trafficking and Exploitation**

The Panel held an extraordinary meeting on the 20 February 2012, to look in depth at the issue of child trafficking and exploitation. The aim was to understand the scope of the problem in the Slough area, and be informed about the actions that Slough LSCB and the member organisations were taking to prevent child trafficking and exploitation, understand the extent, and look at further work that needs to be carried out to help victims of child trafficking and exploitation.

This was a well attended meeting with a number of non-Panel members speaking under Rule 30, and provided a good opportunity for all those with concerns to have them heard. The Panel was pleased to note the good work that was being done to collect evidence on the scope of the problem in Slough and ongoing work to make sure that all agencies were carrying out their responsibilities to identify victims and offer them relevant services.

However, we recognise the seriousness and level of concern around this issue and have asked for regular six-monthly reports from the Chair of the SLSCB so that members can be certain that the SLSCB's work is effectively monitoring and scrutinising child trafficking and exploitation.

### **School Places**

The issue of the number of school places in Slough has been raised through the ECS and the Overview and Scrutiny Committee, and Members have consistently expressed concern at the need to increase the level of places available to meet a constantly growing population of primary school children in the borough and the projected need for secondary places in the future. We recognised that the Council was confident in increasing the provision of school places to meet its statutory requirements but we felt, with the rising birth rates and families relocating to the area, that this would continue to prove challenging. Therefore continued scrutiny of how the Council proposed to meet its statutory requirements was required and this is ongoing.

### **The Future**

There are some major themes that will be form the bulk of the Panel's work programme for the 2012/13 municipal year:

Safeguarding Improvement Plan – this issue underpins all of the work that the Panel has done over the past year, and will continue to do so going forward. The Improvement Plan is one of the Council's GOLD projects and is monitored through the Improvement Board, CMT and Overview and Scrutiny.

Priorities in the Children and Young People's Plan - the CYPP 2011-14 was signed off by the Scrutiny Panel in January 2012 after it had been changed to include the comments from the Minister's letters in October and November 2011. The priorities in the CYPP will form items for discussion over the next year.

Future of Education (Impact of Academies) – We have received a number of reports referring to the impact of schools moving to Academy status, and want to understand how the changes affect school places, school attainment and the role of the Local Authority in children and young people's education.

Skills and Opportunities Development – The Panel's work programme often has a heavy emphasis on Children. We may wish to place more emphasis on the opportunities and skills element of the remit over the next municipal year, with the

Council having been involved in a number of programmes in this area such as Aspire.

# **WORK PROGRAMMES**



**OVERVIEW & SCRUTINY COMMITTEE**  
**WORK PROGRAMME 2011/2012**

**Tuesday 7 June 2011**

**Scrutiny Items**

- Outturn 2010-11 Performance and finance Report
- Census 2011 – Update
- Future Provision of Transactional Services for Slough Borough Council – Progress Update Report

**Thursday 9 June 2011**

**Joint Meeting with Education and Children’s Services Scrutiny Panel**

**Scrutiny Items**

- Call-in – Questions following the report on IYSS presented to Cabinet on 14 March 2011

**Tuesday 12 July 2011**

**Scrutiny Items**

- Performance and Project Reporting for 2010/11 – end of year out-turns
- Revenue Budget Monitoring to 31 May 2011 (Periods One and Two)
- Climate Change Strategy
- Provision of Mental Health In-Patient Beds In East Berkshire – Report from Health Scrutiny Panel meeting held on 22 June 2011

**Tuesday 13 September 2011**

**Scrutiny Items**

- Finance and Project Report for Monitoring Report to 31 July 2011
- Housing Revenue Account Subsidy System
- Heart of Slough Scheme – Update
- Arrangements for Temporary Workers

- Census 2011 – Verbal Update

#### **Tuesday 11 October 2011**

##### **Scrutiny Items**

- Highway Changes in Chalvey
- Medium Term Financial Planning/Budget Strategy 2012/13 to 2015/16
- Project Performance and Financial Reporting for 2010/11
- Sustainable Community Strategy – Refresh
- Accommodation Strategy Update
- Procurement of Transactional Services for Slough Borough Council
- Housing Benefit Reforms and the Impact on Slough

#### **Tuesday 15 November 2011**

##### **Scrutiny Items**

- Project Performance and Financial Reporting for 2010/11
- Heart of Slough
- Localism Bill

##### **For Information**

- Equalities Act 2010

#### **Tuesday 6 December 2011**

##### **Scrutiny Items**

- Medium Term Financial Strategy
- Human Resources – Employment of Agency Staff

##### **For Information**

- Plans to refurbish and refit the CCTV and Careline Control Room

- Indices of Deprivation in Slough

### **Tuesday 17 January 2012**

#### **Scrutiny Items**

- Project, Performance and Financial Report 2011/12
- Effect of the Economic Downturn on Slough
- Government Proposals on the Council House Right to Buy Scheme and its effect on Slough

#### **For Information**

- Local Strategic Partnership and Partnership Governance
- Highways Changes in Chalvey

### **Monday 13 February 2012 (meeting postponed from Thursday 2 February 2012)**

#### **Scrutiny Items**

- Draft Medium Term Financial Strategy 2012/2013 to 2015/2016
- Project, Performance and Financial Reporting for 2011/12
- Income Collection and Debt Recovery Policy/Write Off of Irrecoverable Debt

#### **For Information**

- Police Reform and Social Responsibility Act 2011
- National Health Service and Public Health Reforms
- Asset Disposals 2011

### **Tuesday 6 March 2012**

#### **Scrutiny Items**

- Sara Thornton, Chief Constable Thames Valley Police – Annual Report
- Project, Performance and Financial Report for 2011/12
- Corporate Procurement Strategy 2012-2015

- Recommendation of Health Scrutiny Panel – Appointment of Co-opted Member

**Tuesday 10 April 2012**

**Scrutiny Items**

- Annual Scrutiny Report 2011/12
- Project, Performance and Financial Report for 2011/12
- Localism Act

**For Information**

- Post-Implementation Review of Art @ the Centre Scheme
- Covert Surveillance – SBC Policy

**HEALTH SCRUTINY PANEL**  
**WORK PROGRAMME 2011/2012**

**Wednesday 22 June 2011**

**Scrutiny Items**

- Outcome of the Health Scrutiny Panel Task and Finish Group – Transfer of Mental Health In-Patient Provision to Prospect Park Hospital
- Slough Reablement and Enhanced Intermediate Care Implementation Programme

**Tuesday 20 September 2011**

**Scrutiny Items**

- Employment Support for People with Disabilities
- Re-commissioning of Mental Health Day Services
- Future of Mental Health In-Patient Services – Progress Update on Additional Engagement and Consultation Activity
- Future of East Berkshire Mental Health In-Patient Services – Transport Solutions to Support Relatives and Carers proposed by Berkshire Healthcare Trust
- Developing Safe and Sustainable Acute Services in NHS South Central Region: Stroke, Major Trauma and Vascular Surgery
- National 'Any Quality Provider' Initiative – Implications for NHS Berkshire
- Joint East Berkshire Health Overview and Scrutiny Committee

**Thursday 13 October 2011**

**Scrutiny Items**

- Employment Support for People with Disabilities

**Tuesday 18 October 2011**

**Scrutiny Items**

- Tuberculosis (update)

- Male Cancers/Cervical Cancer Screening

**Thursday 8 December 2011**

**Scrutiny Items**

- Joint Strategic Needs Assessment – Progress Report
- Future of Mental Health In-Patient Services – Progress Update on Additional Engagement and Consultation Activity
- Report of the Slough Safeguarding Vulnerable Adults Partnership Board (April 2010 to October 2010)

**Wednesday 1 February 2012**

**Scrutiny Items**

- National Health Service and Public Health Reform
- Heatherwood and Wexham Park Hospitals NHS Trust: Operational Finance Update
- Stroke Services in Slough
- East Berkshire Mental Health In-Patient Services

**Tuesday 20 March 2012**

**Scrutiny Items**

- Shaping the Future
- Child Health in Slough
- Heatherwood and Wexham Park Hospitals NHS Trust – Quality Account 2010/11
- Public Local Account – Social Care (dealt with virtually)

**Thursday 5 April 2012**

**Extraordinary Meeting – Mental Health In-Patient Services Provision**

**Scrutiny Items**

- Estates Rationale behind Decision
- Progress in Preparing Implementation of Conditions

- Referral of Decision to Secretary of State

**NEIGHBOURHOODS & COMMUNITY SERVICES SCRUTINY PANEL**  
**WORK PROGRAMME 2011/2012**

**Thursday 16 June 2011**

**Scrutiny Items**

- Ten Pin and Tennis Progress
- Empty Homes: Housing Solutions – A Strategy for Slough
- A proposal to Implement Additional Homes in Multiple Occupation for Chalvey Ward
- Food Standards Agency – Imported Food Control Unit

**Thursday 15 September 2011**

**Scrutiny Items**

- Reducing Anti-Social Behaviour in Slough
- Neighbourhood Working
- Police Reform and Social Responsibility Bill

**For Information**

- Libraries Update

**Monday 24 October**

**Scrutiny Items**

- Prostitution – Current Challenges and Future Actions
- Community Centres Future Provision
- Winter Preparations
- Housing Benefit – Follow Up on Audit Commission Inspection 2010

**For Information**

- Preliminary Flood Risk Assessment Report



**Monday 5 December 2011**

**Scrutiny Items**

- Synchronisation of Traffic Signals on the A4 (between Three Tuns Crossroads and Huntercombe Roundabout)
- Regulation of Distribution of Free Printed Matter
- Housing Futures – Provision of Housing Services Update
- Housing Service Customer Senate – Review of Estate Services

**Monday 16 January 2012**

**Scrutiny Items**

- Libraries Progress Report
- Tour of Chalvey Community Centre
- Chalvey Community Centre
- Britwell Community Centre

**Thursday 1 March 2012**

**Scrutiny Items**

- Olympics and Paralympics Update
- Highways Engineering Programme of Works for 2012/13
- Public Protection Services Enforcement Policy
- Prostitution – Update and Future Actions

**For Information**

- Ten Pin and Salt Hill Park Tennis Update

**EDUCATION AND CHILDREN'S SERVICES SCRUTINY PANEL**  
**WORK PROGRAMME 2011/2012**

**Thursday 9 June 2011**

**Joint Meeting with Overview and Scrutiny Committee**

**Scrutiny Items**

- Call-in – Questions following the report on IYSS presented to Cabinet on 14 March 2011

**Main Meeting**

**Scrutiny Items**

- Ofsted Report on Announced Inspection of Safeguarding and Looked After Children
- School Improvement and Raising Standards

**Monday 5 September 2011**

**Scrutiny Items**

- Ofsted Inspection of Safeguarding and Looked After Children
- Slough Youth Offending Team Progress Report
- Academies
- Integrated Youth Support Services

**For Information**

- Condition of School Estate

**Wednesday 12 October 2011**

**Scrutiny Items**

- Reducing Family Poverty in Slough
- Ofsted Inspection of Safeguarding and Looked After Children – Progress Report
- Children with Special Education Needs

- Attainment of Pupils from Ethnic Minorities
- Statement of Purpose for Breakaway, Respite Care Unit

**Thursday 24 November 2011**

**Scrutiny Items**

- Munro Report on Safeguarding
- Ofsted Inspection of Safeguarding and Looked After Children
- Ofsted Annual Children's Services Assessment 2010
- School Places
- Performance Update

**Tuesday 24 January 2012**

**Scrutiny Items**

- Children and Young People's Plan 2011-14
- Safeguarding Improvement Plan
- Increase in Children with Protection Plans and Number of Children who are Looked After
- Impact of Domestic Abuse on Children and Young People
- Adult Learning Service
- Teenage Health
- Elective Home Education

**Monday 20 February 2012**

**Extraordinary Meeting**

**Scrutiny Items**

- Child Trafficking and Exploitation

**Thursday 22 March 2012**

**Scrutiny Items**

- Impact of Academies on Slough
- Children's Social Care Complaints
- Special Educational Needs and the Transition between Childhood and Adulthood
- Post-16 Provision and Choices in Slough
- Youth Offending Team – Performance Update

**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Overview and Scrutiny Committee **DATE:** 10<sup>th</sup> April 2012

**CONTACT OFFICER:** Gillian Ralphs 01753 875081  
**(For all Enquiries)** Roger Kirkham 01753 875840

**WARD(S):** All.

**PART I**  
**FOR INFORMATION**

**ART AT THE CENTRE-POST IMPLEMENTATION REVIEW**

1. **Purpose of Report**

To note the contents of this report about the “Art at the Centre” -High Street Enhancement Scheme following its completion in 2009.

2. **Recommendation(s)/Proposed Action**

The Committee is requested to note the report.

3. **Community Strategy Priorities–**

- **Economy and Skills**

Providing employment for local people by offering diverse jobs to match the community needs and give support to develop a local work force

- **Health and Wellbeing**

Promote healthier lifestyles, support independent living to the vulnerable and the elderly and promote healthier lifestyles and longer life expectancy.

- **Housing**

Ensure a wide range of housing and access to housing set in high quality settings.

- **Regeneration and Environment**

Improve public spaces and instil a sense of pride in our community and the local environment, promote sustainable public transport, reduce CO<sub>2</sub> and keep environment clean and green.

- **Safer Communities**

Reduce crime and fear of it and deal with the causes of crime and anti-social behaviour

4. **Other Implications**

(a) **Financial**

No financial implications. Certain financial matters remain restricted in view of commercial confidentiality.

(b) Risk Assessment None specific to this report. Report of past working highlights significance of risk assessment being kept up to date or when changed circumstances arise to prevent unforeseen financial and time consequences and requires continuing management oversight of risks during project time.

(c) Human Rights Act and Other Legal Implications

There are no Human Rights issues arising from this report.

(d) Equalities Impact Assessment

All requirements have been reported in the approved Equality Impact Screening Opinion.

(e) Workforce

None

## 5. **Supporting Information**

### **Introduction**

- 5.1 In June 2009, High Street, Slough was relaunched following the street enhancement work undertaken along this street. Construction work had begun in December 2007. It was the first of the major public regeneration schemes to be completed in the town centre. Yew Tree Gardens was reopened in September 2009.
- 5.2 In April 2004, Slough Borough Council announced that design work would begin on this scheme and scheduled its completion for 2009. This scheme would accompany the previously launched Heart of Slough Regeneration scheme. The commercial operators of the Queensmere Shopping Centre had carried out some refurbishment work on the Queensmere Shopping Centre and their buildings around Town Square a few years before.
- 5.3 Widespread improvements were sought to the main shopping areas and other areas to: encourage better pedestrian circulation; improve streetscene environment; the active promotion of the Town Square as a new entertainment and restaurant area; introduce new pavement cafes; improve traffic measures and new public spaces designed to benefit residents in new town centre housing, shoppers and office workers. It would retain flexibility to take up future retail opportunities.
- 5.4 All these town centre schemes reflect the priorities for the town centre set out in Slough BC's Local Development Framework accepting the need for action. This scheme did not make any direct changes to the Queensmere Shopping Centre buildings but can accommodate the most likely changes. Members are aware of the context that many

similar High Streets in the United Kingdom are experiencing the adverse impact of structural changes in retailing, whether it be for low cost clothing, unit sizes, the internet, out of town retail parks, parking fees and more recently the impact of a severe economic downturn on retailing. Central government will shortly give its response to the recommendations of its own commissioned Portas Report on Retail health.

- 5.5 In Slough, results from the 2004 shoppers survey strongly endorsed the idea of a new scheme. The respondents were also wanting retailers to strengthen their retailing roles as a way of facing the challenges for such centres like Slough. On matters of detail, they supported the provision of street trees, more seating, community safety measures and new public art. Public interest in the scheme and the town centre was maintained through occasional promotional efforts and one day events like Arts Alive in the Town Square during the design development stage. In the construction period, newsletters, street banners and press articles kept the public and businesses informed.
- 5.6 The new scheme would address longstanding pavement subsidence, uneven paving levels and removal of redundant or broken street furniture. New level paving would better suit wheelchair users or those less mobile. New seating was to be introduced at regular intervals along the entire length of High Street to assist. It would also expand CCTV coverage to improve community safety.
- 5.7 The previous traffic restrictions in parts of the High Street required these to be kept free of daytime traffic except blue-badge holders, buses, delivery vehicles and taxis. In reality, the then unauthorised incursions were largely unenforced by the Police and the street operated as a through route to the detriment of those vehicles permitted in the daytime. By applying new Government provisions on traffic management, decriminalisation of parking and community safety measures soon after they became available, this new scheme could deliver arrangements for blue badge parking, buses and taxis within the newly created shared surface street best suited to Slough.
- 5.8 Initial funding for project development came from S106 funding with the Council's Highway and Transport's capital programme coming available once the scheme design was ready. Other grants from Arts Council England and South East Economic Development Agency were used for initial development work and other project grants paid for some individual artworks. This was undertaken with limited availability of inhouse staff resources, some shared with the Heart of Slough scheme.
- 5.9 Most High Street retailers and businesses front onto the road where improvements were planned. It was imperative to minimise any effect upon the underground utilities whilst construction was underway and ensure continuity of supply for businesses to continue trading with minimum disruption. Inevitably the enhancement scheme was sometimes

delayed because utility companies were required to attend and move or upgrade substandard equipment . Work could not recommence in this vicinity until repaired and took precedent when reinstatement arose. Precautions put in place did allow visiting pedestrians to safely use the High Street and temporary emergency routes were maintained whilst works were underway. It was necessary for the public to exercise caution and comply with instructions on temporary signs. Regular newsletters were distributed to all High Street premises including positive interviews by retailers. The newsletters did give businesses advance notice of current and planned work in the forthcoming month and details of planned Christmas arrangements to allay any who had concerns about this. Regular press releases were issued to inform the public as well as answering individual public queries received.

5.10 After completion of both schemes, there are fresh opportunities for new investment into the new infrastructure. Every encouragement continues to be given to businesses choosing the town centre as their base, whether nationally known retailers, independents or businesses and customers and visitors to stay longer. The March 2012 publication of the Government's National Planning Policy Framework reconfirms support for town centres.

#### **How the scheme was undertaken**

5.11 The High Street was comprehensively designed, bringing new lighting, natural stone paving, seating, trees and artworks as well as new traffic arrangements that came into operation.

5.12 The work was managed by a SBC Project Team with a Project Sponsor. A Project Team was made up of representatives from Transport and Planning and Arts officers from Community and Wellbeing. This team worked in conjunction with the Town Centre Action Group and the Town Centre Manager whilst they were operating. Arts development consultants liaised with the other consultants and artists. Any design drawing work would largely be done outside in offices of the appointed engineering and landscape design consultants who were responsible for the outline, detailed and construction design drawings, material specifications and contract documents based upon the concept design accepted at the time of their selection. A programme, project aims, and Risks Assessment had all been set out in a 2004 Project Plan up to Outline Design stage together with Project briefing material. This also included briefing material prepared by an adhoc artists advisory group with time given to inform the shortlisted consultants. The Project Plan set out requirements to regularly review the work at monthly Project Team meetings and take any necessary co-ordination. An Equality Impact Screening Opinion was fully compliant with adopted Council procedures and practises. The implementation of the engineering contract and artists work was directly supervised by SBC engineers, the latter being undertaken in conjunction with the Lead Arts officers.



- 5.13 In July 2005, engineering consultants were engaged to design this major scheme following selection by Cabinet from three shortlisted concept design submissions. The OJEU procurement and public consultation requirements were fully met. The selected concept design proposed many contemporary features along with new traffic measures for keeping blue badge parking bays and taxi parking close to the main shopping area. This choice was endorsed by the results of a major 2005 opinion survey about the three shortlisted schemes. Paving materials were on display at the public exhibition. Members and Chief Officers were later invited to inspect larger sections of sample paving modules built at Wexham Nursery.
- 5.14 The consultant designers worked with artists to devise ways that art ideas could integrate to create new interest for those visiting the town centre. This initial work was done over three Design Days between December 2005 and March 2006. The locations were incorporated into the Outline Design. The whole Outline Design was displayed at Central Library in July 2006. Artists produced detailed designs for their new work by October 2006. Some design changes were deemed necessary to define locations and artworks foundations.
- 5.15 It was necessary for consultant structural engineers to design and check the artworks. Artists did identify contractors for the fabrication design and manufacture of these works. SBC engineers did complete risk assessments during the early design stages. The design and manufacture proved relatively straightforward for artworks using materials in common use, it was however found to be more complex for others using less common materials, some with lighting features.
- 5.16 The appropriate consultation took place about materials, new physical features or future street maintenance with various council sections during this period. Some responses did not meet their set critical times by some margin, or coverage proved incomplete, for a variety of reasons. Promotional and public information were jointly produced by Communication, Planning and Art officers. Supervision work on the detailed designs and construction was carried out by SBC engineers running the engineering contract.
- 5.17 Other design changes would incorporate minor traffic changes in Herschel Street, alterations to road layouts at the junction of Windsor Road and High Street and others associated with the confirmed Traffic Regulation Order. The detailed design and tender documents were then completed.

## **The nature of the scheme**

- 5.18 In 2004, new design ideas were emerging from the Heart of Slough scheme to bring a modern and positive identity to the centre. A step change was required in terms of environmental quality and new architectural forms. Elsewhere in the UK and abroad, a large number of street enhancement schemes were developing similar approaches within existing shopping areas, representing a distinct departure from past heritage approaches. The High Street scheme would complement the existing shopping and business activities. The two regeneration schemes enjoy a common boundary in Mackenzie Square.
- 5.19 Many High Street properties in Slough were built during the twentieth century. The planning brief set a contemporary design approach for the street environment. It would need to marry with likely design details for the Heart of Slough scheme which would not be forthcoming until much later. It was acknowledged that parts of the shopping premises could well be regenerated during this period or afterwards and the new scheme would need to accommodate these. A heritage approach was not pursued for these reasons.
- 5.20 The appointed engineering designers had to be knowledgeable about materials, costings, reliability of suppliers, new sources of natural stone and street furniture as well as normal traffic and highways requirements. There were some new schemes of this type in the pipeline but few on the ground at the time. Our inhouse staff and the consultants had to work closely as a team and share knowledge about all these matters.
- 5.21 Slough High Street is a linear shopping street. It has two shopping centres with indoor malls, all of which has recessed entrances onto the High Street. Its shopping pattern has been changing and non-shopping uses are still expanding (but still complement the shopping). The new street design unifies the street environment encouraging a more pedestrian-friendly environment, improve areas close to the shopping centre entrances and introduce new features including seating along the entire length of the High Street. All of the new design features have to properly integrate so the scheme works in its entirety, for example the lighting columns along the highway, the catenary lights in the pedestrian zone and light columns in the Town Square and Mackenzie Square; the selected black and white stone paving pattern in the pedestrian areas and shared surface streets, new number-plate recognition CCTV cameras and new street trees, granite seating around art floorscapes and the major floorscape in the new Town Square.
- 5.22 An important set of measures was used to relocate the bus stands to the west of Mackenzie Square, introduce new physical traffic measures to allow only permitted traffic to enter and by relocating the new taxi stand to the top of Church Street, both Mackenzie Square became a more

significant and welcoming place in its own right with new seating and lighting and the opportunity taken to designate a shared street for the area between the Square and the central pedestrian zone which helps improve pedestrian permeability. A more limited shared surface was introduced to the east end of the pedestrian zone up to The Grove. The changes that went out to consultation about the Traffic Regulations Order, once confirmed, allowed the scheme to commence.

- 5.23 It was necessary for this scheme to integrate many different work streams, each requiring different expertise and requiring completion within prescribed times critical for the project's completion. It took considerable coordination to complete the layout design. It was necessary to closely supervise the designers work to ensure coverage and practicality of proposals. This took time because of the amount of detail requiring checking, particularly when one set of changes is accepted might necessitate some further remodelling of the whole; when new information becomes available about precise locations of underground services and more evidence being sought to justify the consultants' proposal. Not all traffic regulations were in place at the outset and could only be incorporated once the new government regulations became operational. The final layout has been in use over the past few years with no significant difficulties raised by the business community and a marked reduction in the vacancy rate . This compares favourably with many other UK towns who are showing an increase in vacancy rate elsewhere in many UK towns. It has the ability to accommodate new business opportunities with the take up of new opportunities showing signs of promise in a difficult trading climate.
- 5.24 Most street furniture products were selected by the designers for their appearance, materials choice, suitability and cost. It was found that few European quality standards are in existence for street furniture and which the Council might reasonably require from manufacturers before purchase. The alternative of individual product testing is costly without special funding. Despite the normal checks being made, a few products did unfortunately fall short of expectations. In future, the Council may want to set out agreed standards or possibly undertake individual product testing itself.

### **Construction of the Scheme**

- 5.25 The main contractors were appointed in September 2007 following the completion of the OJEU procurement period. It was necessary to obtain financial clearance for this appointment in the light of new owners of the original bidding contractor.
- 5.26 This major contract requires the handing over of control of the street to the contractors during the contract period. After mobilisation and Council leasing of Lascelles Depot for their use, enabling and paving works began at the Windsor Road end. It soon became clear that contractual obligations over the paving team had not been met and the Council

required this to be urgently addressed. New paving subcontractors soon started on site but it was not able to catch up time from the original programme for this and other reasons set out elsewhere.

5.27 Council agreement was given for each new phase to be commenced and reopening for public use after that phase of work was completed. This permitted sufficient area to remain available for the public use. It was also necessary to fully comply with all safety specifications such as temporary ramps to shop premises. Street notices were on display. The roll forward of construction work meant that the blue badge parking bays opposite Mackenzie Square and later the blue badge parking bays at the east end of the High St were temporarily closed with narrowing of the vehicle routes. These allowed these two phases of the work to be safely completed. It was necessary to give priority to maintain the bus routes, often from temporary stands. This could only be achieved by blue badge holders using the nearby surface carpark in Buckingham Gardens and alternative locations at the east end of the High Street and for alternative drop off/pickup points to be used. Some members of the public were not appreciative of these temporary displacements but this was a necessity to keep the public safe and complete these works. At the time when the rolling construction work required the resiting of the taxi rank to its new position, the hackney carriage drivers sought its return to its original position despite the Associations not participating in the informal and formal consultations on the Traffic Regulations Order. Some minor reconfiguration of the new taxi rank site and new measures introduced to enforce new traffic arrangements took account of the taxis' operations. The taxi rank remains in its new position. Its resiting was necessary to deliver the shared street link between Mackenzie Square and the main pedestrian zone with the buses flowing unimpaired.

5.28 The main contractor was responsible for the procurement of materials. Agreements for monthly payment were based upon the monthly returns and measurements of quantities on the ground. Lighting, tree and landscaping work was undertaken by sub-contractors controlled by the main contractor. On the procurement of paving materials, Slough BC engineers approved a single large purchase as a way to maintain control over supply and costs.

5.29 Where there were planned locations for new seating, tree pits or art features, it was necessary for the main contractor to build the foundations and continue working until safe for installation to take place. Safety fencing would often be necessary during this intervening period. Where utility companies were required to divert utilities, this did result in some areas remaining open longer. Banners were placed at certain locations illustrating the new street feature to inform the public following their concerns about areas being left open.

5.30 Similarly, temporary arrangements were needed whilst works to the roadways were necessary and only fully resolved for some once the road markings were in place.

- 5.31 There were two Christmas periods during the contract. The phasing of works took account of any planned street festivities during this period. All the necessary arrangements were in place to permit these events to take place and be safe and clean during these periods.
- 5.32 The major repaving of the Town Square has a large central floor mosaic along with new seating and lighting provided. Apart from the day to day activities taking place, it would be capable of better entertainment events because of new equipment. More cafes and restaurants and outside pavement seating are now in the Town Square where longterm vacancies had existed. Elsewhere the new Mackenzie Square has new seating and lighting and has now linked to the High Street pedestrian area. New cafes with new pavement cafes can be found along the pedestrian area. The granite seating is grouped close to new floorworks in the pedestrian areas which people can enjoy whilst resting.
- 5.33 Slough BC staff undertook daily inspections to ensure that the scheme progressed and council assistance immediately available to resolve matters. Works were undertaken during weekdays. The temporary safety barriers put in position could be disturbed overnight requiring reinstated early the following morning. There was emergency cover during the weekends and bank holidays when more disturbance was likely. There were recurrent problems regarding failure to remove discarded wooden packing material by the contractors from the site on Fridays. There was sometimes unsightly litter build ups in the working areas requiring extra attention in the construction period.
- 5.34 In early 2009, it was necessary for Slough BC to strongly press for completion of the works and the remedial work soon after its completion date. A fresh assessment of costs was made by Slough BC based upon final measurements of quantities and a final settlement was made after a period of negotiation.
- 5.35 Certain remedial works have been undertaken by Slough BC since the final settlement.

#### **Provision of Artist Designed Street Features and Public Art**

- 5.36 A scheme of the scale and type did identify key locations and sections of street where new street features can create interest. The day-to-day activities remain unimpeded and the routes of the underground utilities protected. Five artists were part funded by the Arts Council England, South East and the South East Economic Development Agency for the design work and certain projects.

5.37 Feature locations were identified:

- 1) entry/leaving points at each end of the High Street
- 2) mini-gateways at both ends of the main pedestrian zone
- 3) town square
- 4) locations of three main granite seating in High Street
- 5) Mackenzie Square
- 6) Yew Tree Gardens

5.38 It was beneficial to group seats, feature lighting, new floorscapes, public art in different permutations at different High Street locations. By applying this 'multiplier effect' for each location, these strengthen their value. Throughout the High Street, there are examples of world poetry in eleven languages in most common use by people living in Slough. This approach helps endorse the Council objective of promoting cultural diversity.

5.39 The new street features in the Town Square, Mackenzie Square, the eastern mini-gateway, Yew Tree Gardens and the engraved poems in stone continue to perform well. The catenary lighting is operating well with its energy saving technology as are the tree uplighters(proposed by the designers).

5.40 The floor droplets, made of stone and terrazzo, are located near to Clarks Shoes and WH Smiths and create the interesting focus for shoppers resting at the seating although some underfloor lighting is still receiving attention.

5.41 It was however necessary to remove the resin blocks in the Lamplight(at the west end of the pedestrian zone) and Radar(at the Windsor Road end of the High Street) because of the structural failure of this material. The introduction of cast resin during the implementation stage was in fact a substituted material for the previous choice of acrylic. For the Lamplight, a replacement metal design is being developed to install into the present structure which retains its attractive appearance. There are current funds to cover this. No clear evidence has become available about why the original material failed but emphasises the risks about using 'new' materials and the need for review risk assessments in changing circumstances and avoid accepting risks on parts of structures proposed by third parties. There is no current artwork planned for the 'Radar'.

### **Community safety**

5.42 The coverage of the area by the CCTV cameras has been greatly improved and enables better co-ordination across the whole area. Additional camera equipment has brought about better overviews of the area as well as its active use to assist the traffic control measures in the sections of new shared streets and support for the entry control system into the pedestrian zone. It has led to a significant reduction of vehicles seeking unauthorised entry. This facility can also greatly assist the police for example involving the arrest of one serious offender on one occasion. The control of vehicles permitted entry into the central pedestrian area has enabled us to identify vehicles which cause

physical damage but leave the scene of the accident without reporting the accident. Cameras are in active use to combat shoplifting , anti-social behaviour, cycle theft and assistance about lost children.

### **Links with Schools and Promotional Materials**

- 5.43 A significant number of schools and voluntary groups took part in the scheme during its development stages. A large number of schools were actively involved in project work through inschool visits by artists and exhibitions of the students work displayed at Slough Museum. Town Square banners were displayed in the town square in 2004 and 2005. Postcards were also available. There were link ups with events at the West Wing and exhibitions about the best of Slough's architecture scheduled during the nationally promoted annual Architecture Week. A booklet was published to coincide with the launch of the construction work. Little or no post implementation promotion since its completion has been possible for cost saving reasons .

### **Financial Aspects**

- 5.44 The cost of this major capital contracts amounted to approximately £7.00m. including costs of engineering supervision. Funding from S106, Arts Council England-SouthEast and South-East Economic Development Agency has offset expenditure dealing with project setup and concept design development, publicity and public consultation, costs associated with the final settlement and set up of aftercare management system totalling approximately £1.8m over the scheme period of 6 years.

### **Streetscene Management**

- 5.45 The High Street is a 'living street' requiring regular attention when affected by nearby development. A Maintenance manual is being developed to deal with the different circumstances that arise. It contains an important products library of those involved with sourcing these.

### **6. Comments of Other Committees**

None

### **7. Conclusion**

Recent national and our own surveys of Slough High Street premises show that its vacancy rate is 6% compared to the national average of 14%. Furthermore our trend remains downward compared with the national figure which is still rising. It offers evidence that High Street retailing is showing signs of improvement. The new scheme creates opportunities for new take-up, extension and retention of the wide range of activities best served by premises in the town centre.

8. **Appendices Attached**

None

9. **Background Papers**

1. 2004 Project Plan-
2. July 2005 Cabinet Report
3. Equality Impact Screening Opinion
4. Art at the Centre booklet 2007
5. Various evaluation reports submitted to Arts Council England.



**OVERVIEW AND SCRUTINY COMMITTEE**  
**WORK PROGRAMME 2012/2013**

Meeting Date	Final deadline for Reports	Agenda Despatch
<b>Thursday 31 May 2012</b>	Monday 21 May	Wednesday 23 May
<p><b>Administrative Items</b></p> <ul style="list-style-type: none"> <li>• Appointment of Scrutiny Panels (Teresa Clark)</li> </ul> <p><b>Scrutiny Items</b></p> <ul style="list-style-type: none"> <li>• Work Programme – agree themes and statutory items (Sarah Forsyth) – include latest Forward Plan and suggested overarching themes and Call-In requests.</li> <li>• Indices of Deprivation – develop understanding of how policies are developed using data e.g. Indices of Deprivation, with Foxborough as example (Amanda Renn/Nazia Idries)</li> <li>• Performance and Finance Report (Julie Evans/Kevin Gordon)</li> </ul> <p><b>For Information</b></p> <ul style="list-style-type: none"> <li>• Introduction to Overview and Scrutiny (Sarah Forsyth)</li> </ul>		
<b>Tuesday 10 July 2012</b>	Thursday 28 June	Monday 2 July
<p><b>Scrutiny Items</b></p> <ul style="list-style-type: none"> <li>• Performance and Finance Report (Julie Evans/Kevin Gordon)</li> </ul> <p><b>For Information</b></p> <ul style="list-style-type: none"> <li>• Work Programmes for Panels</li> </ul>		
<b>Tuesday 11 September 2012</b>	Thursday 30 August	Monday 3 September
<p><b>Scrutiny Items</b></p> <ul style="list-style-type: none"> <li>• Performance and Finance Report (Julie Evans/Kevin Gordon)</li> <li>• Work Programmes for Panels</li> </ul>		
<b>Tuesday 9 October 2012</b>	Thursday 27 September	Monday 1 October
<p><b>Scrutiny Items</b></p> <ul style="list-style-type: none"> <li>• Performance and Finance Report (Julie Evans/Kevin Gordon)</li> </ul>		

Meeting Date	Final deadline for Reports	Agenda Despatch
<b>For Information</b> <ul style="list-style-type: none"> <li>• Work Programmes for Panels</li> </ul>		
<p style="text-align: center;"><b>Wednesday 14 November 2012</b></p>	Friday 2 November	Tuesday 6 November
<b>Scrutiny Items</b> <ul style="list-style-type: none"> <li>• Performance and Finance Report (Julie Evans/Kevin Gordon)</li> </ul> <b>For Information</b> <ul style="list-style-type: none"> <li>• Work Programmes for Panels</li> </ul>		
<p style="text-align: center;"><b>Tuesday 4 December 2012</b></p>	Thursday 22 November	Monday 26 November
<b>Scrutiny Items</b> <ul style="list-style-type: none"> <li>• Performance and Finance Report (Julie Evans/Kevin Gordon)</li> </ul> <b>For Information</b> <ul style="list-style-type: none"> <li>• Work Programmes for Panels</li> </ul>		
<p style="text-align: center;"><b>Tuesday 15 January 2013</b></p>	Thursday 3 January	Monday 7 January
<b>Scrutiny Items</b> <ul style="list-style-type: none"> <li>• Performance and Finance Report (Julie Evans/Kevin Gordon)</li> </ul> <b>For Information</b>		
<p style="text-align: center;"><b>Thursday 7 February 2013</b></p>	Monday 28 January	Wednesday 30 January
<b>Scrutiny Items</b> <ul style="list-style-type: none"> <li>• Performance and Finance Report (Julie Evans/Kevin Gordon)</li> <li>• Budget</li> </ul> <b>For Information</b> <ul style="list-style-type: none"> <li>• Work Programmes for Panels</li> <li>•</li> </ul>		
<p style="text-align: center;"><b>Tuesday 5 March 2013</b></p>	Friday 22 February	Tuesday 26 February

Meeting Date	Final deadline for Reports	Agenda Despatch
<p><b>Scrutiny Items</b></p> <ul style="list-style-type: none"> <li>• Performance and Finance Report (Julie Evans/Kevin Gordon)</li> <li>• Work Programmes for Panels</li> </ul> <p><b>For Information</b></p>		
<b>Tuesday 9 April 2013</b>	Tuesday 26 March	Thursday 28 March
<p><b>Scrutiny Items</b></p> <ul style="list-style-type: none"> <li>• Performance and Finance Report (Julie Evans/Kevin Gordon)</li> <li>• Chief Constable Visit</li> <li>• Scrutiny Annual Report</li> </ul> <p><b>For Information</b></p> <ul style="list-style-type: none"> <li>• Work Programmes for Panels</li> </ul>		

**Themes for O&S:**

- Localism Act
- Performance Management
- Financial Management
- Budget

**Unprogrammed:**

- Medium Term Financial Plan (cycle of reports)
- Effect of Economic Downturn on Slough
- Meeting Accommodation
- Parks and Open Spaces Strategy

**Requests (scope of items to be put to first meeting of municipal year for agreement):**

- Bus Station – Lessons Learned (Cllr Strutton)
- Bus Station – Management of Facilities (Cllr Plenty)
- Bus Routes Alteration (Cllr Davis)

This page is intentionally left blank

**MEMBERS' ATTENDANCE RECORD**  
**OVERVIEW AND SCRUTINY COMMITTEE**

<b>COUNCILLOR</b>	<b>07/06</b>	<b>12/07</b>	<b>13/09</b>	<b>11/10</b>	<b>15/11</b>	<b>06/12</b>	<b>17/01</b>	<b>13/02</b>	<b>06/03</b>	<b>10/04</b>
Basharat	P	P	P	P	P	P	P	P	P	
Davis	P	P	P	P	P	P	P	P	P	
Haines	P	P	Ap	Ap	Ap	Ab	Ab	Ab	Ab	
M S Mann	P	P	P	P	Ap	P	P	P	P	
Minhas	P	P	P	P	Ap	P	P	P	P*	
Munawar	P	Ap	P	P	P	Ap	Ap	P	P*	
O'Connor	P	P	Ap	P	P	P	P	Ap	P	
Plenty	P	P*	P	P	P	P	P	P	P	
Smith	P	P	P	P	P	P*	Ap	P*	P*	

P = Present for whole meeting  
 Ap = Apologies given

P\* = Present for part of meeting  
 Ab = Absent, no apologies given

This page is intentionally left blank