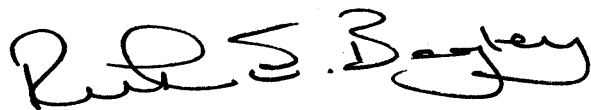


Date of issue: Friday, 5 December 2014

<b>MEETING:</b>	<b>CABINET</b> Councillor Anderson Councillor Carter Councillor Hussain Councillor Mann Councillor Munawar Councillor Parmar Councillor Sharif Councillor Swindlehurst	<b>Leader of the Council -</b> <b>Finance &amp; Strategy</b> <b>Community &amp; Leisure</b> <b>Health &amp; Wellbeing</b> <b>Education &amp; Children</b> <b>Social &amp; Economic Inclusion</b> <b>Environment &amp; Open Spaces</b> <b>Performance and</b> <b>Accountability</b> <b>Neighbourhoods &amp; Renewal</b>
<b>DATE AND TIME:</b>	<b>MONDAY, 15TH DECEMBER, 2014 AT 6.30 PM</b>	
<b>VENUE:</b>	<b>MAIN HALL, CHALVEY COMMUNITY CENTRE, THE GREEN, CHALVEY, SLOUGH, SL1 2SP</b>	
<b>DEMOCRATIC SERVICES OFFICER:</b> (for all enquiries)	<b>NICHOLAS PONTONE</b> <b>01753 875120</b>	

**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 I**



Apologies for absence.

1. **Declarations of Interest**

*All Members who believe they have a Disclosable Pecuniary or other Pecuniary or non pecuniary Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 3 paragraphs 3.25 – 3.27 of the Councillors' Code of Conduct, leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with Paragraph 3.28 of the Code.*

*The Chair will ask Members to confirm that they do not have a declarable interest.*

*All Members making a declaration will be required to complete a Declaration of Interests at Meetings form detailing the nature of their interest.*

2.	Minutes of the Meeting held on 17th November 2014	1 - 4	
3.	<b>Medium Term Financial Planning 2015-19</b>	5 - 12	All
4.	<b>Council Taxbases for 2015/16</b>	13 - 18	All
5.	<b>Business Rates Policies and Reliefs</b>	19 - 90	All
6.	<b>Council Tax Support Scheme 2015-16</b>	91 - 108	All
7.	Approach to Heathrow Consultation	109 - 116	All
8.	<b>Environmental Services Contract Savings</b>	117 - 120	All
9.	<b>A332 Windsor Road Route Enhancement and A355 Tuns Lane/Farnham Road Route Enhancement</b>	121 - 172	All
10.	Children's Social Care Workforce Strategy 2014-17	To Follow	All
11.	Looked After Children Pupil Premium Policy	To Follow	All
12.	Contracts In Excess of £250,000	173 - 176	All
13.	References from Overview & Scrutiny	To Follow	All
14.	Notification of Forthcoming Decisions	177 - 188	All

**AGENDA**  
**ITEM**

**REPORT TITLE**

**PAGE**

**WARD**

15. EXCLUSION OF PRESS AND PUBLIC

It is recommended that the Press and Public be excluded from the meeting during consideration of the item in Part 2 of the Agenda, as it involves the likely disclosure of exempt information relating to the financial or business affairs of any particular person (including the Authority holding the information) as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (amended).

**PART II**

16. **Cambridge Education Contract Variation**

To  
Follow

All

**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. Please contact the Democratic Services Officer shown above for further details.

The Council allows the filming, recording and photographing at its meetings that are open to the public. Anyone proposing to film, record or take photographs of a meeting is requested to advise the Democratic Services Officer before the start of the meeting. Filming or recording must be overt and persons filming should not move around the meeting room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non hand held devices, including tripods, will not be allowed unless this has been discussed with the Democratic Services Officer.

Note:-

**Bold = Key decision**

Non-Bold = Non-key decision



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**Cabinet – Meeting held on Monday, 17th November, 2014.**

**Present:-** Councillors Anderson, Carter, Hussain, Mann, Munawar (from 6.40pm), Parmar, Sharif (from 6.37pm) and Swindlehurst (from 6.46pm)

**Apologies for Absence:-** None.

**PART 1**

**47. Declarations of Interest**

No declarations were made.

**48. Minutes of the Meeting held on 13th October 2014**

**Resolved –** That the minutes of the meeting of the Cabinet held on 13<sup>th</sup> October 2014 be approved as a correct record.

**49. Memorandum of Understanding in Relation to Children's Services**

The Commissioner for Education & Children introduced a report seeking authority to enter into a Memorandum of Understanding (MOU) with the Secretary of State for Education to enable the externalisation of some of the Council's Children's Services functions to a new organisation.

It was noted that the MOU was not a legally binding agreement, however, it set out what both parties were committed to undertake and the key principles for the establishment of the new organisation such as the timetabling and governance arrangements. The alternative options available to both the Secretary of State and to the Council were noted, and remained available should the programme of work detailed in the MOU not reach a satisfactory conclusion. A number of key issues were yet to be resolved including the specific legal form of the new organisation and the scope of services to be externalised. The ambition was for the new organisation to achieve an Ofsted rating of 'good' within three years of establishment and 'excellent' within five.

*(Councillor Sharif joined the meeting)*

The Cabinet considered the risks, which included financial risks to the Council and the potential impact on the achievement of ongoing service improvements during the lengthy set up period for the new organisation. There were significant anticipated financial costs in externalising the services and the Council were expected to fund the new organisation to a similar level as the current service. The Secretary of State had confirmed that the Department would offset the set up and additional costs, and Officers stated that the Council would act rigorously and fairly to secure this outcome. The Cabinet agreed the importance of ensuring the new organisation was aligned to the

Council's budget processes and that a robust approach be taken in relation to these potential additional costs.

After due consideration, Commissioners approved the MOU, delegating authority to the Chief Executive to make textual amendments and sign as appropriate. It was also confirmed that further updates would be brought to Cabinet at each key step to ensure accountability and scrutiny during the externalisation process.

**Resolved –**

- (a) That the Direction dated 7.10.2014 from the Secretary of State for Education directing the Council to set up an external provider to deliver the Council's Children's Services functions be noted;
- (b) That the Memorandum of Understanding between the Secretary of State and the Council be approved;
- (c) That the Chief Executive be authorised to make any necessary textual and other amendments following consultation with the Leader of the Council and Cabinet member and to sign the Memorandum of Understanding as attached at Appendix A to the report;
- (d) That regular updates on the progress on the externalisation of the Council's Children's Services functions be provided to the Cabinet.

*(Councillor Munawar joined the meeting)*

**50. Medium Term Financial Planning 2015-19**

The Assistant Director, Finance & Audit updated Commissioners on the adjustments to the financial planning assumptions set out in the Medium Term Financial Strategy (MTFS) 2014-19 since the previous report to Cabinet in July 2014. Approval was sought to include the savings package totalling £7.62m as detailed in Appendix A to the report in the revenue budget to be recommended to Council in February 2015.

It was noted that the savings requirement for 2015-16 of £14.5m remained relatively unchanged, however, growth in the Council's Business Rates baseline, and to a lesser extent its Council Tax base, was forecast to close the savings gap by circa £4m on current projections. The savings required in 2015-16 were forecast to be the largest of any year of the MTFS, primarily due to the reduction in central Government funding via the Revenue Support Grant which would fall by almost 30% next year. The total savings requirement over the period of the MTFS was £34m which equated to 30% of the Council's current net budget, and this did not take into account any financial implications arising from the new arrangements for Children's Social Care. It was noted that the directorate pressures of £1.6m in 2015-16 were significantly lower than in previous years. The bulk of these pressures were in

social care services arising from the Care Act which came into effect in April 2015.

*(Councillor Swindlehurst joined the meeting)*

Commissioners considered the risks including the volatility in Business Rates and discussed the key assumptions in the plan including a Council Tax rise of 1% which would be funded throughout by a Council Tax Freeze Grant. The proposed savings, which were itemised in Appendix A to the report, were agreed and it was noted that further savings to close the residual gap would be identified over the Autumn to enable a fully balanced Budget to be presented in February 2015.

**Resolved –**

- (a) That the current position regarding the MTFs be noted.
- (b) That the savings set out in Appendix A to the report be included in the Revenue Budget 2015-16 to be approved by Council in February, subject to any further adjustments.

**51. Financial & Performance Report - Q2 2014-15**

The Assistant Director, Finance & Audit introduced a report which provided Cabinet with the latest forecast performance and financial information up to the second quarter of 2014-15 and sought approval for the virements and write-off requests during the period.

An overspend of £0.76m was forecast as at month 6, which was significantly lower than the £1.5m forecast at month 5. The trend mirrored the previous year and further mitigating action was underway to bring the forecast back into line with budget towards the end of the year. It was projected that 80% of the capital budget for 2014-15 would be spent which would be an improvement on the previous year. Commissioners discussed a number of aspects of financial performance, and in particular the level of confidence in delivering the recovery plan for in-year Adult Social Care pressures. The Assistant Director responded that the forecast savings in the recovery plan were being closely monitored and Officers were optimistic that they would be achieved.

Members welcomed the additional income from Business Rates (£1.67m) and Council Tax (£0.23m) in 2014-15 although it was noted that due to local government accounting arrangements this would not be of direct benefit to the Council's budget position until the next financial year. The Cabinet were also updated on the positive performance of the Treasury Management Strategy which had contributed circa £1m to the savings for the current year.

The Cabinet also noted the performance data as set out in the Balanced Scorecard and Gold Project updates, and approved the write-offs as detailed in section 10 of the report and the virements in section 11.

**Resolved –**

- (a) That the write offs and virements contained within sections 10 and 11 of the report be approved.
- (b) That the current financial forecast position, balanced scorecard and update on Gold projects be noted.

**52. References from Overview & Scrutiny**

There were no references from Overview & Scrutiny.

**53. Notification of Forthcoming Decisions**

The Cabinet considered the published Notification of Key Decisions for the forthcoming quarter. It was noted that an updated version had been published since the agenda had been circulated which made the following amendments to the plan for the December Cabinet meeting:

- Subsidiary Housing Company (deferred from November).
- Medium Term Financial Planning (new item).
- A332 and A355 Route Enhancement Schemes (new item).
- Pupil Premium Policy (new item).
- Children's Social Care Workforce Strategy (new item).
- Trelawney Avenue Redevelopment Plan (deferred until January 2015).

**Resolved –** That the published Notification of Key Decisions for the period December 2014 to January 2015 be endorsed.

Chair

(Note: The Meeting opened at 6.31 pm and closed at 6.58 pm)



**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 15<sup>th</sup> December 2014

**CONTACT OFFICER:** Joseph Holmes; Assistant Director Finance & Audit; s151 officer  
**(For all enquiries)** (01753) 875358

**WARD(S):** All

**PORTFOLIO:** Leader and Finance & Strategy - Cllr. Rob Anderson

**PART I**  
**KEY DECISION****MEDIUM TERM FINANCIAL PLANNING: 2015-19****1 Purpose of Report**

To provide Cabinet with an update of the financial planning assumptions for future years and the required savings levels for the Council between 2015-19.

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

The Cabinet is requested to resolve:

- (a) That the update on the Medium Term Financial Strategy be noted.
- (b) That the draft savings proposals in respect of 2015-16, as detailed in Appendix A, be approved for inclusion in the proposed budget to full Council in February 2015.
- (c) That the level of restructuring implied within these papers, being that this could be in excess of 20 members of staff / posts, be approved.

**3. The Slough Joint Wellbeing Strategy, the JSNA and the Corporate Plan**

The Slough Joint Wellbeing Strategy (SJWS) is the document that details the priorities agreed for Slough with partner organisations. The SJWS has been developed using a comprehensive evidence base that includes the Joint Strategic Needs Assessment (JSNA). Both are clearly linked and must be used in conjunction when preparing your report. They have been combined in the Slough Wellbeing Board report template to enable you to provide supporting information highlighting the link between the SJWS and JSNA priorities.

This report sets out the financial planning for the council over the next four years and assists in delivering the Council Plan primarily through theme 6 'promote economic growth and protect the council's finances'. However, the report cuts across all themes as it is about ensuring sufficient resources to deliver the Council's strategies going forward.

**4 Other Implications**

- (a) Financial - All details contained within the report.

(b) Risk Management

<b>Risk</b>	<b>Mitigating action</b>	<b>Opportunities</b>
Legal	None	
Property	None	
Human Rights	None	
Health and Safety	None	
Employment Issues	None	
Equalities Issues	None	
Community Support	None	
Communications	None	
Community Safety	None	
Financial	Detailed in the report	Detailed in the report
Timetable for delivery	Finance working with senior management to detail savings in line with budget setting timescales	Any early delivered savings will have a one-off benefit in the current year
Project Capacity	None	
Other	None	

(c) Human Rights Act and Other Legal Implications

The Council has a number of statutory functions to perform. Any savings must not undermine the Council's responsibilities to provide minimum levels of provision in key areas. Members should be mindful of the cumulative year on year effects of savings and reductions in services and continue to make assessments of the impact on statutory functions

(d) Equalities Impact Assessment

Equalities Impact Assessments will require completion prior to final agreement of savings proposals. Proposals which are 'disinvestment' or a genuine reduction in service will require careful examination to ensure no group is disproportionately affected.

Members may have to consider making provision to fund any mitigation arising from detailed analysis of Equalities Impact Assessments.

(e) Workforce

The scale of the savings is likely to have significant workforce implications and may lead to a reduction in the numbers of staff directly employed by the council. The level of restructuring implied within these papers could be in excess of 20 members of staff / posts and Cabinet are requested to approve the consequential restructuring to deliver the financial savings associated with this.

**5 Supporting Information**

- 5.1 This paper is an update from the previous paper reported to the Cabinet in November 2014. Since this meeting there have been further changes to the financial planning assumptions and the savings proposals being identified.

5.2 Below is a summary of the key changes from the previous Cabinet report. The key area of volatility for the Council in setting its budget for 2015-16 is in respect of Business Rates. Though the expected Business Rates forecast for next year, and in the current year, is still above expectations earlier in the calendar year, the overall Business Rates payable has dropped by over £1m in the past few weeks. This has seen a consequential drop in the collection fund surplus and, if there is no improvement to this position in the coming weeks, could see a further reduction in this forecast.

**Table 1.1: Key changes to the 2015-16 financial planning assumptions**

<b>Funding</b>	<b>November Cabinet</b>	<b>December Cabinet</b>
Council Tax	45.22	45.54
Retained Business Rates	28.85	28.87
Revenue Support Grant	23.68	23.68
Education Services Grant	1.25	1.35
NHS monies to support Social Care	2.36	2.36
New Homes Bonus	2.59	2.59
Other non-ringfenced grants	0.40	0.4
Collection Fund	1.97	1.75
<b>Total Budgeted income</b>	<b>106.31</b>	<b>106.53</b>
Prior year baseline	112.11	112.34
Base budget	2.90	3.31
Directorate Pressures	1.61	2.3
Revenue impact of Capital investment	0.20	0
Other adjustments	0.00	-0.5
Savings requirement	-2.89	-3.29
Savings identified	-7.62	-7.62
<b>Net Expenditure</b>	<b>106.31</b>	<b>106.53</b>

5.2 The key changes to the financial planning assumptions are as follows, with an accompanying rationale

- Council Tax – as per the accompanying Council Tax Base report to this Cabinet, the tax base has continued to grow in 2014-15 and this has fed into an increased taxbase assumption for future years
- Retained Business Rates – the Council is currently compiling its NNDR1 form (Business Rates assumption for 2015-16) to support the expected Business Rates it anticipates collecting in 2015-16.
- Education services Grant – the 2014-15 figure is £1.8m, and Government have implied that this will reduce by 25% in 2015-16 (though there are no firm figures attached to this)
- Collection fund – the Council Tax element of this has increased slightly but the Business Rates surplus has decreased due to a reduction in the in year collectable amount.

- Revenue Impact on Capital Financing – assumption reduced to £0m for 2015-16. This will be managed through utilising non ringfenced capital receipts to fund the capital programme, and improved investment returns (i.e. the 2015-16 new capital schemes will reduce the Council’s overall investments but that this reduction can be mitigated by improved average returns)
- Prior Year Baseline – increased by £230k to reflect a removal of an existing income target in respect of the CRC (Carbon Reduction Commitment) scheme which has been removed going forward
- Budget build – this has been completed and there is a pressure of £300k due to increased LG Pension Scheme contributions and increased opt ins to the scheme following auto-enrolment, adjusting for previous year budgets and a higher pay and non pay growth level compared to the forecast
- Pressures - £310k of pressures from the CCS directorate, and £140k further of CSC pressures in respect of workforce costs and £450k for CSC cost pressures offset by an assumption of £200k of further pressures. There is also a pressure due to the drop in Housing Benefit Administration grant of circa £200k and we are awaiting Government confirmation of this.
- Other Adjustments – this represents the Use of Reserves; £150k in respect of the underspend in 2013-14 to be used for future financial years and £350k in respect of a review of reserves by the s151 officer which indicated that this amount could be released from previously earmarked reserves as a one-off to support the 2015-16 budget position.

5.3 There are still some key risk contained within the financial planning assumptions until the Council receives the final Local Government Finance Settlement (anticipated the week commencing the 15<sup>th</sup> December). The key areas of income that are not confirmed include the Revenue Support Grant, other non-ringfenced grants, Education Services Grant and the NHS monies to support social care.

**Table 1.2: MTFS 2015-19**

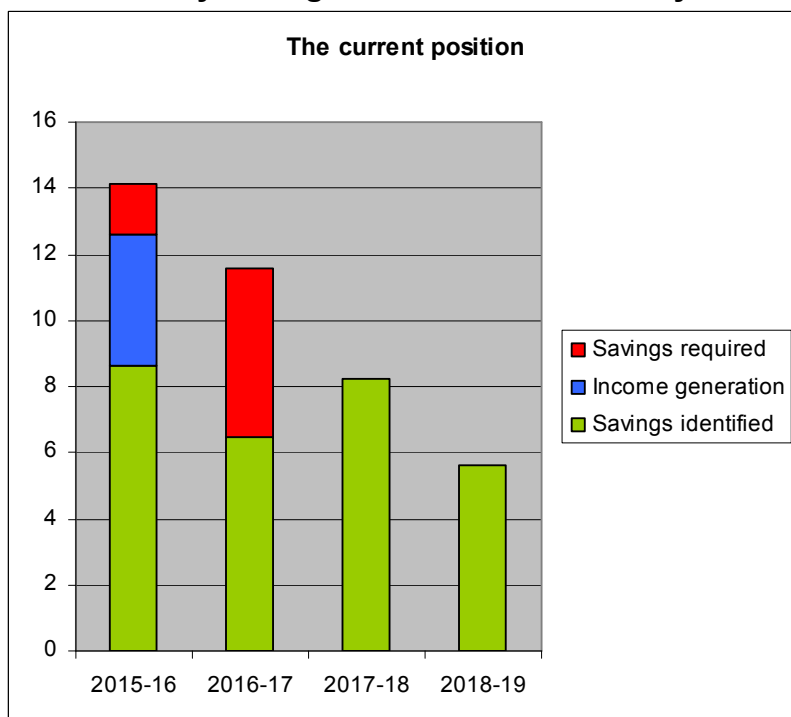
No.	2014-15	Funding	2015-16	2016-17	2017-18	2018-19
1	43.85	Council Tax	45.54	46.55	47.49	48.44
2	27.13	Retained Business Rates	28.87	29.15	29.44	29.73
3	32.47	Revenue Support Grant	23.68	19.60	15.60	14.10
4	1.96	Education Services Grant	1.35	1.15	0.98	0.83
5	2.36	NHS monies to support Social Care	2.36	2.36	2.36	2.36
6	2.01	New Homes Bonus	2.59	3.19	3.19	3.19
7	1.03	Other non-ringfenced grants	0.40	0.40	0.40	0.40
8	1.30	Collection Fund	1.75			
<b>9</b>	<b>112.11</b>	<b>Total Budgeted income</b>	<b>106.53</b>	<b>102.39</b>	<b>99.45</b>	<b>99.05</b>
10	114.25	Prior year baseline (adj.)	112.34	107.58	102.44	99.45
11	3.54	Base budget changes	3.30	2.90	2.90	2.90
12	8.20	Directorate Pressures	2.30	2.92	1.86	2.00
13		Revenue impact of Capital investment	0.00	0.60	0.00	0.00
14	-1.34	Other adjustments	-0.50	-0.05		
15	-12.53	Savings requirement	-3.29	-6.66	-3.45	-2.30
16		Savings identified	-7.62	-4.90	-4.30	-3.00
<b>16</b>	<b>112.11</b>	<b>Net Expenditure</b>	<b>106.53</b>	<b>102.39</b>	<b>99.45</b>	<b>99.05</b>

5.4 The model has been updated to reflect the one-off nature of some of the savings approved in November, and that the Council is currently proposing to use £0.5k of reserves to support the 2015-16 budget.

## Progress against the 2015-16 savings and future savings

- 5.5 The Council has already identified a number of areas that will support the delivery of the savings above. The Council has also identified savings for future financial years; these are provisional at present and require significant further work, but this underlines that plans are in place to assist in the delivery of savings for future years.
- 5.6 For 2015-16 there still remains an underlying gap of £3.29m. Just over £0.7m of this can be reduced by the following (per appendix A)
- £297k saving in respect of bus / transport review
  - £400k from increase to the Managed Vacancy Factor by 1%
- 5.7 This would leave £2.6m further find. The proposal is for this to be allocated across directorates as follows with a comparative reduction for CCS due to some of procurement savings being apportioned to those directorates showing the saving:
- £1,350k – Wellbeing
  - £550k – RHR
  - £250k – CCS
  - £50k – CEX
  - £350k - Corporate
- 5.8 The current savings proposals total £7.62m and these new savings of £0.7m (i.e. above those previously report to Cabinet in November) are detailed further in appendix A.
- 5.9 Further savings need to be identified over the next six weeks to enable a fully balanced budget for 2015-16 as well as provide strong assurance that there are sufficient plans in place for delivering the Medium Term Financial Strategy through to 2019.

**Chart 1.3: Key savings areas 2015-16 and beyond**



## 6 **Comments of Other Committees**

n/a

## 7 **Conclusion**

- 7.1 This paper highlights the financial challenge that the Council faces, and some of the key themes in which the Council anticipates meeting this challenge and delivering a balanced financial position from which to deliver its services.
- 7.2 The Council has a strong history of delivering balanced budgets through identifying savings from across its services and delivering services more efficiently. Though there remains a gap of **£2.6m**, this figure will be closed for 2015-16 with proposals coming back to Cabinet by February 2015 for the full budget meeting.
- 7.3 The final decision on savings and a balanced revenue budget for 2015-16 is taken by the Council in February 2015.

## 8 **Appendices**

Appendix A – new draft savings proposals

## 9 **Background Papers**

- ‘1’ Medium Term Financial Strategy 2014-18
- ‘2’ Local Government Finance Settlement 2014-15 and provisional figures for 2015-16
- ‘3’ Cabinet report on the MTFs; 15<sup>th</sup> July 2014 and 17<sup>th</sup> November 2014

**Appendix A – new savings**

No	Directorate	Service	Service Lead	Commissioner	SAVINGS	Item
1	All	All	n/a	All	<b>£400k</b>	Increase managed vacancy factor by 1% (to 3%)
2	RHR	AIR	JC	JS	<b>£297k</b>	<ul style="list-style-type: none"> <li>- SBC will offer reimbursement for journeys starting within its boundary between 0930 and 2300 Mondays to Fridays, all-day Saturdays, Sundays and Public Holidays;</li> <li>- Reimbursement will not be offered for companions of holders of passes endorsed +C (companion);</li> <li>- Supported Bus services will see withdrawal of funding for the following services:               <ol style="list-style-type: none"> <li>1. Service 5: Monday to Saturday evenings between the Bus Station and Manor Park</li> <li>2. 5: Sundays and Bank Holidays between the Bus Station and Manor Park</li> <li>3. 6A: Monday to Saturday evenings between the Bus Station and Wexham Park Hospital.</li> <li>4. 6A: Sunday and Bank Holidays between the Bus Station and Wexham Park Hospital</li> <li>5. 53: Monday - Saturday: - Bracknell - Maidenhead - Wexham Park Hospital</li> </ol> </li> <li>- Funding withdrawal for 50% of the Youth Bus Pass / explore other funding opportunities for this</li> </ul>

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**REPORT TO:** Cabinet **DATE:** 15<sup>th</sup> December 2014

**CONTACT OFFICERS:** Joseph Holmes, Assistant Director, Finance & Audit  
(01753) 875358

**WARDS:** All

**PORTFOLIO** Finance & Strategy – Cllr Anderson

**PART I**  
**KEY-DECISION**

**COUNCIL TAXBASES FOR 2015/16**

**1. PURPOSE OF THE REPORT**

- 1.1 This report presents information to Members on the properties in Slough and their categories of occupation for the purpose of determining the council taxbase for the borough for the 2015/16 financial year
- 1.2 The Council is required by law to set the council taxbase by 31st January prior to the start of the financial year.
- 1.3 The level of council Taxbase will be used in the calculation of Slough Borough Council's council tax for 2015/16.
- 1.4 This report requests estimates for Business Rates income used for setting the 2015/16 budget to be delegated to the s151 officer.
- 1.5 This report provides Members with an update on the Council Tax Support Scheme.

**2. RECOMMENDATIONS**

The Cabinet is requested to resolve:

- (a) That the level of council tax discount in respect of second homes remains at 0%.
- (b) That the level of discount in respect of long-term empty properties remains at 0%. With the charge of a 50% Empty Home Premium for on properties that have been empty longer than 2 years.
- (c) That the collection rate for the council tax for 2015/16 be set at 98.2%. This is an increase of 0.2% and has been agreed with the Council's transactional services partner, arvato.

(d) In accordance with the Local Government Finance Act 1992 and the Local Authorities (Calculation of Council Tax Base) Regulations 2012 the amount calculated by Slough Borough Council as its council taxbase for 2015/16 shall be:

i) Parish of Britwell	597.0
ii) Parish of Colnbrook with Poyle	1,781.1
iii) Parish of Wexham	1,270.3
iv) Slough Town	34,814.2
<b>All areas</b>	<b>38,462.6</b>

(e) That the S151 officer be delegated with responsibility to adjust the taxbase following Cabinet due to any changes in Government guidance around this subject and the Collection Fund figures for distribution.

(f) That the S151 officer be delegated with responsibility to adjust the taxbase following Cabinet should any new property information become available and the Collection Fund figures for distribution require amendment.

(g) That the S151 officer be delegated with responsibility to set the Business Rates baseline following consultation with the Commissioner responsible.

(h) Assumes that the current Council Tax Support Scheme remains unchanged for 2015/16 apart from the uprating for all customers as detailed in section 4.6 and the accompanying Council Tax Support scheme paper. This includes the approval for the Chief Executive and S151 Officer to make any textual amendments.

### **3. The Slough Joint Wellbeing Strategy, the JSNA and the Corporate Plan**

The Slough Joint Wellbeing Strategy (SJWS) is the document that details the priorities agreed for Slough with partner organisations. The SJWS has been developed using a comprehensive evidence base that includes the Joint Strategic Needs Assessment (JSNA). Both are clearly linked and must be used in conjunction when preparing your report. They have been combined in the Slough Wellbeing Board report template to enable you to provide supporting information highlighting the link between the SJWS and JSNA priorities.

#### **3a. Slough Joint Wellbeing Strategy Priorities**

The Slough Joint Wellbeing Strategy (SJWS) is the document that details the priorities agreed for Slough with partner organisations. The SJWS has been developed using a comprehensive evidence base that includes the Joint Strategic Needs Assessment (JSNA). Both are clearly linked and must be used in conjunction when preparing your report. They have been combined in the Slough Wellbeing Board report template to enable you to provide supporting information highlighting the link between the SJWS and JSNA priorities.

The report indirectly supports all of the Community Strategy priorities and cross cutting themes. The maintenance of excellent governance within the Council to ensure that it is efficient, effective and economic in everything it does is achieved through the improvement of corporate governance and democracy by ensuring effective management practice is in place.

#### 4 **Other Implications**

##### (a) Financial

There is a significant financial implication to the Council by this report. The number of properties that are equivalent to Band D is a key number for the Revenue Budget for 2015-16 and the Medium Term Financial Strategy (MTFS) paper. The larger the number, the more Council Tax income the Council will receive (and the larger the likely collection fund position). This is the same for the number of Business Rates hereditaments.

##### (b) Risk Management

<b>Risk</b>	<b>Mitigating action</b>	<b>Opportunities</b>
Legal		
Property		
Human Rights		
Health and Safety		
Employment Issues		
Equalities Issues		
Community Support		
Communications		
Community Safety		
Financial – taxbase does not grow as expected	Medium Term Financial Volatility Reserve can accommodate some drop in CTX or BRates for one year to allow for longer term planning to deal with the issue	If CTX or BRates are higher than forecast there will be a collection fund surplus and so benefit the 2016-17 financial position.
Timetable for delivery		
Project Capacity		
Other		

##### (c) Human Rights Act and Other Legal Implications

The scheme has not been changed and is being updated in line with inflation (and the constitution allows for fees and charges to rise with inflation + a %).

##### (d) Equalities Impact Assessment

There is no identified need for an EIA as this is a report based on the number of taxbase properties in the district.

#### 5. **SUPPORTING INFORMATION**

##### **Council Tax Base**

- 5.1 The various taxbases for 2015/16 proposed in this report have been calculated by reference to data available relating to dwellings within the borough provided by the District Valuer at 30th November 2014.

- 5.2 Over the last few years the Council's tax base has steadily increased by approximately 1% each year due to new properties being added to the valuation list; for 2014-15, this figure looks to be significantly higher at circa 1.8% though this will not be known until the 31<sup>st</sup> March 2015. An allowance for growth of 1% has been included in the 2015/16 tax base calculations, on top of the current Council Tax dwelling figures, as a result of a number of developments currently underway. 1% increase on non-parished areas of Slough
- 5.3 The calculation of the council's taxbase or 'T' can be expressed as the sum of 'Relevant Amounts' known as 'A' for each valuation band multiplied by the collection rate known as 'B'. In summary, 'Relevant Amounts' are to be calculated as the number of dwellings on the valuation lists supplied by the District Valuer adjusted for discounts, disabled persons reductions and anticipated changes to the valuation lists (e.g. successful valuation appeals) during 2015/16.
- 5.5 The Relevant Amounts for each property band in the Slough Area for 2015/16 are summarised as follows:

<b>Bands</b>	<b>Britwell</b>	<b>Colnbrook with Poyle</b>	<b>Wexham Court</b>	<b>Balance of Slough</b>	<b>Total Slough</b>
<b>A*</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.6</b>	<b>0.6</b>
<b>A</b>	<b>0.7</b>	<b>13.9</b>	<b>9.8</b>	<b>577.6</b>	<b>602.0</b>
<b>B</b>	<b>55.2</b>	<b>163.1</b>	<b>98.3</b>	<b>4,430.2</b>	<b>4,746.8</b>
<b>C</b>	<b>494.8</b>	<b>867.5</b>	<b>293.6</b>	<b>13,800.8</b>	<b>15,456.7</b>
<b>D</b>	<b>41.8</b>	<b>561.4</b>	<b>813.9</b>	<b>9,363.2</b>	<b>10,780.3</b>
<b>E</b>	<b>3.3</b>	<b>158.1</b>	<b>58.0</b>	<b>4,606.7</b>	<b>4,826.1</b>
<b>F</b>	<b>10.4</b>	<b>36.7</b>	<b>8.3</b>	<b>2,167.5</b>	<b>2,222.9</b>
<b>G</b>	<b>1.7</b>	<b>13.0</b>	<b>11.7</b>	<b>499.6</b>	<b>526.0</b>
<b>H</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>6.2</b>	<b>6.2</b>
<b>Aggregate of Relevant Amounts</b>	<b>607.9</b>	<b>1,813.7</b>	<b>1,293.6</b>	<b>35,452.4</b>	<b>39,167.6</b>

\* Disabled person's reductions

- 5.6 The aggregate of 'Relevant Amounts' expressed as a Band D equivalent is calculated as **39,167.6**. This figure is based on 100% collection rate in 2015/16.
- 5.7 For 2015/16 Cabinet will be requested to approve the increase of the collection rate to 98.2%.
- 5.9 With a 98.2% collection rate, the statutory calculation of the 2015/16 council taxbase 'T' will be as follows:

Aggregate of Relevant Amounts or 'A' (i.e. **39,167.6**) x Collection Rate or 'B' (i.e. **98.2%**) = council taxbase 'T' (i.e. **38,462.6**).

#### **Change in Taxbase 2014/15 to 2015/16**

- 5.10 The table below sets out the change in the Council's taxbase between 2014/15 and 2015/16:

	2014/15 No's	2015/16 No's	Change from 2014/15 No's %	
Slough Borough Aggregate of Relevant Amount	38,139.0	39,167.6	1,028.6	2.7%
Taxbase after allowing for assumed collection rate	37,376.2	38,462.6	1,086.4	2.9%

- 5.11 Members will note that the taxbase for all areas has increased by 2.9% from 2014/15, equivalent to a net increase of 1,086.4 properties.

### **Business Rates 2015/16**

- 5.11.1 In accordance with the Local Government Finance Act 2012 the Council is required, by 31 January, to have estimated and informed the Royal Berkshire Fire & Rescue Service and DCLG of the estimated collectable business rates to be used for setting the budget and ultimately the council tax for 2015/16. This is completed by returning a form to DCLG known as NNDR1. The Council has yet to receive the finalised NNDR1 return and so is unlikely to be able to inform members of the estimated business rates in a reasonable timescale.
- 5.11.2 It is therefore proposed that the decision to review and certify the NNDR1 return, and finalise the figure for the estimate retained business rates used for the 2014-15 revenue budget be delegated to the s151 officer following consultation with the commissioner responsible for finance.

### **Collection Fund position in 2014-15**

- 5.11.3 At present the Council is forecasting a Collection Fund surplus of circa £1.75m; with £1.4m from Business Rates and £0.35m from Council Tax. This figure will be revised for the budget setting period.

## **6. CONCLUSION**

- 6.1 It is recommended that:

- 6.2 The Cabinet approve the amount calculated as Slough Borough Council's taxbase for the parishes and non parish areas for 2015/16 as follows:

i) Parish of Britwell	597.0
v) Parish of Colnbrook with Poyle	1,781.1
vi) Parish of Wexham	1,270.3
vii) Slough Town	34,814.2
<b>All areas</b>	<b>38,462.6</b>

- 6.2 The S151 officer be delegated with responsibility to adjust the taxbase following Cabinet due to any changes in Government guidance around this subject.
- 6.3 That the S151 officer be delegated with responsibility to adjust the taxbase following Cabinet should any new property information become available and the Collection Fund figures for distribution.

- 6.4 The S151 officer be delegated with responsibility to approve the Business Rates income for 2015/16 via the NNDR1 form following consultation with the Commissioner responsible.
- 6.5 That the current Council Tax Support Scheme be approved for 2015/16 with the uprating for all customers as detailed in section 4.5. This includes the approval for the Chief Executive and S151 Officer to make any textual amendments.

## **7 BACKGROUND PAPERS**

- '1' - CTB1 Form (October 2014)
- '2' - Local Government Finance Act 2012
- '3' - the Local Authorities (Calculation of Council Tax Base) Regulations 2012
- '4' - Detailed working papers held in Finance and Council Tax Sections

**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 15<sup>th</sup> December 2014

**CONTACT OFFICER:** Joseph Holmes, Assistant Director, Finance & Audit; s151 officer  
**(For all enquiries)** (01753) 875358

**WARD(S):** All

**PORTFOLIO:** Councillor Rob Anderson, Commissioner for finance & strategy

**PART I**  
**KEY DECISION**

**BUSINESS RATES POLICIES AND RELIEFS****1 Purpose of Report**

The purpose of this report is for members to consider all Business Rates related policies in one document and to review and comment on these before approving the range of policies and reliefs available.

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

The Cabinet is requested to resolve that the Business Rates reliefs and policies included in appendix A be approved.

**3. The Slough Joint Wellbeing Strategy, the JSNA and the Corporate Plan**

The Slough Joint Wellbeing Strategy (SJWS) is the document that details the priorities agreed for Slough with partner organisations. The SJWS has been developed using a comprehensive evidence base that includes the Joint Strategic Needs Assessment (JSNA). Both are clearly linked and must be used in conjunction when preparing your report. They have been combined in the Slough Wellbeing Board report template to enable you to provide supporting information highlighting the link between the SJWS and JSNA priorities.

**3a. Slough Joint Wellbeing Strategy Priorities**

Slough Borough Council supports businesses facing financial issues by referring them to business coaches that can provide expert advice on how to strengthen and grow their business. This is part of a collaboration between the Council, Thames Valley Berkshire Local Enterprise Partnership and the Business Growth Hub. This support prevents businesses from decline and closure and can provide routeways out of financial hardship.

The report indirectly supports all of the Community Strategy priorities and cross cutting themes. The maintenance of good governance within the Council to ensure that it is efficient, effective and economic in everything it does is achieved through the improvement of corporate governance and democracy by ensuring effective management practice is in place.

#### 4 **Other Implications**

##### (a) Financial

Wherever the Council exercises discretion over Business Rates, there is a cost to the overall taxpayer. As part of the financial planning assumptions for the year ahead, the Council makes an estimated assessment as to the level of business Rates discretionary and relief that will be awarded, though the final award will be based around compliance with the various policies and reliefs included within this report. If members decide to take a different approach to the policies included in this report it will have an impact on the next year's budget position; for example if an extra period of relief was granted then there would be a cost in the next financial year, the estimated business rates income for the Council would fall, and extra savings would need to be delivered.

##### (b) Risk Management

<b>Risk</b>	<b>Mitigating action</b>	<b>Opportunities</b>
Legal		
Property		
Human Rights		
Health and Safety		
Employment Issues		
Equalities Issues		
Community Support		
Communications		
Community Safety		
Financial – changed policies lead to more applications	The criteria have been changed in some policies to further comply with the Council's objectives and make a more focussed level of discretion	Demand falls, leading to less Business Rates being paid
Timetable for delivery		
Project Capacity		
Other		

##### (c) Human Rights Act and Other Legal Implications

None.

##### (d) Equalities Impact Assessment

No identified need.

#### 5 **Supporting Information**

- 5.1 The appendix to this report details the various policies that the Council has in place in respect of Business Rates and aims to consolidate these into one document.



- Discretionary Business Rate Relief to Charities and other Not-for-Profit Organisations
- Rate Relief for Properties that are Partially Unoccupied for a Temporary Period
- Hardship Relief
- General Rate Relief
- Reoccupation Relief
- Retail Relief
- Inward Investment Policy
- To extend the existing Business Rate relief policy in respect of flooding

5.2 Members have approved many of these in the previous year, but there are some changes to some of these policies, and the general rate relief is a much more formal and expanded policy than previously included. The primary changes are in the discretionary rate relief one. The main changes to the previous year include:

- Removal of allowance for backdated claims
- Ensuring that the organisation supports the delivery of the Council's priority outcomes
- Ensuring that by providing discretionary relief, the organisation is relieving the Council of a financial burden elsewhere
- A focus around local organisations

The partially occupied policy has been reviewed and greater clarity is made on this, especially over the usage of a building when applying for temporary relief.

## 6 **Comments of Other Committees**

N/A

## 7 **Conclusion**

This report summarises a range of existing Business Rates related policy and aims to have these in one place for members to approve.

## 8 **Appendices Attached**

'A' - Business Rate policies and reliefs

## 9 **Background Papers**

'1' - Existing Business Rates relief policies 2014

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# Business Rates

## Policies for Discretionary Rates Relief 2015-16 onwards

- Discretionary Business Rate Relief to Charities and other Not-for-Profit Organisations
- Rate Relief for Properties that are Partially Unoccupied for a Temporary Period
- Hardship Relief
- General Rate Relief
- Reoccupation Relief
- Retail Relief
- Inward Investment Policy

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## **Introduction**

### **1.0 Scope of this Policy**

1.1 This policy relates to the rate relief that the Council has a power to award under Section 44a, Section 47 and Section 49 of the Local Government Finance Act 1988.

1.2 The law governing the granting of Discretionary Rate Relief is found in Section 47 of the Local Government Finance Act 1988 and subsequent amending legislation and Section 69 of the Localism Act 2011.

1.3 The policy relates to the discretionary award of rate relief and the process for the award of mandatory relief for Business Rates for 2015-16 onwards.

### **2.0 The Reasons for this Policy**

2.1 This policy has been agreed by the Council to ensure all ratepayers making applications for this relief are treated in a fair, consistent and equal manner.

2.2 Through this policy, Slough Borough Council is providing a mechanism to reduce, or remove the business rate liability from such charities, non - profit making organisations, and other businesses that are providing valuable facilities and services to communities within Slough Borough Council.

2.3 The policy is intended to provide a simple transparent process that aligns awards of discretionary rate relief with the council's corporate priorities.

2.4 This policy;

- Sets guidelines for the factors that should be considered when making a decision to award or refuse relief
- Establishes a framework to ensure applications are dealt with in an efficient manner
- Sets out the delegated authority to award relief in appropriate circumstances
- Establishes an appeals procedure for organisations that are dissatisfied with the Council decision.
- Seeks to safeguard the interest of local taxpayers by ensuring that funds allocated for the award of discretionary rate relief are used in the most effective and economic way.

## **Part 1 – Relief for Charities and other Not-for-profit organisations**

### **3.0 Legal Background**

3.1 Section 47 of the Local Government Act 1998 and subsequent amending legislation and Section 69 of the Localism Act 2011, gives billing authorities the discretion to award Discretionary Rate relief in two circumstances:

- a) Where the ratepayer is a registered charity or certain other charitable organisation and the property is wholly or mainly used for charitable purposes
- b) Where the ratepayer is an organisation which is not established or conducted for profit and whose main objects are as set out below at 3.8

3.2 The Council will consider awarding Discretionary Rate Relief to all organisations that meet the qualifying criteria as specified in this Policy. The amount of any award is at the discretion of the Council.

3.3 Discretionary Rate Relief will be awarded after taking in to consideration all other reliefs an organisation may qualify for.

3.4 It will consider each individual application against set criteria. This process ensures that all applications are considered on a fair and transparent basis.

3.5 In the first instance organisations that meet the qualifying criteria for Small Business Rates Relief will be considered for this type of relief.

3.6 Registered charities are entitled to a mandatory rate relief of 80% for properties which are occupied for charitable purposes.

3.7 The Council's has discretionary powers to award further rate relief of up to 20% (this is commonly referred to as 'top up' relief).

3.8 The Council has the discretion to award relief of up to 100% to organisations which are not established for profit and which meet the following criteria:

Either, the organisation's main objects are;

- charitable,
- philanthropic,
- religious

Or are concerned with

- education,

- social welfare,
- science,
- literature
- fine arts

Or, the organisation is a club, society or other organisation not established or conducted for profit and the rateable property is used mainly used for purposes of recreation.

3.9 The Council cannot award relief to itself or any other organisation which has the powers to raise, or precept on a Council Tax.

3.10 The amount of relief awarded is entirely at the discretion of the Council.

#### **4.0 Legal Requirements – State Aid**

4.1 There are European Union regulations which restrict the award of state aid and under certain circumstances the award of discretionary relief could be considered to be state aid.

4.2 These circumstances in which the EU regulations need to be considered will be where the organisation engages in commercial activities or competes with commercial bodies because of an activity it carries out. For example a not for profit training organisation that also provides training services to businesses.

4.3 If the organisation undertakes any commercial activity it must be commercially insignificant and localised so that there is no potential impact on intra-community trade, otherwise the regulations governing state aid will apply.

4.4 Guidance on State Aid is available via the government web site at

<https://www.gov.uk/government/publications/enterprise-zones-state-aid-and-business-rate-discounts>

4.5 All businesses applying for any Business Rates relief will need to confirm any other state aid they are receiving.

#### **5.0 Cost to the Council**

5.1 The Localism Act 2011 has changed the financial cost of awarding charitable relief. This means that with effect from the 1st April 2013 for every pound collected in business rates 49p is retained by Slough Borough Council. Consequently the cost of awarding relief is 49% of the total amount awarded in relief, subject to possible tapers.

5.2 Charities using premises for charitable purposes are entitled to an initial mandatory charitable 80% relief from Business Rates. This is a mandatory relief and so Slough Borough Council cannot control the amount awarded.

## **6.0 The scheme**

6.1 The scheme consists of Mandatory and Discretionary Charity Relief.

6.2 Mandatory and Discretionary Rate Relief may be granted under Sections 43, 45, 47 and 48 of the Local Government Finance Act 1988.

## **6.3 Mandatory Rate Relief**

### Occupied Rates

Mandatory Relief of 80% may be granted to a Charity under Section 43 (occupied rates), provided that the property concerned is wholly or mainly used for charitable purposes.

### Definition of a Charity

The definition of a Charity comes under Section 67 of the Local Government Finance Act 1988 as *“an institution or other organisation established for charitable purposes only, or a person administering a trust established for charitable purposes only”*. Registration with the Charity Commission under the Charities Act 1960 is proof of Charity status.

Absence from the Register does not mean that an organisation has not been established for charitable purposes, as certain organisations are exempt from registration. These include Church Commissioners, Boy Scouts or Girl Guides, any registered society within the meaning of the Friendly Societies Acts 1896-1974 and voluntary schools within the meaning of the Education Act 1944 – 1980.

### Established for Charitable Purposes

If none of the above are applicable, and in the absence of any other information, the following will be considered:

Are the main objectives of the organisation:

- the relief of poverty; or
- the advancement of religion; or
- the advancement of education; or
- other purposes that is beneficial to the local community

### Wholly or Mainly Used for Charitable Purposes

The use must be charitable, i.e. in meeting the objectives of the Charity. “Wholly or mainly “covers either: use of over half the property all of the time; use of the property for over half of the time; or a combination of both amounting to more than 50%.



Relief can only be granted, therefore, if **either** more than 50% of the property is used for charitable purposes **or** the property is used for more than 50% of the time for Charitable purposes

#### Charity Shops

In addition Section 64 of the Local Government Finance Act 1988 provides that Charity Shops are only entitled to 80% Mandatory Relief if they use the premises:

- wholly or mainly for the sale of goods DONATED to the Charity; and
- the net proceeds of the sale of goods are applied to the purpose of the Charity.

#### **6.4 Community Amateur Sports Clubs (CASCs)**

#### **6.5 Mandatory Relief for CASCs**

Registered CASCs can receive 80% mandatory rate relief. To qualify as a CASC, a sports club must be open to the whole community, be run as an amateur club, be a non profit making organisation and aim to provide facilities for, and encourage people to take part in, eligible sport. For further details please see <http://www.inlandrevenue.gov.uk/casc/index.htm> or call the Inland Revenue Sports Club Unit on 0131 777 4147.

#### **6.6 Discretionary Rate Relief Top Up**

6.7 Discretionary Rate Relief may be granted in addition to Mandatory Rate Relief, i.e. a “top up” of up to the remaining 20%. This may be granted under Section 47 for occupied properties and Section 48 for unoccupied properties

#### **6.8 Charitable Bodies**

6.9 A 20% ‘top up’ of discretionary relief may be applied to charities but will only be awarded if the charity is a local one, not a national one (a local charity is defined to be one who operates within the area of Slough Borough Council and whose charitable objects benefit residents of Slough Borough Council and is not affiliated to a national charitable organisation).

6.10 Each case will be considered on its own merits with priority given to efficient and well managed organisations that:

- primarily benefit Slough Borough Council residents
- demonstrate a link with council priorities
- relieve the council of providing certain facilities or services

- serve the needs of poorer and excluded sections of the local community
- provide services for and in the borough's most deprived neighbourhoods
- maximise the use of their premises for community benefit
- serve equalities groups protected under the Equality Act 2010

Consideration will be given to

- local organisations that are funded by the council through grant-aid
- local organisations that have a governing body whose membership mainly consists of people who live and/or work in Slough
- organisations reliant on volunteers to carry out their activities
- self-help groups with few sources of funding to carry out their activities

Other Considerations

- the financial cost to the council incurred in awarding relief
- the organisation's ability to pay its rates
- the amount of central government funding levered-in by a discretionary rate relief award to deliver statutory or other council services

Top up Relief will not be awarded to

- profit making organisations
- empty properties
- charity shops
- private schools, colleges, nurseries or schools
- national charities or associations affiliated to national charities
- Housing Associations
- car parking spaces
- buildings used for worship

## **6.9 Community Amateur Sports Clubs**

If there is any commercial activity the amount of the award may be limited by up to 50%.

## **6.10 Rate Relief for Non Profit Making Organisations**

Discretionary Rate Relief may be granted under **Sections 43, 45, 47 and 48 of the Local Government Finance Act 1988.**

### Occupied Properties

Discretionary Relief of up to 80% may be granted for occupied properties under **Section 47**

Each case will be considered on its own merits with priority given to efficient and well managed organisations that:

- primarily benefit Slough Borough Council residents
- demonstrate a link with council priorities
- relieve the council of providing certain facilities or services
- serve the needs of poorer and excluded sections of the local community
- provide services for and in the borough's most deprived neighbourhoods
- maximise the use of their premises for community benefit
- serve equalities groups protected under the Equality Act 2010

Consideration will be given to

- local organisations that are funded by the council through grant-aid
- local organisations that have a governing body whose membership mainly consists of people who live and/or work in Slough
- organisations reliant on volunteers to carry out their activities
- self-help groups with few sources of funding to carry out their activities

Other Considerations

- the financial cost to the council incurred in awarding relief
- the organisation's ability to pay its rates
- the amount of central government funding levered-in by a discretionary rate relief award to deliver statutory or other council services

Rate Relief for Non Profit making organisations will not be awarded to

- profit making organisations
- empty properties
- charity shops
- private schools, colleges, nurseries or schools
- national charities or associations affiliated to national charities
- Housing Associations
- car parking spaces
- buildings used for worship

## **7.0 The Application Process**

7.1 Information to be provided to support applications

7.2 Before an application can be considered the Council must be satisfied that it has all the information necessary to enable it to make a fair consideration. For the purposes of efficiency all applications must be made on the standard application form set out at Appendix A , Discretionary Rate Relief.

7.3 In addition to the standard application form ratepayers will be required to supply supporting information such as audited accounts and articles of

association. In some circumstances the Council may decide that it is necessary for one or more officers to visit the rated premises to establish further facts.

7.4 In some instances the Council may require the applicant to visit the Council's offices to provide verbal information in support of the application. Where a visit is required the Council will give a minimum of fourteen days notice of the date the visit is required.

7.5 The Council will not consider applications where the ratepayer has failed to provide information that has been requested, or where the ratepayer does not cooperate with the Council's request to visit a property.

7.6 It is recognised that some organisations may not currently keep records of sufficient detail to provide the information that is normally required to support an application. Where the Council is satisfied that the information is genuinely not available, and that the organisation has co-operated to provide all information that is available, the Council will consider the application based on the information provided. Only one application will be considered in this way, and future applications must provide all information that is required.

7.7 If the process of keeping record to the standard required will incur additional expense for the organisation it will be up to the organisation to decide whether the additional expense is worthwhile in order to apply for relief.

### **7.8 Persons who can make application**

7.9 Applications must be made by the ratepayer.

7.10 Where the ratepayer is an organisation the application must be made by a person with the authority to act on behalf of the organisation. The Council may ask for evidence that the person making the application is entitled to act in that capacity.

### **7.11 Reapplications**

7.12 Where an application has been refused either initially or following an appeal, further applications will not be considered within the same financial year except where:

- a) The use of the property changes, or
- b) The objectives of the organisation change, or
- c) There have been other changes that may affect the Council's decision (for example where an organisation has taken action to address an issue which had previously precluded an award of relief).

## **8.0 Applications Not Meeting Legal Requirements**

8.1 Where an application does not meet the legal requirement (for example if an organisation is established for profit) the application cannot be considered.

8.2 On receipt of each application the Business Rates Manager (or a suitable experienced officer of similar seniority) will assess whether it meets the essential legal requirements. Where the application does not meet those requirements it cannot be considered. The applicant will be advised in writing within four weeks of receipt of the application, giving the reason that the application does not meet the legal requirements.

8.3 Where the applicant disputes the decision of the Business Rates Manager they should make a written submission to the Head of Revenue and Benefits setting out their reasons for believing the legal requirements are met. The decision will be reviewed by the Head of Revenue and Benefits whose decision will be final.

8.4 This process does not affect an applicant's right to challenge a decision by way of Judicial Review.

## **9.0 The Decision Making Process**

9.1 All applications will be considered on an individual basis.

9.2 Normally discretionary relief will be awarded where it is clear that the activities of the applicant are of direct benefit to the local community and assist the Council in achieving its Sustainable Community Strategy.

9.3 Relief will not be awarded to organisations whose activities are contrary to the principles established by the Sustainable Community Strategy Priorities.

9.4 Consideration will be given to the financial impact on the Council and the local community in making awards. Relief may be refused or capped if it is considered that the financial cost to the Council or the local community outweighs the benefits generated through the award of relief.

9.5 In order to ensure there is a fair and consistent approach to the award of relief, all applications will be considered within the guidelines of this policy.

9.6 The criteria for the awarding of discretionary relief is set out in Appendix B

9.7 All applications will be considered on an individual basis by the Business Rates Manager who will provide an in depth report and recommendations which will include but not be limited to review sheet, with findings and financial implications and initial recommendations to the Council's Section 151 officer.

9.8 A written record will be kept of the decision and of the factors considered in the process. This record will be available to the applicant free of charge on request.

9.9 The decision will be notified to the applicant in writing and where less than the maximum amount of relief is granted an explanation of the reasons why full relief was not granted will be given.

9.10 Appeals against awards to be determined by a Member Appeals Panel.

9.11 Details of the recipients and the amount of awards will be reported to the Cabinet annually.

## **9.12 Interest of Officer and Members**

9.13 Officers and Members who have an interest in any aspect of an application for relief must not participate in the decision making process and must declare their interest.

9.14 Examples of interests include those in the following list. However, the list is not intended to be exhaustive.

- Membership of the organisation making an application
- A close relative who is a member of the organisation making an application
- An interest in the property for which the relief is being sought
- Membership of a similar organisation (e.g. a rival sporting club)

Where an officer is unsure whether they have an interest they should seek advice from the Section 151 Officer . Where a Councillor is unsure whether they have an interest they should seek advice from the Council's Monitoring Officer.

These three Heads of Service (i.e. Section 151 officer, Democratic Support & Legal) may in turn need to liaise with the Head of Revenue and Benefits on any case referred to them (e.g. where cases of conflict of interest will need to be monitored by Revenue Services on an on-going basis).

## **10.0 Calculation of relief**

10.1 Relief will be calculated as a percentage of the rates bill.

10.2 If the rate bill reduces, for any reason, the relief will be reduced proportionately.

10.3 If the rates bill increases during the course of a year, for example due to an increase in rateable value, the amount awarded will not automatically be increased. However in all such cases the Council will reconsider the ratepayer's application and may award additional relief.

## **11.0 Right of Appeal**

11.1 There is no statutory right of appeal against a decision regarding discretionary rate relief made by the Council. However, the Council recognises that ratepayers should be entitled to have a decision reviewed objectively if they are dissatisfied with the outcome.

11.2 The Council agrees to abide by the following appeals process and aggrieved ratepayers should make an appeal in accordance with the process.

11.3 Ratepayers will be notified of the appeals process in writing at the time that they are notified of the outcome of their request for rates relief.

11.4 This appeals process does not affect a ratepayer's legal rights.

## **12.0 Appeals Process**

12.1 Appeals may only be made by the original applicant. An appellant may appoint an agent to act on their behalf and in such cases the Council will require written authorisation from the appellant before dealing with their agent.

12.2 Appeals against decisions will be considered by the Members Appeal Panel.

12.3 Decisions on appeals made by the Members Appeals Panel will be final.

12.4 Applicants must make an appeal within four weeks of the issue of the letter notifying them of the Council's decision.

12.5 Applicants will be notified of the date on which the appeal will be considered, which will be within twelve weeks of receipt of the appeal or as soon as reasonably practicable thereafter.

12.6 Applicants may appeal against the decision to award or not award relief, or against the level of relief awarded.

12.7 Appeals must be made in writing and must give the reasons why it is believed the decision should be amended. New or additional information may be included, but only if it is relevant to the decision making process.

12.8 The appellant does not have a right to appear in person but may make a request to present evidence in person. Such requests will be considered at the discretion of the Members Appeal Panel as appropriate.

12.9 The Members Appeal Panel can request a meeting with either the applicant and/or the appropriate Revenues and Benefits officer to hear evidence in person. The Members Appeal Panel may nominate a representative or representatives to attend such meetings on its behalf.

12.10 Each application will be considered individually on its merit.

12.11 The appeal decision may be adjourned if further information is required from either party.

12.12 The applicant will be informed of the final decision, and the reasons for the decision within four weeks of the hearing.

12.13 Submitting an appeal does not affect the appellant's legal rights to challenge a decision made by the Council through the Judicial Review process.

### **13.0 Discontinuation of Applications or Appeals**

13.1 If the Council has requested further evidence from the ratepayer and this has not been received within four weeks the application or appeal will be deemed to have been discontinued.

13.2 Ratepayers will be notified in writing in these circumstances.

13.3 The ratepayer can reapply for Discretionary Rate Relief at a later date but the application will only be assessed from the date of the new application

### **14.0 Period of Rate Relief**

14.1 Rate relief awarded under this policy will be awarded for one financial year except where it is considered between 1st April and 30th September where consideration may be given to awarding relief for the previous financial year.

14.2 Ratepayers receiving relief will be contacted and invited to reapply for relief for the following year, this invitation may be by signed declaration or the council may request a full application to be completed. Only one signed declaration will be accepted between applications.

### **15.0 Awards for previous financial years**

14.1 The law allows claims received between 1st April and 30th September in any year to be considered for the previous financial year.

15.2 Requests for a backdated award of relief (i.e. for the previous year) will be dealt with in the same way as applications for the current year.

15.3 Relief cannot otherwise be backdated beyond 1st April of the year in which it is awarded.



## **16.0 Cancellation of relief**

16.1 Relief will be cancelled if:

1. The applicant ceases to be the ratepayer
2. The property becomes empty or becomes occupied
3. The use of the property changes
4. The aims or objectives of the ratepayer change
5. There is an increase in the amount of rates payable

16.2 Where relief is cancelled for any of the reasons from (2) to (4) above, a new application may be made straight away.

16.3 Where relief is cancelled for reason (5) above the decision will immediately be reconsidered and a new decision made, based on the new amount of rates payable (see 10.3).

16.4 Any existing relief may apply upon change of address within the borough, following confirmation that the nature of occupation is unchanged.

## **17.0 Notification of awards**

17.1 The Council will consider applications within six weeks of the application and all supporting information being received or as soon as practicable thereafter.

17.2 Notification of the outcome of the decision will be made in writing within fourteen days of the decision being considered.

## **18.0 Action to recover unpaid rates whilst a decision is pending**

18.1 Unless otherwise agreed, ratepayers are required to continue to pay, in accordance with the latest demand notice, pending the outcome of an application

## **19.0 Promotion of the availability of relief**

19.1 The Council will proactively promote the availability of discretionary relief, and this policy, in the following ways.

- All rate demands will have accompanying information explaining the availability of relief.
- Employees who deal with enquiries from ratepayers will be trained in all aspects of this policy
- The Council will work in partnership with other organisations that may have a stake in this area.

- The policy will be published on the Council's web site and printed copies will be made available to ratepayers and other stakeholders on request.

## **20.0 Budget for Rate Relief**

20.1 The Council will set an annual budget for awards of discretionary rate relief. The balance of funds within this budget will be considered when making decisions for the award of relief.

**Appendix A**  
**Discretionary Rate Relief**

Application for Charitable Discretionary Rate Relief under Sections 43(6) and 47 of the Local Government Finance Act 1988.

Please read the guidance notes below before completing this form. If you need further help please contact the Business Rates Section on  
01753 772220

1. Details of Organisation:

**Name:**

**What are the main objects and purposes of the organisation?**


**Area covered by organisation:**


**Name of any Organisation affiliated to:**

--

**Please give details of other organisations in Slough Borough Council area providing the same services:**


3. Details of premises for which relief is sought:

<b>Description:</b>
<b>Address:</b>

**Business Rates Account Reference (if known)**

--

**For what purposes are the premises used?**


**If used for any other purpose other than those of the claimant please give details:**


**Are there any facilities in the property which are made available to people other than members, e.g. schools, casual public sessions?**

<b>Yes/No</b>
<b>If YES please provide details:</b>

**Is there a bar on the premises?**

<b>Yes/No</b>
---------------

**If Yes and the organisation is not a Social Club, please state the number of:**

<b>Paying Members</b>	
<b>Non-Paying Members</b>	

**Are your premises and activities accessible for all groups of disabled people, including wheelchair users, deaf people and blind people? Are your materials accessible to**

everybody? (For example: print size, graphic design, plain English, meetings structure, speaker's presentations etc.)

<b>Yes/No</b>
<b>If Yes please provide details:</b>

4. Membership Details

**Number of Members**

--

**Do members pay a Subscription?      Yes/No      If Yes, how much?**

<b>Adults:</b>	<b>Juniors:</b>
----------------	-----------------

**When were subscriptions last increased?**

--

**From what other sources are funds raised?**


**To what extent have the facilities been provided by self help?**


**Of the total membership, how many live outside the Borough Council's area?**

--

**Is membership open to all members of the community?**

Yes/No
--------

**Are profits made available to people other than members?**

Yes/No
--------

<b>If Yes please provide details:</b>

**Is membership encouraged from minority groups?**

Yes/No
--------

<b>If yes please detail what positive steps are taken to involve hard to reach groups such as black and ethnic minority people, young people, different religions, lesbians and gay men.</b>

**Does the organisation provide training or education for its members and are there schemes for particular groups to develop their skills, e.g. young people, the disabled, retired people?**

**Yes/No**

**If Yes please provide details:**


**5. Charitable Status**

**Is the organisation a registered charity?**

**Yes/No**

**If yes, please state the charity registration number.**

--

**If not, has an application been made for registration under the provisions of the Charities Act 1960?**

**Yes/No**

**If exempt from registration please state why.**

--

**If you are not a registered charity or an exempt charity, is the organisation recognised as a charity for tax purposes?**

**Yes/No**

**If yes please provide a copy of a letter from the HM Revenue & Customs confirming this.**

6. If you are applying for Discretionary Relief please supply:

**(a) a copy of the Memorandum and Articles of Association, or Rules of the Association.**

**(b) Copies of your latest accounts and balance sheets for the last two years.**

**(c) A copy of the organisation's Equal Opportunities Policy, if available.**

7. Contact details:

**Please provide the name, address and contact telephone number of the secretary or correspondent.**


Please remember to notify us of any change to these contact details

**8. I certify that the information provided above is correct to the best of my knowledge and belief:**

<b>Signature:</b>	<b>Date:</b>
<b>Capacity in which signed:</b>	

**When completed this form should be returned to:**

**Slough Borough Council  
St Martins Place  
51 Bath Road  
Slough  
SL1 3UF**



## **Business Rates Discretionary Relief Application Guidance**

### **What is Charitable Rate Relief?**

It is a relief scheme that allows rates bills to be reduced for charitable and non-profit making organisations.

### **What Organisations may Qualify?**

If your organisation is a registered charity, and the property concerned is used wholly or mainly for charitable purposes, then you may be entitled to 80% relief.

If your organisation is not a charity, but is another type of non-profit making organisation, the Council still has discretion to award relief. To be eligible for consideration you must be a non-profit making body and the property used for charitable, philanthropic or religious purposes, or concerned with education, social welfare, science, literature or the fine arts, or used wholly or mainly for recreation by a not-for-profit club or society.

### **How do I Apply?**

Complete the application form and return to the address shown on the form.

If there is insufficient space on the form and you would like to add additional information then you can attach additional sheets if you wish.

### **Factors Considered when Assessing your Application for Discretionary Relief**

#### **(a) Whether the application satisfies the legal requirements**

The Authority cannot award relief to any organisation that does not meet the legal requirements of Section 47 of the Local Government Finance Act 1988.

#### **(b) The benefit the ratepayer brings to the residents of the Borough**

The Authority needs to ensure that the award of Discretionary Rate Relief is to the benefit of the wider population of the Slough Borough Council. Any ratepayer whose membership comes from largely outside the Borough's boundaries is unlikely to qualify for relief unless they can prove a sound case for a specific and unequivocal benefit to residents of the Borough.

**(c) Whether the ratepayer is a local organisation, or a branch of a national organisation**

The Authority will need to consider the overall benefit to the community of the organisation and what effect the award of rate relief will have upon the organisation. If the benefit of the rate relief is kept locally, the relief is more likely to be awarded than if it goes to a national organisation which is based elsewhere.

**(d) Membership costs**

The cost of membership should not be used as a means to restrict membership.

**(e) Whether the organisation actively promotes representation from disadvantaged or under-represented groups in the community**

Organisations which do so are more worthy of rate relief and are requested to supply detailed information on action taken to ensure that the benefits of the organisation are in practice reaching or being brought to the attention of all those who might benefit.

**(f) Whether membership is determined by the votes of existing members**

Where an organisation determines membership based on the election by existing members this could be construed as a restriction. Such organisations will need to be carefully evaluated as to whether they should receive rate relief.

**(g) Whether the organisation provides training or education for its members**

An organisation which provides training packages or educational aspects for its members is more worthy of relief than one which does not.

**(h) Is the organisation or the facilities provided being funded largely self-help rather than relying on full external funding?**

Whilst many organisations do depend on grant-aid and awards from statutory bodies, those which undertake fundraising themselves by various methods are probably more worthy of rate relief than those who do not make additional efforts.

**What if Circumstances Change?**

If the aims and objectives of the organisation, or the way in which the premises are used, change then the Council needs to be notified of this immediately.

## **Further Information**

If you require further information then contact the Business Rates Section on 01753 772220

## **Where to send your Application Form**

**Slough Borough Council**

**St Martins Place**

**51 Bath Road**

**Slough**

**SL1 3UF**



## Appendix B

	Guidelines	Mandatory Relief	Discretionary Relief (Up to a maximum)	Total Relief (Up to a maximum)
1	Charitable bodies <sup>1,2</sup> whose main objectives are to work with vulnerable areas of the community (for example but not limited to – children, youth, elderly).	80%	20%	100%
2	Charitable bodies whose main objectives are to work with vulnerable areas of the community in respect, but not limited to, health, disability, well- being.	80%	20%	100%
3	Charitable bodies whose main objectives are concerned with the Arts. This includes for example, but not limited to, museums, theatres, artists workshops.	80%	20%	100%
4	Charitable bodies that run educational establishments including voluntary aided, Foundation Schools, and Academy schools.	80%	Nil	80%
Page 19 of 20	Charitable bodies that provide advice and information to the residents of Slough Borough Council either free of charge or at minimal cost. This includes, but not limited to, employment advice.	80%	Nil	80%
	Charitable bodies that are established for the purposes of running and maintaining meeting places, halls and community spaces	80%	20%	100%
7	Organisations which are registered with Inland Revenue as Community Amateur Sports Clubs (CASCs).	80%	20%	100%
8	Charitable bodies that are established for the purposes of encouraging sport or other elements of a healthy lifestyle to the residents of Slough Borough Council . Membership must be in excess of 50% of residents within Slough Borough Council .	80%	20%	100%
9	Properties that are occupied by Charitable bodies for the purposes of income generation, for example charity shops, who are eligible for mandatory rate relief.	80%	Nil	80%
10	Properties that are occupied by Charitable bodies for the purposes of administering the organisation, for example Admin Offices for National Charities, Over seas Aid Organisations who are eligible for mandatory rate relief.	80%	Nil	80%
11	Properties that are occupied by Charitable bodies who currently receive other funding from the Council	80%	20%	100%
12	Properties that are occupied by Charitable bodies for the purposes of Social Clubs	80%	Nil	80%
13	Not for profit organisations whose main objectives are charitable or are otherwise philanthropic, or religious, or concerned with education, social welfare, science, literature or the fine arts and do not fit in the above categories.	-	80%	80%
14	Properties that are occupied by non-profit organisations and are wholly or mainly used for purposes of recreation and sport or other elements of a healthy lifestyle to the residents of Slough Borough Council Membership must be in excess of 50% of residents within Slough Borough Council	-	80%	80%

	Guidelines	Mandatory Relief	Discretionary Relief (Up to a maximum)	Total Relief (Up to a maximum)
15	Where the property is used for purposes which are of benefit to the wider local community but does not fall in any of the above guidelines and it would be in the interests of the Council Tax payer to make an award.	-	80%	80%

<sup>1</sup> Charitable bodies covers both registered charities and bodies established for charitable purposes (ie not for profit or Community Interest Companies ( which have been established. for charitable purposes)) and who qualify under the definition under s43 and s47 of LGFA. The property must be used wholly or mainly for charitable purposes.

**DISCRETIONARY RATE RELIEF CRITERIA  
CHARITABLE, VOLUNTARY & NOT-FOR-PROFIT ORGANISATIONS**

Table 1 – Qualifying Criteria

	<b>Criteria</b>	<b>Evidence</b>	<b>Points</b>
1	Premises used wholly or mainly for the benefit of the community	Written declaration	Mandatory as per the regulations
2	Proof and acceptance of written constitution	Copy of current document	Mandatory as per the regulations
3	Audited accounts	Copy of latest certified accounts	Mandatory as per policy
4	Membership is open to all sections of the community	Copy of current membership list / articles of association	5
5	Demonstrable Link to SBC Priorities	Application Form	Yes / No
6	Is the Council relieved of providing certain facilities or services because of this organisation and is therefore relieved of the financial burden	Application Form	Yes / No
7	local organisations that have a governing body whose membership mainly consists of people who live and/or work in Slough	Application Form	Yes /No
8	organisations reliant on volunteers to carry out their activities	Application Form	Yes/ No
9	Membership / services are free or charged at an affordable level	Copy of fee structure / articles of association  Affordable is defined at £20 - £30 per annum or less	10
10	No Alternative Service provision within the borough	Written declaration and knowledge from SBC	15

11	Percentage of members / service users resident within the borough	Membership list / written confirmation	<80 0 >80 10
12	Provision of facilities by self-help	Fund raising activities	10
13	Premises used by non-members	Details of groups / frequency of meetings	Free 5 Regular 5
14	Additional services including training	Service documentation	5 per additional service (max.10)
15	Does the organisation have the ability to pay their rates	Historical information	Yes/ No

**Table 2 – Relief Awards**

Points Total	% Discretionary Rate Relief	
	Non-Registered Charity	Registered Charity
0 – 5	10	Mandatory Relief only
6-10	20	Mandatory Relief only
11-15	30	Mandatory Relief only
16-20	40	Mandatory Relief only
21-25	50	Mandatory Relief only
26-30	60	Mandatory Relief only
31-35	70	Mandatory Relief only
36-40	75	Mandatory Relief only
41-45	80	Mandatory Relief only
46-50	85	5
51-55	90	10
56-60	95	15
61-70	100	20

**Exclusions**

- Organisations carrying out activities that are not deemed beneficial to the local community will be excluded from the Discretionary Rate Relief Scheme.
- Organisations operating restrictive membership schemes will be excluded from the Discretionary Rate Relief Scheme.
- Charity Shops will be restricted to Mandatory Rate Relief only (80%).
- Overseas Aid Organisations, National Charities and those affiliated to national charities, will be restricted to Mandatory Relief
- Social Clubs will be restricted to Mandatory Relief only



## **Part 2**

### **Rate Relief for Properties that are Partially Unoccupied for a Temporary Period**

#### **21.0 Legal Background**

21.1 Under section 44a of the Local Government Finance Act 1988 the Council has a discretionary power to allow rate relief where a property is partly occupied for a temporary period.

21.2 The granting of this relief is entirely under the discretion of Slough Borough Council and each case will be considered on its merits and be referenced to the interests of Slough Council Tax payers.

21.3 Applications will be considered where the premises are partly unoccupied due to:

- a) full occupation being phased in over a period of time
- b) full vacation occurring in stages over a period of time
- c) temporary occupation due to remedial building or refurbishment works, fire damage or similar

#### **22.0 Calculation of Rate Relief**

21.1 The amount of relief is calculated on a statutory basis based on the rateable value of the empty portion of the property. The appropriate rateable value is provided by the Valuation Office Agency.

#### **23.0 Cost to the Council**

23.1 Relief is generally funded partly from the Council's collection fund, certain reliefs or exemptions are partly by central government.

23.2 The Localism Act 2011 has changed the financial cost of awarding charitable relief. This means that with effect from the 1st April 2013 for every pound collected in business rates 49p is retained by Slough Borough Council. Consequently the cost of awarding relief is 49% of the total amount awarded in relief, subject to possible tapers.

23.3 The Council recognises that awarding partially occupied rate relief (also referred to as Section 44a Relief) is beneficial to local businesses and can contribute to the Sustainable Community Strategy, priority of Economy and Skills.

## **24.0 Policy**

24.1 A ratepayer is liable for the full business rate whether a property is wholly occupied or only partly occupied. Where a property is partly occupied for a short time, the local authority has discretion to award relief on the unoccupied part

24.2 The Council recognises the important part this relief can play in the economic regeneration of the Borough and will give serious consideration to each complete application submitted

24.3 Relief can only be awarded where the partial occupation is of a temporary nature. Where the same area, or part of the same area, is, or is expected to be, unoccupied for a period in excess of one year the Council will not consider this to be of a temporary nature.

24.4 From 1 April 2008, as a consequence of the reforms to empty property relief, the empty part will receive a complete exemption from business rates for the first 3 months it is empty (or, if it is an industrial property, for the first 6 months). After the initial rate-free period expires, in most cases the apportionment will cease to have effect and the occupied business rate will apply to the whole property.

## **25.0 Applications**

25.1 To qualify for relief the ratepayer is required to make a written application and must supply a plan of the property with the unoccupied portions clearly identified.

## **26.0 Verification of Claim**

26.1 The Council will require access to the property during normal working hours within four weeks of receiving the application, to verify the claim.

26.2 Further access may be required on at least one occasion each month, during normal office hours, during the period for which relief is being awarded.

26.3 Relief will not be awarded under any circumstance where it is not possible to verify the claim.

26.4 There will be no retrospective granting of relief where a request is made after the premises become fully operational or fully vacated.

## **27.0 The Decision Making Process**

27.1 All applications will be considered on an individual basis.

27.2 In order to ensure there is a fair and consistent approach to the award of relief, all applications will be considered within the guidelines of this policy.

27.3 All applications will be considered on an individual basis by the Business Rates Manager who will provide an in depth report and recommendations which will include but not be limited to review sheet, with findings and financial implications and initial recommendations to the Council's Section 151 officer.

27.4 A written record will be kept of the decision and of the factors considered in the process. This record will be available to the applicant free of charge on request.

27.5 The decision will be notified to the applicant in writing and where less than the maximum amount of relief is granted an explanation of the reasons why full relief was not granted will be given.

27.6 Appeals against awards to be determined by a Member Appeals Panel.

27.7 Details of the recipients and the amount of awards will be reported to the Cabinet annually.

## **28.0 Interest of Officer and Members**

28.1 Officers and Members who have an interest in any aspect of an application for relief must not participate in the decision making process and must declare their interest.

28.2 Examples of interests include those in the following list. However, the list is not intended to be exhaustive.

- An interest in the business making an application
- A close relative who has an interest in the business making an application
- An interest in the property for which the relief is being sought
- In interest in a similar business

Where an officer is unsure whether they have an interest they should seek advice from the Section 151 Officer . Where a Councillor is unsure whether they have an interest they should seek advice from the Council's Monitoring Officer.

These three Heads of Service (i.e. Section 151 officer, Democratic Support & Legal) may in turn need to liaise with the Head of Revenue and Benefits on any case referred to them (e.g. where cases of conflict of interest will need to be monitored by Revenue Services on an on-going basis).

## **29.0 Appeals**

29.1 The ratepayer may appeal against a decision to refuse relief within four weeks of being notified of the refusal.

29.2 Any appeal must be in writing and should set out the reasons for the appeal.

29.3 Appeals will be considered by the Members Appeal Panel whose decision will be final.

## **30.0 Duration of Relief**

30.1 Relief will end under the following circumstances:

- a) At the end of a financial year
- b) All or part of the unoccupied area becoming occupied
- c) A change of liable person
- d) Where all or part of the unoccupied area has remained unoccupied for one year\*

30.2 A new application may be submitted immediately if relief ends for any of the reasons numbered from (a) to (c) above.

## **31. Payment of Business Rates**

31.1 Payment of Business rates cannot be withheld because an application has been submitted or pending the receipt of the Section 44A Certificate from the Valuation Officer.

31.2. Unless otherwise agreed, ratepayers are required to continue to pay, in accordance with the latest demand notice, pending the outcome of an application

## **Part 3**

### **Business Rate Relief on the Grounds of Hardship**

#### **32.0 Legal Background**

32.1 Under section 49 of the Local Government Finance Act 1988, the Council has a discretionary power to allow Business Rates relief to relieve hardship. The hardship does not necessarily need to be financial in nature.

32.2 In considering applications for hardship relief the Council must have regard for the interest of the community as a whole. This includes the cost to the community and the benefits, or disadvantages of awarding hardship relief.

#### **33.0 Costs to the Council**

33.1 There is a cost to the Council of 49% of the total amount awarded for Business Rates hardship relief which must be met from the Council's collection fund. The remaining cost is borne by central Government.

#### **34.0 Policy**

##### **Business Rates**

34.1 There is no definition in the legislation for 'hardship', and as the scheme is aimed at covering unforeseen events it is not possible to list precise criteria.

34.2 However, a 'crisis' would have to result in a serious loss of income, trade or have a major effect on the services that can be provided for Business Rates

34.3 'Exceptional circumstances' will usually be circumstances that are outside the control of the business or organisation and are beyond the normal risks faced by businesses. The effect of strikes within a business or organisation increased running costs and increased competition would not be considered as 'exceptional circumstances' as they are normal business risks.

34.4 As a general rule, circumstances that would be covered by a commercial insurance policy or by compensation from public funding would not be considered

34.5 The Council recognises that there may be occasional circumstances in which the use of this power is beneficial to ratepayers or the community. However, in accordance with Government guidelines it accepts that this power should be used sparingly and only in the most exceptional circumstances.

34.6 All requests for hardship relief will be considered on an individual basis and decisions will be made in accordance with this policy and where the Council is satisfied that:

- a) The ratepayer will suffer hardship if the relief is not granted
- b) There is a direct benefit to the ratepayer, or the community, and there is no adverse impact to other ratepayers or the community as a result of awarding relief
- c) The cost to local taxpayers is proportional to the benefits to the community

## **35.0 Applications**

35.1 Applications must be made in writing by the ratepayer, their agent or someone authorised to act on their behalf .

35.2 Applications must provide the following information as appropriate

For Business Rates

1. The reason for the application
2. A set of the most recent accounts
3. A set of the last audited accounts
4. An up to date trading statement showing the current financial situation of the business
5. Details of the amount of relief requested
6. An explanation of the benefits to the community arising from and award of relief.
7. All other eligible discounts/reliefs have been awarded to the ratepayer.
8. The liable person for a unoccupied property has made their best efforts to sell or let the property and to levy a Business Rates charge would cause them exceptional financial hardship.
9. The Council's finances allow for a reduction to be made and it is reasonable to do so in light of the impact on other chargepayers and the community.

## **36.0 Additional Items**

36.1 The following items contained in the policy for the award of relief for charities and not-for-profit organisations will also apply in respect of applications for business rate relief on the grounds of hardship.

## **37.0 State Aid Regulations**

37.1 There are European Union regulations which restrict the award of state aid and under certain circumstances the award of discretionary relief could be considered to be state aid.

37.2 These circumstances in which the EU regulations need to be considered will be where the organisation engages in commercial activities or competes with commercial bodies because of an activity it carries out. For example a not for profit training organisation that also provides training services to businesses.

37.3 If the organisation undertakes any commercial activity it must be commercially insignificant and localised so that there is no potential impact on intra-community trade, otherwise the regulations governing state aid will apply.

37.4 Guidance on State Aid is available via the government web site at

<https://www.gov.uk/government/publications/enterprise-zones-state-aid-and-business-rate-discounts>

37.5 All businesses applying for any Business Rates relief will need to confirm any other state aid they are receiving.

## **38.0 Information to Support Applications**

38.1 In addition to the standard application form ratepayers will be required to supply supporting information such as audited accounts and articles of association. In some circumstances the Council may decide that it is necessary for one or more officers to visit the rated premises to establish further facts.

38.2 In some instances the Council may require the applicant to visit the Council's offices to provide verbal information in support of the application. Where a visit is required the Council will give a minimum of fourteen days notice of the date the visit is required.

38.3 The Council will not consider applications where the ratepayer has failed to provide information that has been requested, or where the ratepayer does not cooperate with the Council's request to visit a property.

38.4 It is recognised that some organisations may not currently keep records of sufficient detail to provide the information that is normally required to support an application. Where the Council is satisfied that the information is genuinely not available, and that the organisation has co-operated to provide all information that is available, the Council will consider the application based

on the information provided. Only one application will be considered in this way, and future applications must provide all information that is required.

### **39.0 Authority to award relief**

39.1 All applications will be considered on an individual basis by the Head Revenues and Benefits who will provide an in depth report and recommendations which will include but not be limited to review sheet, with findings and financial implications and initial recommendations to the Council's Section 151 officer.

39.2 All applications for awards of Hardship Relief will be determined by the Council's S151 Officer.

39.3 All applications for awards of Hardship Relief will be subject to a maximum award of the equivalent of 6 months Business Rates payable.

39.4 A written record will be kept of the decision and of the factors considered in the process. This record will be available to the applicant free of charge on request.

39.6 The decision will be notified to the applicant in writing

39.7 Appeals against awards to be determined by a Member Appeals Panel.

39.8 Details of the recipients and the amount of awards will be reported to the Cabinet annually.

### **40.0 Interests of Officers and Members**

40.1 Officers and Members who have an interest in any aspect of an application for relief must not participate in the decision making process and must declare their interest.

40.2 Examples of interests include those in the following list. However, the list is not intended to be exhaustive.

- An interest in the business making an application
- A close relative who has an interest in the business making an application
- An interest in the property for which the relief is being sought
- In interest in a similar business

Where an officer is unsure whether they have an interest they should seek advice from the Section 151 Officer . Where a Councillor is unsure whether they have an interest they should seek advice from the Council's Monitoring Officer.



These three Heads of Service (i.e. Section 151 officer, Democratic Support & Legal) may in turn need to liaise with the Head of Revenue and Benefits on any case referred to them (e.g. where cases of conflict of interest will need to be monitored by Revenue Services on an on-going basis).

## **41.0 Appeals**

41.1 There is no statutory right of appeal against a decision regarding a hardship relief decision made by the Council. However, the Council recognises that ratepayers should be entitled to have a decision reviewed objectively if they are dissatisfied with the outcome.

41.2 The Council agrees to abide by the following appeals process and aggrieved ratepayers should make an appeal in accordance with the process.

41.3 Ratepayers will be notified of the appeals process in writing at the time that they are notified of the outcome of their request for rates relief.

41.4 This appeals process does not affect the Ratepayers legal rights.

## **42.0 Appeals Process**

42.1 Appeals may only be made by the original applicant. An appellant may appoint an agent to act on their behalf and in such cases the Council will require written authorisation from the appellant before dealing with their agent.

42.2 Appeals against decisions will be considered by the Members Appeal Panel Decisions on appeals made by the Members Appeal Panel will be final.

42.3 Applicants must make an appeal within four weeks of the issue of the letter notifying them of the Council's decision.

42.4 Applicants will be notified of the date on which the appeal will be considered, which will be within eight weeks of receipt of the appeal, or as soon as reasonably practicable thereafter.

42.5 Applicants may appeal against the decision to award or not award relief, or against the level of relief awarded.

42.6 Appeals must be made in writing and must give the reasons why it is believed the decision should be amended. New or additional information may be included, but only if it is relevant to the decision making process.

42.7 The appellant does not have a right to appear in person but may make a request to present evidence in person. Such requests will be considered at the discretion of the Members Appeal Panel as appropriate.

42.8 The Members Appeal Panel can request a meeting with either the applicant and/or the appropriate Revenues and Benefits officer to hear

evidence in person. The Members Appeal Panel may nominate a representative or representatives to attend such meetings on its behalf.

42.9 Each application will be considered individually on its merit.

42.10 The appeal decision may be adjourned if further information is required from either party.

42.11 The applicant will be informed of the final decision, and the reasons for the decision within four weeks of the hearing.

42.12 Submitting an appeal does not affect the appellant's legal rights to challenge a decision made by the Council through the Judicial Review process.

### **43.0 Discontinuation of Applications or Appeals**

43.1 If the Council has requested further evidence from the Ratepayer and this has not been received within four weeks the application or appeal will be deemed to have been discontinued.

43.2 Ratepayers will be notified in writing in these circumstances

### **44.0 Notifications and payment of award**

44.1 The Council will consider applications within six weeks of the application and all supporting information being received or as soon as practicable thereafter.

44.2 Notification of the outcome of the decision will be made in writing within fourteen days of the decision being considered.

44.3 If your application is successful, the balance on your Business Rates account will be reduced. The maximum amount of help is 100% of your Business Rates liability . Any hardship payment will be made by way of reduction to your Business Rates charge.

### **45.0 Amount of Relief**

45.1 Relief may be awarded as a fixed sum or as a percentage of the rates bill.

### **46.0 Duration of Relief**

46.1 Relief will normally only be awarded retrospectively. However, where the applicant can show that the circumstances will remain the same for a period

up to the end of the current financial year relief may be award for the remainder of the year.

In all cases relief will end in the following circumstances:

1. At the end of a financial year
2. A change of liable person
3. The property becomes empty, or become occupied
4. The ratepayer enters any form of formal insolvency
5. The ratepayers financial circumstances change (the ratepayer must inform the Council if their circumstance change)

#### **47.0 Examples of appropriate circumstances**

47.1 The following examples indicate circumstances where it may be appropriate to award relief. They are included in this policy in the form of broad general guidelines and are not intended to be prescriptive.

In the first instance the District Valuation Officer will be asked to review the assessment.

- a) The ratepayer is severely or terminally ill
- b) Without rate relief the business will close and deprive local residents of an essential service.
- c) The ratepayer's business has been detrimentally affected by circumstances beyond the ratepayers control and that do no constitute part of the normal risks in running a business (e.g. a natural disaster, an unusual or uncontrollable event in the neighbourhood of the business such as a fire making the immediate area of the business unsafe).

#### **48.0 Action to recover unpaid Business Rates**

48.1 Once an application, or an appeal, is received for Hardship Relief no action will be taken to recover unpaid charges until fourteen days after the decision has been notified to the ratepayer.

48.2 In the event of an application or appeal being discontinued recovery action may be commenced seven days after the Ratepayer has been notified of the discontinuation.

#### **49.0 Promotion of Rate Relief**

49.1 The Council will promote the availability of hardship relief, and this policy, in the following ways.

- All demands will have accompanying information explaining the availability of relief.

- Employees who deal with enquiries from Ratepayers will be trained in all aspects of this policy
- The Council will work in partnership with other organisations that may have a stake in this area.
- The policy will be published on the Council's web site and printed copies will be made available to ratepayers and other stakeholders on request.

## **Part 4**

### **General Rate Relief**

#### **50.0 Legal Background**

50.1 Section 69 of the Localism Act 2011 amends the Local Government Finance Act 1988 to allow local authorities the discretion to award rate relief to all types of businesses.

50.2 The granting of this relief is entirely under the discretion of Slough Borough Council and each case will be considered on its merits and be referenced to the interests of Slough Council Tax payers.

#### **51.0 Calculation of Rate Relief**

51.1 The amount of relief is will be determined by Slough Borough Council

#### **52.0 Cost to the Council**

52.1 Relief is generally funded partly from the Council's collection fund, certain reliefs or exemptions are partly by central government.

52.2 The Localism Act 2011 has changed the financial cost of awarding charitable relief. This means that with effect from the 1st April 2013 for every pound collected in business rates 49p is retained by Slough Borough Council. Consequently the cost of awarding relief is 49% of the total amount awarded in relief, subject to possible tapers.

#### **53.0 Policy**

53.1 Any ratepayer applying for discretionary rate relief who does not meet the criteria for relief under the specifically named categories mentioned in this policy, may apply for general rate relief. Relief will be considered on the individual merits of each case, having due regard to:

- The ratepayer must not be entitled to any other Rate Relief including Mandatory or Discretionary Rate Relief
- The ratepayer must not be an organisation that could receive relief as a non profit making organisation or as Community Amateur Sports Club
- The ratepayer must occupy the premises - no relief will be granted for unoccupied properties

53.2 Consideration will only be given to businesses where awarding the relief will provide a major benefit to the tax payers of Slough Borough Council and the authority.

53.3 Consideration will be given to applications from the following

- If the ratepayer is a new business coming into the Slough Borough Council area
- If the ratepayer creates new employment opportunities for a minimum of 5 employee's for a period of twelve months for individuals:

- who reside in the Slough Borough Council area

and

- who have been unemployed\* for a period of six months (continuous) Are they going to sign a declaration to this effect?

\* Unemployed refers to those in receipt of Job Seekers Allowance or Employment Support Allowance.

- The premises and the organisation must be of significant benefit to the residents of the Slough Borough Council area
- If the ratepayer provides:
  - Facilities to certain priority groups such as elderly, disabled, minority or disadvantaged groups
  - Significant employment or employment opportunities to residents of the Slough Borough Council
  - Residents of the Council with such services, opportunities or facilities that cannot be obtained locally or are not provided by another organisation
- If the ratepayer complies with all legislative requirements and operates in an ethical, sustainable and environmentally friendly manner at all times
- 
- The impact and best interests of the Council Tax payers of Slough Borough Council
- The financial status of the applicant

53.4 Consideration will also be given to application which aid access to **free** to use cash machines.

Recent reports have highlighted the difficulties of obtaining cash in certain localities. We will therefore consider applications in order to provide relief to cash machines where there is a clear community benefit, such as where cash

machine providers commit to introduce extra cash machines or reduce charges on existing machines.

53.5 The Council recognises the important part this relief can play in the economic regeneration of the Borough and will give serious consideration to each complete application submitted

#### **54.0 Applications**

54.1 To qualify for relief the ratepayer is required to make a written application, setting out, as part of the application; the benefits that the ratepayer considers will accrue to the Slough Borough Council Taxpayers as a result of the award.

54.2 The application must demonstrate how the ratepayer meets the criteria outlined above

54.3 Applications in respect of a new liability will be determined from the date the liability commences if the application is made within 28 days of the dispatch of the Business Rates bill and for existing liability from the date the application is submitted.

#### **55.0 Verification of Claim**

55.1 The Council will request documentation to verify the claim which must be submitted within 28 days of the request

55.2 The Council may chose to visit the premises, and access must be given within 28 days of the request.

55.3 Failure to provide access or documentation within the timescale will render you application void.

55.4 Reapplications can be made at any future time but the award will only be made from the date that the application is received by Slough Borough Council

#### **56.0 Authority to Award Relief**

56.1 All applications will be considered on an individual basis by the Section 151 officer in conjunction with the Chief Executive

56.2 A written record will be kept of the decision and of the factors considered in the process. This record will be available to the applicant free of charge on request.

56.3 The decision will be notified to the applicant in writing

56.4 Appeals against awards to be determined by a Member Appeals Panel.

56.5 Details of the recipients and the amount of awards will be reported to the Cabinet annually.

## **56.0 Interests of Officers and Members**

56.1 Officers and Members who have an interest in any aspect of an application for relief must not participate in the decision making process and must declare their interest.

56.2 Examples of interests include those in the following list. However, the list is not intended to be exhaustive.

- An interest in the business making an application
- A close relative who has an interest in the business making an application
- An interest in the property for which the relief is being sought
- In interest in a similar business

Where an officer is unsure whether they have an interest they should seek advice from the Section 151 Officer . Where a Councillor is unsure whether they have an interest they should seek advice from the Council's Monitoring Officer.

These three Heads of Service (i.e. Section 151 officer, Democratic Support & Legal) may in turn need to liaise with the Head of Revenue and Benefits on any case referred to them (e.g. where cases of conflict of interest will need to be monitored by Revenue Services on an on-going basis).

## **57.0 Appeals**

57.1 There is no statutory right of appeal against a decision regarding a General Rate Relief decision made by the Council. However, the Council recognises that ratepayers should be entitled to have a decision reviewed objectively if they are dissatisfied with the outcome.

57.2 The Council agrees to abide by the following appeals process and aggrieved ratepayers should make an appeal in accordance with the process.

57.3 Ratepayers will be notified of the appeals process in writing at the time that they are notified of the outcome of their request for rates relief.

57.4 This appeals process does not affect the Ratepayers legal rights.

## **58.0 Appeals Process**



58.1 Appeals may only be made by the original applicant. An appellant may appoint an agent to act on their behalf and in such cases the Council will require written authorisation from the appellant before dealing with their agent.

58.2 Appeals against decisions will be considered by the Members Appeal Panel. Decisions on appeals made by the Members Appeal Panel will be final.

58.3 Applicants must make an appeal within four weeks of the issue of the letter notifying them of the Council's decision.

58.4 Applicants will be notified of the date on which the appeal will be considered, which will be within eight weeks of receipt of the appeal, or as soon as reasonably practicable thereafter.

58.5 Applicants may appeal against the decision to award or not award relief, or against the level of relief awarded.

58.6 Appeals must be made in writing and must give the reasons why it is believed the decision should be amended. New or additional information may be included, but only if it is relevant to the decision making process.

58.7 The appellant does not have a right to appear in person but may make a request to present evidence in person. Such requests will be considered at the discretion of the Members Appeal Panel as appropriate.

58.8 The Members Appeal Panel can request a meeting with either the applicant and/or the appropriate Revenues and Benefits officer to hear evidence in person. The Members Appeal Panel may nominate a representative or representatives to attend such meetings on its behalf.

58.9 Each application will be considered individually on its merit.

58.10 The appeal decision may be adjourned if further information is required from either party.

58.11 The applicant will be informed of the final decision, and the reasons for the decision within four weeks of the hearing.

58.12 Submitting an appeal does not affect the appellant's legal rights to challenge a decision made by the Council through the Judicial Review process.

## **59.0 Discontinuation of Applications or Appeals**

59.1 If the Council has requested further evidence from the Ratepayer and this has not been received within four weeks the application or appeal will be deemed to have been discontinued.

59.2 Ratepayers will be notified in writing in these circumstances

## **60.0 Notifications and payment of award**

60.1 The Council will consider applications within six weeks of the application and all supporting information being received or as soon as practicable thereafter.

60.2 Notification of the outcome of the decision will be made in writing within fourteen days of the decision being considered.

60.3 If your application is successful, the balance on your Business Rates account will be reduced.

## **61.0 Amount of Relief**

61.1 Relief may be awarded as a fixed sum or as a percentage of the rates bill.

## **62.0 Duration of Relief**

62.1 Relief will normally only be awarded for the financial year the application was submitted.

In all cases relief will end in the following circumstances:

1. At the end of a financial year
2. A change of liable person
3. The property becomes empty, or become occupied
4. The ratepayer enters any form of formal insolvency
5. The ratepayers financial circumstances change (the ratepayer must inform the Council if their circumstance change)

## **63.0 Payment of Business Rates**

63.1 Payment of Business rates cannot be withheld because an application has been submitted

63.2 Unless otherwise agreed, ratepayers are required to continue to pay, in accordance with the latest demand notice, pending the outcome of an application

## **Part 5**

### **Reoccupation Relief**

#### **64.0 Introduction**

64.1 The Chancellor in the Autumn Statement on 5<sup>th</sup> December 2013 announced Reoccupation Relief for reoccupation of shops that have been empty for a long period of time and reward businesses that make this happen. Local authorities will administer this business rates “reoccupation relief”.

64.2 The Chancellor announced that 50% business rates discount can be awarded for up to 18 months for businesses moving into previously empty retail premises between 1 April 2014 and 31 March 2016, up to State Aid De Minimis limits.

64.3 The legislation was amended to introduce this change under the discretionary powers which means that each Local Authority needs to develop a policy to deal with the operation and delivery of the relief.

#### **65.0 How the relief will be provided?**

65.1 As this is a temporary measure that applies to ratepayers moving into previously empty retail premises between 1 April 2014 and 31 March 2016 only. The government is not changing the legislation around the reliefs available to properties, instead the Government will, reimburse local authorities that use their discretionary relief powers, introduced by the Localism Act (under section 47 of the Local Government Finance Act 1988, as amended) to grant relief.

65.2 It will be for individual local billing authorities to adopt a local scheme and decide in each individual case when to grant relief under section 47.

65.3 Central Government will fully reimburse local authorities for the local share of the discretionary relief (using a grant under section 31 of the Local Government Act 2003). The Government expects local government to grant relief to qualifying ratepayers.

65.4 Central Government will reimburse billing authorities and those major precepting authorities within the rates retention system for the actual cost to them under the rates retention scheme of the relief that falls within the definitions in their guidance issued in April 2014. Local authorities will provide an estimate of their likely total cost for providing the relief in their National Non Domestic Rate Return 1 (NNDR1) for 2014-15, 2015-16, 2016-17 and 2017-18. Central government will provide payments of the local authorities’ share to authorities at the end of the relevant years.

## 66.0 Who will be eligible for Relief

66.1 The Government will fund 50% rate relief for up to 18 months, for businesses moving into previously empty retail premises between 1 April 2014 and 31 March 2016, up to State Aid De Minimis limits.

66.2 Properties that will benefit from the relief will be occupied hereditaments that:

When previously in use, were wholly or mainly used for retail as set out in paragraphs below:

- Were empty for 12 months or more immediately before their reoccupation
- Become reoccupied between 1 April 2014 and 31 March 2016
- Are being used for any use (i.e. not just retail use) except as set out in paragraph 3.6 below

66.3 There is no rateable value limit for the hereditament in respect of either the previous or reoccupied use. However, State Aid De Minimis limits may limit the amount of relief given.

66.4 What is retail use?

In relation to a premises' previous use for the purposes of Reoccupation Relief Slough Borough Council considers retail to mean:

- (a) Hereditaments that were being used for the sale of goods to visiting members of the public:
- Shops (such as: florist, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licence, chemists, newsagents, hardware stores, supermarkets, etc)
  - Charity shops
  - Opticians
  - Post offices
  - Furnishing shops/ display rooms (such as: carpet shops, double glazing, garage doors)
  - Car/ caravan show rooms
  - Second hand car lots
  - Markets
  - Petrol stations
  - Garden centres
  - Art galleries (where art is for sale/hire)
- (b) Hereditaments that were being used for the provision of the following services principally to visiting members of the public:

- Hair and beauty services (such as: hair dressers, nail bars, beauty salons, tanning shops, etc)
- Shoe repairs/ key cutting
- Travel agents
- Ticket offices e.g. for theatre
- Dry cleaners
- Launderettes
- PC/ TV/ domestic appliance repair
- Funeral directors
- Photo processing
- DVD/ video rentals
- Tool hire
- Car hire

(c) Hereditaments that were being used for the provision of the following services principally to visiting members of the public:

- Financial services (e.g. banks, building societies, bureaux de change, payday loan shops, betting shops, pawn brokers)
- Other services (e.g. estate agents, letting agents, employment agencies)

(d) Hereditaments that were being used for the sale of food and/ or drink to visiting members of the public:

- Restaurants
- Takeaways
- Sandwich /Coffee shops
- Pubs
- Bars

66.5 The list set out above is not intended to be exhaustive but is a guide provided by Central Government as to the types of uses that Government considers for this purpose to be retail. Slough Borough Council will consider for relief all those that are broadly similar in nature to those above and, if so, to consider them to be retail. Conversely, properties that were not broadly similar in nature to those listed above will not be considered to be retail.

66.6 Reoccupied use

66.7 The new use of the reoccupied premises can be for any use (i.e. not just retail uses) except for hereditaments wholly or mainly being used as betting shops, payday loan shops, pawn brokers, off licences (licensed to sell alcohol for consumption off the premises) , Licensed sex establishments or takeaways designated as A5 use

66.8 The scheme applies to all types and uses of non-domestic hereditaments (other than those occupied by the Billing Authority).

## 66.9 Splits, mergers, and changes to existing hereditaments

Where a new hereditament has been created by a split or merger of hereditament(s), the new hereditament will be eligible for the Reoccupation Relief where at least half of the floor area of the new hereditament is made up of retail hereditaments that have been empty for 12 months or more (subject to meeting the other criteria in this policy).

Where a hereditament in receipt of Reoccupation Relief splits or merges to form new hereditaments, the new hereditaments will not be eligible for the remaining term of Reoccupation Relief.

Where a hereditament in receipt of Reoccupation Relief becomes unoccupied for any period of time less than 12 months it will not be eligible for any further Reoccupation Relief on occupation. However, if a hereditament that has previously received Reoccupation Relief becomes empty for 12 months or more it will be eligible for an additional 18 months Reoccupation Relief if the criteria are met.

### 66.10 Change of ratepayer

The relief will run with the property rather than the ratepayer. So if a hereditament is in receipt of Reoccupation Relief and a new ratepayer becomes liable for the property they will benefit from the remaining term of the relief, subject to the new ratepayer's State Aid de minimis limits.

### 66.11 Enterprise Zones

Where a property is eligible for Enterprise Zone relief, that relief should be granted and this will be funded under the rates retention scheme by a deduction from the central share. If a property in an Enterprise Zone is not eligible for Enterprise Zone relief, or that relief has ended, Reoccupation Relief may be granted in the normal way, and this would be reimbursed by grant under section 31 of the Local Government Act 2003.

## **67.0 How much relief will be available?**

67.1 Relief will be available for 18 months from the first day the hereditament becomes occupied as long as the first day falls between 1 April 2014 and 31 March 2016, subject to the hereditament remaining continuously occupied.

67.2 The eligibility for the relief and the relief itself will be assessed and calculated on a daily basis.

67.3 Under this scheme the relief available for each property is 50% of the business rates liability after any mandatory or other discretionary reliefs (other than retail relief) have been applied, up to State Aid De Minimis limits. The

relief should be calculated ignoring any prior year adjustments in liabilities which fall to be liable on the day. (See Appendix 1 of this policy)

67.4 Councils may use their discretionary powers to offer further discounts outside this scheme (and under local rate retention, 50 per cent of the cost would be locally funded and 50 per cent funded by central government).

## **68.0 State Aid**

68.1 There are European Union regulations which restrict the award of state aid and under certain circumstances the award of discretionary relief could be considered to be state aid. However Reoccupation Relief will be State Aid compliant where it is provided in accordance with the De Minimis Regulations (1407/2013)

68.2 The De Minimis Regulations allow an undertaking to receive up to €200,000 of De Minimis aid in a three year period (consisting of the current financial year and the two previous financial years).

68.3 These circumstances in which the EU regulations need to be considered will be where the organisation engages in commercial activities or competes with commercial bodies because of an activity it carries out. For example a not for profit training organisation that also provides training services to businesses.

68.4 If the organisation undertakes any commercial activity it must be commercially insignificant and localised so that there is no potential impact on intra-community trade, otherwise the regulations governing state aid will apply.

68.5 All applicants will be required to complete a declaration form (Appendix 2 of this policy ) to confirm that they have not received more than the De Minimis amount of State Aid.

68.6 Guidance on State Aid is available via the government web site at

<https://www.gov.uk/government/publications/enterprise-zones-state-aid-and-business-rate-discounts>

## **69 Administration**

69.1 Slough Borough Council will administer the scheme under the guidelines set out by the Department for Communities and Local Government dated 1<sup>st</sup> April 2014

69.2 It will provide relief as outlined above to all occupied retail premises that were previously empty for 12 months or more

69.3 The scheme is fully funded by central Government.

69.4 The reliefs awarded will be administered by the Business Rates team who will provide monthly reports to the Section 151 officer for approval.



## Appendix 1 Reoccupation Relief

### Calculation examples for 2014-15

**Example 1 – A property that was previously a pub and was empty for 14 months becomes occupied on 1 April 2014 as a restaurant with a rateable value of £40,000.**

Rateable Value = £40,000

Rates due (excluding any reliefs) = £40,000 x 0.482 = £19,280

Minus Reoccupation Relief for 2014-15 = £19,280 x 0.5 = £9,640

Minus 12 months retail relief = £9,640 - £1,000 = £8,640

Rates due 2014-15 (including reoccupation and retail relief) = **£8,640**

**Example 2 – A property that was previously a small department store and was empty for 2 years splits into the following 2 separate hereditaments which become occupied on 1 April 2014:**

**a) a gym with a rateable value of £10,000**

**b) an office with a rateable value of £70,000**

#### **Gym:**

Rateable Value = £10,000

Rates due (excluding any reliefs) = £10,000 x 0.471 = £4,710

Minus small business rate relief of 33% (£3,140) = £1,570

Minus Reoccupation Relief of 50% = £1,570 x 0.5 = £785

Rates due (including all reliefs) = **£785**

#### **Office**

Rateable Value = £70,000

Rates due (excluding any reliefs) = £70,000 x 0.482 = £33,740

Minus Reoccupation Relief for 2014-15 = £33,740 x 0.5 = £16,870

Rates due 2014-15 (including reoccupation relief) = **£16,870**

## Appendix 2 Reoccupation Relief

### 'De minimis' declaration

Dear [ ]

BUSINESS RATES ACCOUNT NUMBER: \_\_\_\_\_

The value of the business rates Reoccupation Relief to be provided to [name of undertaking] by [name of local authority] is £ [ ] (Euros [ ]).

This award shall comply with the EU law on State Aid on the basis that, including this award, [name of undertaking] shall not receive more than €200,000 in total of De Minimis aid within the current financial year or the previous two financial years). The De Minimis Regulations 1407/2013(as published in the Official Journal of the European Union L352 24.12.2013) can be downloaded at <http://eur-lex.europa.eu>

If you have previously received De Minimis aid, please list below. If you have not previously received De Minimis aid, please mark as 'nil'.

Amount of De Minimis aid Euro's	Date of aid	Organisation providing aid	Nature of aid

I confirm that:

1) I am authorised to sign on behalf of \_\_\_\_\_ [name of undertaking]; and

2) \_\_\_\_\_ [name of undertaking] shall not exceed its De Minimis threshold by accepting this Reoccupation Relief.

SIGNATURE:

NAME:

POSITION:

BUSINESS:

ADDRESS:

DATE:

## **Part 6**

### **Retail Relief**

#### **70.0 Introduction**

70.1 The government in the Autumn Statement on 5<sup>th</sup> December 2013 announced that they will be providing Retail Relief for 2014-15 and 2015-16 for certain retail premises.

70.2 They have issued guidance on the implementation of the Retail Relief but on the basis that they have issued the changes under Section 47 of the Local Government Finance Act 1988 as amended; the local authority has to define a policy for the administration of the relief.

70.3 The government has noted that the retail sector is changing, particularly due to internet shopping, and many high streets are experiencing challenges as they look to adapt to changing consumer preferences in how people shop. The Government wishes to support town centres in their response by providing particular support to retailers.

70.4 The government wish to provide a relief of up to £1,000 to all occupied retail properties with a rateable value of £50,000 or less in each of the years 2014- 15 and 2015-16.

#### **71.0 How the relief will be provided?**

71.1 As this is a measure for 2014-15 and 2015-16 only, the Government is not changing the legislation around the reliefs available to properties. Instead the Government will, reimburse local authorities that use their discretionary relief powers, introduced by the Localism Act to grant relief.

71.2 It will be for individual local billing authorities to adopt a local scheme and decide in each individual case when to grant relief under section 47.

71.3 Central government will fully reimburse local authorities for the local share of the discretionary relief (using a grant under section 31 of the Local Government Act 2003). The Government expects local government to grant relief to qualifying ratepayers.

#### **72.0 Who will be eligible for Relief**

72.1 Properties that will benefit from the relief will be occupied hereditaments with a rateable value of £50,000 or less, that are wholly or mainly being used as shops, restaurants, cafes and drinking establishments, defined as premises that are being used for the sale of goods to visiting members of the public:

- Shops (such as: florist, bakers, butchers, grocers, greengrocers, jewellers, stationers, chemists, newsagents, hardware stores, supermarkets, etc)
- Charity shops
- Opticians
- Post offices
- Furnishing shops/ display rooms (such as: carpet shops, double glazing, garage doors)
- Car/ caravan show rooms
- Second hand car lots
- Markets
- Petrol stations
- Garden centres
- Art galleries (where art is for sale/hire)
- Hair and beauty services (such as: hair dressers, nail bars, beauty salons, tanning shops, etc)
- Shoe repairs/ key cutting
- Travel agents
- Ticket offices e.g. for theatre
- Dry cleaners
- Launderettes
- PC/ TV/ domestic appliance repair
- Funeral directors
- Photo processing
- DVD/ video rentals
- Tool hire
- Car hire
- Restaurants
- Sandwich shops
- Coffee shops
- Pubs
- Bars

72.2 To qualify for the relief the hereditament should be wholly or mainly being used as a shop, restaurant, cafe or drinking establishment. In a similar way to other reliefs (such as charity relief), this is a test on use rather than occupation. Therefore, hereditaments which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief.

72.3 The list set out above is not intended to be exhaustive as it would be impossible to list the many and varied retail uses that exist. There will also be mixed uses.

72.4 As the grant of the relief is discretionary, authorities may choose not to grant the relief if they consider that appropriate, for example where granting the relief would go against the authority's wider objectives for the local area. We would encourage councillors to be consulted on the final scheme that the local authority adopts, so there is a clear line of accountability in case of a dispute on the final local scheme that is adopted.

72.5 The list below sets out the types of uses that government does not consider to be retail use for the purpose of this relief. Again, it is for local authorities to determine for themselves whether particular properties are broadly similar in nature to those below and, if so, to consider them not eligible for the relief under their local scheme.

- Financial services (e.g. banks, building societies, cash points, bureau de change, payday lenders, betting shops, pawn brokers)
- Other services (e.g. estate agents, letting agents, employment agencies)
- Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (e.g. solicitors, accountants, insurance agents/ financial advisers, tutors)
- Post office sorting office

In addition Slough Borough Council will also exclude takeaways (Defined as A5) off licences (premises licensed to sell alcohol for consumption off the premises) Licensed Sex Establishments.

### **73.0 How much relief will be available?**

73.1 The total amount of government-funded relief available for each property for each of the years under this scheme is £1,000. The amount does not vary with rateable value and there is no taper.

73.2 There is no relief available under this scheme for properties with a rateable value of more than £50,000.

73.3 The eligibility for the relief and the relief itself will be assessed and calculated on a daily basis. The following formula should be used to determine the amount of relief to be granted for a particular hereditament in the financial year:

Amount of relief to be granted = £1000 x A/B

Where:

A is the number of days in the financial year that the hereditament is eligible for relief; and

B is the number of days in the financial year

The relief will be applied against the net bill after all other reliefs.

73.4 Where the net rate liability for the day after all other reliefs but before retail relief is less than the retail relief, the maximum amount of this relief will be no more than the value of the net rate liability. This should be calculated ignoring any prior year adjustments in liabilities which fall to be liable on the day.

73.5 The relief must be applied to the new bills when they are dispatched and amendments made when the information is available to the Business Rates section as necessary.

73.6 Ratepayers that occupy more than one property will be entitled to relief for each of their eligible properties, subject to State Aid de minimis limits.

## **74.0 State Aid**

74.1 There are European Union regulations which restrict the award of state aid and under certain circumstances the award of discretionary relief could be considered to be state aid.

74.2 These circumstances in which the EU regulations need to be considered will be where the organisation engages in commercial activities or competes with commercial bodies because of an activity it carries out. For example a not for profit training organisation that also provides training services to businesses.

74.3 If the organisation undertakes any commercial activity it must be commercially insignificant and localised so that there is no potential impact on intra-community trade, otherwise the regulations governing state aid will apply.

74.4 Guidance on State Aid is available via the government web site at

<https://www.gov.uk/government/publications/enterprise-zones-state-aid-and-business-rate-discounts>

## **75.0 Administration**

75.1 Slough Borough Council will administer the scheme under the guidelines set out by the Department for Communities and Local Government dated January 2014.

75.2 It will provide relief of up to £1,000 to all occupied retail premises with a rateable value of £50,000 or less in each of the years 2014-15 and 2015-16.

75.3 The scheme is fully funded by central Government.

75.4 The retail reliefs awarded will be administered by the Business Rates team who will provide monthly reports to the Section 151 officer for approval.

## Part 7

### National Non-Domestic Rates Discount Scheme to attract Inward Investment

#### 76.0 Introduction

76.1 Clause 69 of the Localism Act 2011 amends section 47 of the Local Government Finance Act 1988 to allow local authorities to grant discounts, in relation to business rates as it thinks fit. The guidance states:

“Give councils the power to set local discounts on business rates, provided that they are funded locally.”

76.2 It is subject to the condition that, except in the limited circumstances specified

- the local authority may only grant relief if it would be reasonable to do so having
- regard to the interests of council tax payers in its area (not business rate payers).

76.3 The amendments also require a local authority to have regard to any relevant guidance issued by the Secretary of State when deciding whether to grant relief under section 47 of the 1988 Act. No guidance has yet been issued, but it may be at any time.

76.4 This amendment to the business rate policy is designed to:

- attract business which will directly and indirectly make a significant contribution to the scale and robustness of the business base in the town
- deliver significant employment opportunities for local people
- add further to the attractiveness of the town as a place to invest whether by:
  - adding a new key sector or increasing the critical mass of business in a key sector;
  - adding to the countries investing in the town or increasing the critical mass of business from a target inward investing country
  - attract businesses which will create demand in the local supply chain
  - in the long term increase the business rates base and therefore income to the Council and benefit to the council taxpayer in general

#### 77.0 Criteria

77.1 The application process as set out in the main policy (section 6) should be followed. The application must be made in writing. All other sections of the

main policy will also apply e.g. the decision making process and appeal process.

77.2 As part of the application, the applicant must clearly demonstrate why they believe it is in the interests of the local council tax payer for the relief to be granted. Applications should support Slough Borough Council's economic development priorities as set out in the Slough Wellbeing Strategy.

77.3 Each case will be considered on its merits and the degree to which it demonstrates the benefits to both the community and the council tax payer.

77.4 Agreement of a business rate discount will be based on the following criteria:

- Whether the organisation assists in developing a priority sector within the borough.
- Whether the organisation provides inward investment from a country outside the United Kingdom and is one of the initial companies from that country locating in Slough.
- Whether the organisation provides a significant number of jobs which may be applied for by Slough residents and whether the organisation undertakes to advertise all of its vacancies locally and to pursue other measures which are likely to result in the recruitment of local people.
- Whether the organisation currently has or plans to provide skills and training for its staff, particularly to upskill its staff and where possible provides apprenticeship opportunities.
- Whether the organisation has made a commitment to remain in the borough for at least five years and whether the viability, sector and any background to the investment demonstrate the likelihood of this being the case.
- Whether the business where reasonable and appropriate is committed to support local economic development initiatives, e.g. Slough Aspire and to participate in local business partnerships.

An applicant may not be expected to deliver against all of these criteria but will be required to demonstrate that they will make a significant impact on the economy of the borough and bring community benefit through their combined delivery against these criteria.

77.5 The matters to be taken into consideration when determining whether to grant a discount are:

- That discount will be paid only on occupied premises.



- What other sources of local or national government support the business has received in the last two financial years preceding the application. This would not necessarily preclude a grant of discount but the total benefit derived from the public purse should be considered.
- The impact on other businesses in the area which provide the same or similar services or facilities including whether the award of relief could have an anti-competitive effect on other businesses.
- Whether the organisation provides residents with such services, opportunities or facilities that cannot be obtained locally or are not provided by another organisation.
- Whether the ratepayer can demonstrate they have complied or will comply with all legislative requirements and operate in an ethical, sustainable and environmentally friendly manner at all times.

77.6 The Council will not award Business Rate Discount in any circumstances where it appears that an award will result in the ratepayer receiving state aid that is above the current EU State Aid de minimis level.

77.7 Where the premises occupied are leased the Council will only consider a rate discount where the landlord has already committed to a rent discount.

77.8 Therefore each application must be accompanied by a statement signed by the appropriate person representing the business setting out the amount of state aid, including but not limited to rate relief, which the ratepayer has received within the previous three years. Applications will not be considered until this statement is received. The Council has the right to audit the recipient of any relief to ensure that the objectives set out in the grant determination have been met

77.9 In addition the following should be taken into account:

- The cost to the Council taxpayer, including the loss of income or of retained rates yield, in making an award and normally ensuring that any award brings a net financial benefit to the Council taxpayer over a five year period;
- The impact of the cost or loss of income in relation to the Council's overall financial situation;
- A grant of rate relief awarded under this policy shall apply for a limited period or level, not normally amounting to more than 50% of business rates in one financial year and shall not be renewable.

77.10 The amount of rate relief to be granted will be proportionate to the costs and benefits assessed as above.

77.11 Slough Borough Council works with the Local Enterprise Partnership's Business Growth Hub to ensure local businesses have access to advice and funding. If you feel that you can benefit from FREE expert business advice to support your finances, business planning, marketing or anything else, please make contact with The Growth Hub on tel: 0118 935 7115 or email [info@berkshirebusinesshub.co.uk](mailto:info@berkshirebusinesshub.co.uk).

For any other business information please contact the economic development team at Slough Borough Council on 01753 875849

**Business Retention and Inward Investment Incentive Application Form**

Name	
Address	
Job title	
Name of Business	
Address of Business	
Which sector does your business fall into? <i>(please tick)</i>	<ol style="list-style-type: none"> <li>1. Energy and Water</li> <li>2. Manufacturing</li> <li>3. Construction</li> <li>4. Services</li> <li>5. Wholesale and retail, including motor trades</li> <li>6. Transport storage</li> <li>7. Accommodation and food services</li> <li>8. Information and Communication</li> <li>9. Financial and other business services</li> <li>10. Public admin, education and health</li> <li>11. Other services</li> </ol>
What are your business objectives and purpose?	
Are you locating from a country outside of the UK?	<p style="text-align: center;">Yes / No</p> <p>If yes, which country:</p>
Will your business provide jobs in the local area? Please tick which type and how many	<p style="text-align: center;">Yes / No</p> <ul style="list-style-type: none"> <li>• Administrative</li> <li>• Technical</li> <li>• Customer services</li> </ul>

	<ul style="list-style-type: none"> <li>• Managerial</li> <li>• Other</li> </ul>
Will you advertise these jobs in the local press and local area?	Yes / No
Does your business provide training and education for staff?	Yes / No
Do you currently provide apprenticeship opportunities?	Yes / No
If NO, Do you intend to recruit new apprentices?	Yes / No
What length of lease are you committed to in your premises ( <i>please tick</i> )	<ul style="list-style-type: none"> <li>• 1-5 years</li> <li>• 6-10 years</li> <li>• 10 years +</li> </ul>
What services, facilities or contributions do you make to the community?	
Does your business receive any form of financial assistance from any other organisation? eg: grant, commercial, sponsorship etc	
How would the award of relief to your business, benefit you?	

<p>Has your business previously received a discount in the past 3 years?</p>	<p>Yes / No</p> <p>If yes, please provide details</p>
<p>Has your business received a reduction in rateable value in the past 2 years eg. Small business rates relief</p> <p>If yes, please provide details</p>	
<p>Has your business received grants from any public bodies, including state aid in the last three years.</p> <p>If yes, please provide details</p>	
<p>Does your business comply with all legislative requirements and operate in an ethical, sustainable and environmentally friendly manner at all times?</p>	
<p>Any additional information that will support your claim</p>	
<p><i>Declaration :</i></p> <p><i>I declare that the details in this application are true and accurate to the best of my knowledge. I undertake to notify the Council immediately of any changes in the circumstances</i></p> <p>Name:</p> <p>Signature:</p> <p>Position:</p> <p>Contact telephone number:</p> <p>Email:</p> <p>Date:</p>	

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**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 15<sup>th</sup> December 2014

**CONTACT OFFICER:** Joseph Holmes, Assistant Director, Finance & Audit; s151 officer  
**(For all enquiries)** (01753) 875358

**WARD(S):** All

**PORTFOLIO:** Councillor Rob Anderson, Commissioner for Finance & Strategy

**PART I**  
**KEY DECISION****COUNCIL TAX SUPPORT SCHEME 2015-16****1. Purpose of Report**

The Council approved a new Council Tax Support (CTS) scheme for 2013-14 following the abolition of Council Tax Benefit. The Council is required to have its own scheme and approve this annually.

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

The Cabinet is requested to resolve:

- (a) That the Council Tax Support Scheme adopted by Slough Borough Council for the 2014-15 financial year be continued and the relevant premiums, applicable amounts, non dependant deductions etc be up-rated in line with the statement from the Minister of Pensions.
- (b) That the Chief Executive and Section 151 Officer update the scheme to reflect such up-ratings of premiums, allowances and non dependent deductions as may be determined by the Department of Work and Pensions, and for other minor technical changes which may be required.

**3. The Slough Joint Wellbeing Strategy, the JSNA and the Corporate Plan**

The Slough Joint Wellbeing Strategy (SJWS) is the document that details the priorities agreed for Slough with partner organisations. The SJWS has been developed using a comprehensive evidence base that includes the Joint Strategic Needs Assessment (JSNA). Both are clearly linked and must be used in conjunction when preparing your report. They have been combined in the Slough Wellbeing Board report template to enable you to provide supporting information highlighting the link between the SJWS and JSNA priorities.

**3a. Slough Joint Wellbeing Strategy Priorities**

The Slough Joint Wellbeing Strategy (SJWS) is the document that details the priorities agreed for Slough with partner organisations. The SJWS has been developed using a comprehensive evidence base that includes the Joint Strategic Needs Assessment (JSNA). Both are clearly linked and must be used in

conjunction when preparing your report. They have been combined in the Slough Wellbeing Board report template to enable you to provide supporting information highlighting the link between the SJWS and JSNA priorities.

The report indirectly supports all of the Community Strategy priorities and cross cutting themes. The maintenance of good governance within the Council to ensure that it is efficient, effective and economic in everything it does is achieved through the improvement of corporate governance and democracy by ensuring effective management practice is in place.

#### 4. **Other Implications**

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

This report should be cost neutral compared to the current Council Tax Support scheme. The uprating of the scheme with inflation (or the amount determined by the Minister of State for Pensions) should be broadly cost neutral as other benefits and income assessments are changed.

This is based on the assumption that the number of applicants will remain similar to 2014-15. The economic climate has an effect on the number of recipients of Council Tax Support and an increase in applications will see an increase in spend.

##### (b) **Risk Management**

<b>Risk</b>	<b>Mitigating action</b>	<b>Opportunities</b>
Legal		
Property		
Human Rights		
Health and Safety		
Employment Issues		
Equalities Issues	See EIA	
Community Support		
Communications		
Community Safety		
Financial – risk of increased costs through the CTS scheme	Income and applicable amounts to be uprated in line with DWP rates.  An increase in CTS cases will be a financial pressure on the collection fund	A decrease in CTS claimants will be a financial benefit to the Council through reduced payments
Timetable for delivery		
Project Capacity		
Other		

##### (c) **Human Rights Act and Other Legal Implications**



The scheme has not been changed and is being updated in line with inflation / the amount determined by the DWP (and the constitution allows for fees and charges to rise with inflation + a %).

(d) Equalities Impact Assessment

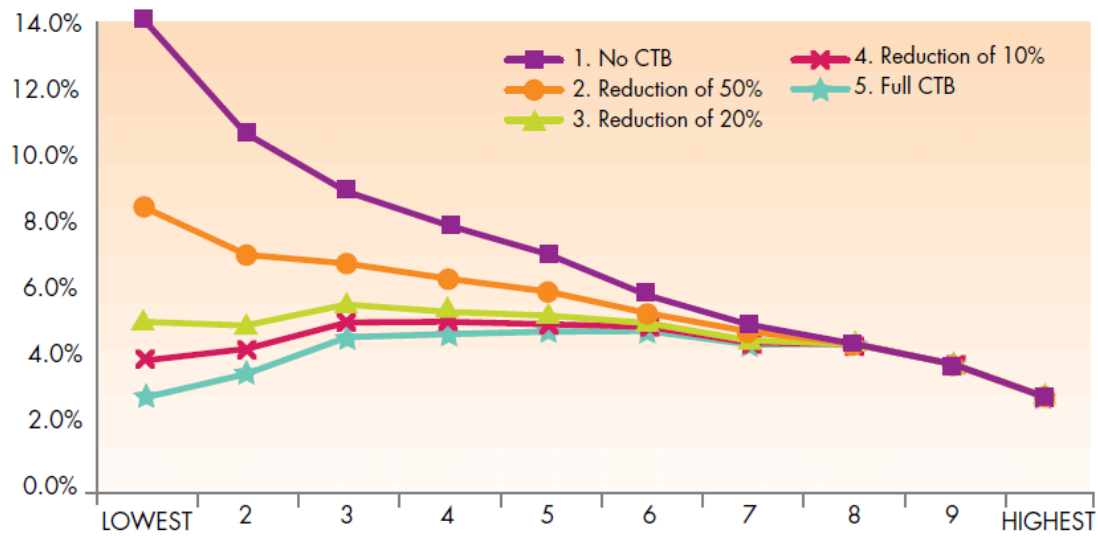
Attached at Appendix B.

**5. Supporting Information**

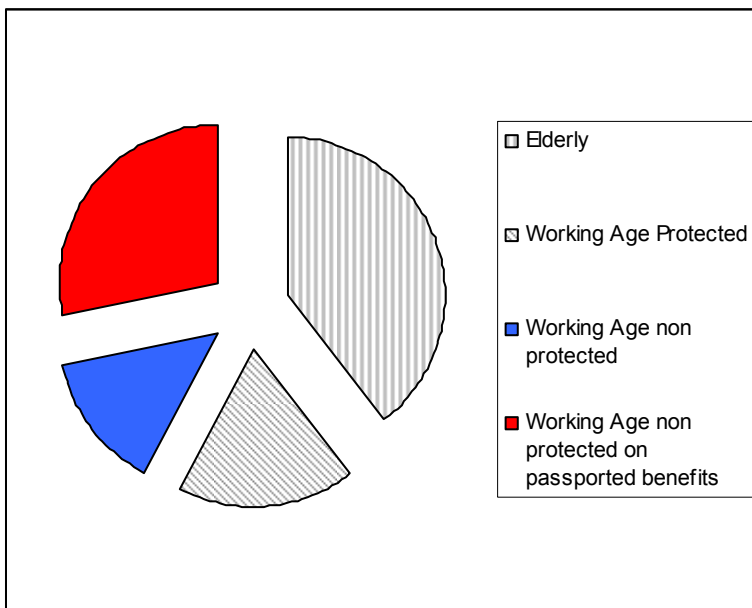
- 5.1 The Local Government Finance Act paved the way for the implementation of localised council tax support schemes in England from April 2013. This required local councils to design their own schemes to administer council tax support, working within a framework set out in legislation. The Government has been clear that the elderly and the vulnerable should be protected, and that the changes should support incentives for people to find and stay in work.
- 5.2 It was estimated that the proposed funding mechanism for CTS would create a funding gap of at least £1.1m, based on Government passing the Council a reduced amount of non-ringfenced grant compared to the previously ring-fenced Council Tax Benefits amount. The Government has also been reducing the Housing Benefit and Council Tax Support administration grant made to the Council.
- 5.3 The Governments key aims were to:
- (a) give local authorities a greater stake in the economic future of their local area which supports the Governments wider agenda to encourage stronger, balanced economic growth across the country;
  - (b) provide local authorities with the opportunity to reform the system of support for working age customers;
  - (c) reinforce local control over council tax (Local decisions about what support is given i.e. council's are free to establish whatever rules they choose for working age customers);
  - (d) implement new schemes by April 2013 and;
  - (e) provide local authorities with a financial stake in the provision of support for council tax (The fixed grant will not be ring-fenced).
- 5.4 This is part of a wider set of reforms to the welfare system: designed to improve the incentives to work and ensuring resources are used more effectively, so reducing worklessness and ending a culture of benefit dependency. The Government also brought in levels of protection for certain claimants, primarily the elderly, through CTS schemes.
- 5.5 Slough's scheme sees a reduction of 20% in the previous Council Tax Benefit; i.e. all residents pay at least 20% of their Council Tax unless protected in the scheme. As can be seen below, the Council's scheme promotes probably the most equity within the limits of equitability of the current Council Tax arrangements.

### Chart 1.1: Local Government Association analysis

Council tax as a proportion of net household income after housing costs by income decile, under different council tax support schemes

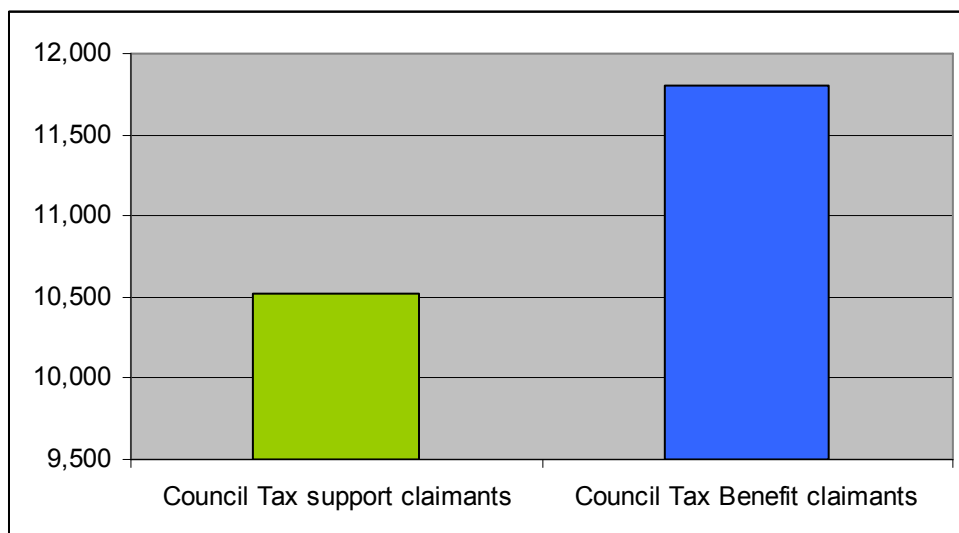


### Chart 1.2: Breakdown of CTS scheme claimants



5.6 Since the introduction of the Council Tax Support scheme, there has been a comparative reduction in the number of claimants of CTS compared to Council Tax benefit

**Chart 1.3 Council Tax Support vs. Benefit claimants**



### **Changes to the 2015-16 scheme**

- 5.7 At the September 2014 Cabinet meeting, the cabinet approved for officers to review the existing scheme and to update the scheme in line with some overall percentage uplifts. Cabinet also resolved for officers to consider the impact of modelling some potential changes to the CTS scheme to see what the budgetary impact would be, and to discuss these with the Leader to consider going out to consulting on a revised scheme.
- 5.8 Review of the modelling has indicated that, there could be an overall financial benefit through changing the scheme.
- 5.9 The removal of the protection from disabled people and disabled children and retaining the protection for people with both enhanced and severe disability premium would reduce the CTS costs by £114k
- 5.10 Decreasing the capital allowance to £10k would yield a reduction of £19k
- 5.11 Increasing the non-dependent deduction from an average of £9.40 to £14 would yield a reduction in costs of £62k.
- 5.12 On review of the above, the majority of these changes would fall on those who have already suffered a reduction within the CTS scheme, and some individuals would see a reduction from more than one of the above strands. It is also important to consider the collection rate of the additional Council Tax required. The proposals above would require consultation, which would involve costs as well as further legal costs likely, as well as the administrative burden of changing the scheme.
- 5.13 Overall, it was concluded that a wider review of the CTS scheme, along with the potential advent of Universal Credit, would be more beneficial, as well as being simpler to administer and for claimants to understand, would be undertaken in time for the 2016-17 financial year.

## **The potential impact of Universal Credit (UC)**

- 5.14 With UC due to rolled out across the country, there could be an impact on the CTS scheme for Slough. If a claimant is assessed under UC (potentially via another authority and the claimant comes to Slough), the Council will potentially have to do a recalculation as UC does not include CTS income.
- 5.15 The government has announced that UC will start rolling out from February 2015 and has announced the first 73 LA's that will be part of the February roll out, out nearest neighbours included in this roll out are Oxford City and West Oxfordshire Council. The roll out will begin with new claims from single persons and potentially couples with no children, to ensure that the most straightforward claims are implemented first. Once a customer is assessed for UC in any location they remain on UC no matter where they move to they do not go back to Housing Benefits and Income Support, this means that a customer from one of the "live" area's may move to Slough and we would not be assessing them for Housing Benefit but must assess them for Council Tax Support using UC as income. The CTS scheme in Slough needs to identify how UC will be treated as income in this instance.
- 5.16 SBC are currently awaiting advice and guidance on how to treat any income from UC. It is expected that income from UC will be treated in the same way that earned income is treated at present under the scheme. UC will include the Housing costs as customers will not be receiving Housing Benefit, it is therefore envisaged that UC income minus the Housing Costs award will be used in the calculation of CTS. It is envisaged that there will be minimal claims in Slough for CTS with UC as income during 2015-16 based on the claims that the pilots have received to date
- 5.17 This could have an impact on Slough's scheme through lower UC costs, but increasing the local CTS scheme costs to Slough taxpayers. This will be considered as part of the rollout of UC and for future schemes. As yet the DWP have not stated when UC will be rolled out to Slough Customer.

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

n/a

## **7. Conclusion**

This report proposes that the 2015-16 scheme is based on the 2014-15 and is uprate the relevant premiums, applicable amounts, non dependant deductions etc in line with the statement from the Minister of Pensions.

## **8. Appendices Attached**

'A' - Council Tax Support scheme 2015-16

'B' - Equalities Impact Assessment

## **9. Background Papers**

'1' - Council Tax Support Schemes 2013-14 and 2014-15

## The Local Council Tax Benefit Scheme – Slough Borough Council

1. This document contains the Council Tax Support Scheme which the Council is required to produce under the provisions of Schedule 4 of the Bill. The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 prescribe a number of matters which must be included in the scheme and the scheme is to be interpreted and applied in accordance with those regulations.
2. The scheme applicable to pensioners is defined in the Council Tax Reduction Schemes (Prescribed Requirements) Regulations 2012, Part 3, Schedules 1 to 6, which will be adopted within this scheme following their enactment.
3. The procedure for the operation of the Scheme summarised below is made in accordance with Schedules 7 and 8 of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012.
4. The scheme related to persons of working age is being proposed based upon the following Key Principles:

**Principle 1:** The core of the new local Council Tax support scheme will remain the same as the current Council Tax Benefit scheme

**Principle 2:** Every working age adult should pay something and therefore the reduction required to cover the Governments cut should be applied equally

**Principle 3:** There is no change for pensioners and protects those classed as vulnerable as instructed by Government

**Principle 4:** The scheme should incentivise work. The new scheme adopts the existing scheme as defined in the Council Tax Benefit Regulations 2006 as they stood on 21 July 2012 subject to the following amendment:

5. This scheme states that the principals and methods set out in those regulations be used to determine council tax support, except where amendments are set out in this scheme or by statute under the Local Government Finance Act and accompanying legislation.

That Regulation 57 in Part 6 of the Council Tax Benefit Regulations 2006 shall be taken to read as follows:

“57. (1) Subject to paragraphs (2) to (5), the amount of a persons maximum council tax benefit in respect of a day for which he is liable to pay council tax, shall be between 70% and 90%t of the amount A/B where –

- (a) A is the amount set by the appropriate authority as the council tax for the relevant financial year in respect of the dwelling in which he is a resident and for which he is liable, subject to any discount which may be appropriate to that dwelling under the 1992 Act; and

- (b) B is the number of days in that financial year, less any deductions in respect of non-dependants which fall to be made under regulation 58 (non-dependant deductions).”

6. This scheme is compliant with the following local operational principles:

- To protect the most vulnerable in society.
- To maintain the current protection for War Widows and War Disablement customers.
- Is simple to administer ensuring the Council will have available resources to operate it, reflecting the fact that the administration grant for CTS will soon be withdrawn by Government.
- That the attached hardship policy is adopted in order to ensure that there is a safety net for exceptional cases.
- Any change in benefit entitlement is collectable.
- Recovers as much as possible of the potential gap in funding

7. Principles of the Council Tax Benefit Replacement Local Support Scheme

As well as protecting pensioners' entitlement to their current level of council tax benefit the Government propose two additional principles to underpin local schemes which Slough will adopt:

- a. Local authorities should also ensure support for vulnerable groups;
- b. Local schemes should support work incentives, and in particular avoid disincentives to move into work.

8. Pensioners

Pensioner council tax support will not be reduced as a result of the local scheme. Therefore all pensioners and those who apply in the future will have their council tax support based on the current regulations.

9. Vulnerable Groups

Slough like all local authorities has a duty to protect vulnerable groups. While there is no agreed definition – in government or elsewhere – of what characteristics make an individual vulnerable the local authority has statutory duties in relation to:

- a. Children, and duties under the 2010 Child Poverty Act to reduce and mitigate the effects of child poverty;
- b. Disabled people, and duties under the 1986 Disabled Persons Act;
- c. Homelessness prevention, and duties under the 1996 Housing Act to prevent homelessness with a special regard to vulnerable groups.

10. It is the Government's intention to prescribe the criteria, allowances and awards for Council Tax Support to pensioners. This means there will be no flexibility on funding the shortfall for councils in respect of this element of the scheme.

Both this and the Governments wish to incentivise Customers into work and protection of the vulnerable is emphasised in the Government's response to the outcome of consultation published in December 2011.

11. The following scheme provides the way forward and is split into the following broad categories:

- A - Changes to Discounts and Exemptions for Council Tax
- B - Percentage Reduction in benefit.
- C - Reduction based around property band.
- D - Reduction based on income e.g. Child Benefit
- E - Removing Second Adult Rebate

#### **A - Changes to Discounts and Exemptions for Council Tax:**

Central Government legislation allows for changes to Council Tax Discounts and Exemptions which will come into effect from 1st April 2013. Slough Borough Council has chosen implement these changes.

There are currently 23 classes of Council tax exemption and the changes will only affect three of these:

- Class A - A property which is undergoing or requiring major structural repairs or alterations.
- Class C - A new property or a property that has become empty. It must be unoccupied and substantially unfurnished. May last for a maximum of six months from the date last occupied and substantially unfurnished or the date of completion on new properties.
- Class L- A property that the mortgagee has taken possession of under the terms of the mortgage contract.

In addition the council will also implement a charge of a 50% Empty Home Premium on properties that have been empty longer than 2 years.

These changes affect discounts currently granted to properties not used as a main home.

This will impact mainly upon landlords and will include the council's own empty properties as well as housing association properties and possibly property developers.

#### **B – A flat rate reduction from all existing working age CTB Customers:**

The Government have made it clear that we cannot remove benefits from pensioners, and that we should look to protect the vulnerable. In the following the customers who are pensioners or receiving severe disability allowance, disability allowance, disability allowance for a child and receives a disability premium have been protected.

We will implement a flat rate percentage cut of 20% in benefit which will be applied to all current working age Customers

Reducing entitlements for all Customers slightly strengthens work incentives but imposes significant losses on even the poorest households. Such a policy would mean that all households, even those on the lowest incomes, would have to pay some Council Tax. The poll tax experience showed how difficult it can be to collect small amounts of tax from low-income households who are not used to paying it.

This reduction option would mean that those of working age would never be entitled to have all of their Council Tax rebated, meaning that the Council would have to collect some Council Tax from families with very low incomes.

**C - Restricting Council Tax Support to the charge for a Band C Property:**

We will restrict Council Tax Support to the liability of a Band C property. This means we will calculate Council Tax Support assuming that all customers who are in a higher band are in Band C. We acknowledge that while simple to administer this option pays no regard to the needs of the people who may happen to live in larger properties, such as large families.

Customer distribution by property band is as shown below:

<b>Total Number of Council Tax Benefit Customers by council tax band</b>	<b>Number</b>
Disabled A	2
A	452
B	3,137
C	5,207
D	2,305
E	410
F	93
G	7
H	0
Total	11,619

This shows:

- 76% of Customers live in band A, B or C properties in Slough.
- 96% of Customers live in band A, B, C or D properties in Slough.

The advantage of this option is that it sets a maximum support cap for all Customers of working age so could be perceived to be transparent and fair.

Reducing support for occupants of properties in higher Council Tax bands also involves starting to collect Council Tax from some households with little or no private income. But only households in higher-band properties are affected. Reforms of this kind slightly strengthen work incentives, and also affect people's incentives to occupy properties in higher Council Tax bands.

The Government have made it clear that we cannot remove benefits from pensioners, and that we should look to protect the vulnerable, in the above customers who are pensioners or receiving severe disability allowance,



disability allowance and disability allowance for a child have been protected.

#### **D – Reduction Based on Income**

We will use income in the calculation of Benefit that is currently disregarded.

The current Council Tax Benefit regulations mean that the following income is not used in the calculation of entitlement

- Child Benefit

This income will now be brought into the calculation of CTS, which would have the effect of increasing the income used in the calculation and reducing the amount of Benefit received

Child Benefit will no longer be disregarded in the calculation of Council Tax Support for all current working age Customers.

Customers who are pensioners or receiving severe disability allowance, disability allowance and disability allowance for a child have again been protected.

This option would proportionally disadvantage customers with children

This option may also increase the burden on other areas of the authority.

#### **E - Remove Second Adult Rebate**

Second Adult Rebate is claimed by the householder but on the basis of the “second adult” normally a non dependant in the household, the level of the Customers own income and capital (and that of any partner is irrelevant) the income and capital of the second adult is taken into consideration.

We will remove the calculation of second adult rebate

### **12. Supporting People into Work**

There are also a number of small changes that could be considered at minimal cost and will support customers into work which is the other principal of the scheme. These include

- **‘Run-ons’**: Allowing the award to continue unchanged for a period after someone returns to work. We will allow the benefit to continue at the existing rate for four weeks after the Customer enters work to allow for them to receive their first monthly salary.

There would be minimal costs associated with this.

- **Advance claims**: Allowing customers to submit claims for council tax support in advance of being liable for paying council tax, which may encourage some customers to take up short term employment opportunities. This would ensure that they would not need to take time away from work to claim their benefits, there would be no cost to this.

- **Retaining ‘information stubs’ about customers for a fixed period after eligibility is lost:** Providing for simplified claim procedures when a customer reclaims within a specified period of their previous claim provided there has been no change in their circumstances only their income

### **13. Applications for Council Tax Support**

#### **This part applies to both pensioners and working-age applicants**

The following procedure is in accordance with the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, referred to as the Regulations below and shall be implemented in accordance with those Regulations.

Entitlement to CTS is dependent on an application being made in the following way.

An application may be made:

- (a) In writing
- (b) By means of an electronic communication or
- (c) By telephone following publication by the Council of a number for this purpose.

The form provided by the Council for this purpose must be properly completed, and the Council may require the applicant to complete the form in the proper manner, and will require that information and evidence is provided by the applicant.

An application will be defective if the applicant does not provide all of the information the Council requires.

Applications made by telephone will only be valid if the applicant provides a written statement of their circumstances in the format required by the Council.

The Council will provide applicants making their applications with an opportunity to correct any defects in their application.

Applications may be made by those persons set out in paragraph 6 of Schedule 8 of the Regulations.

### **14. Evidence and Information**

Any person who makes an application or any person to whom a reduction under the Councils scheme has been awarded shall furnish such certificates, documents, information and evidence in connection with the application or award, or question arising out of it as may reasonably be required by the Council in order to determine the person’s entitlement.

Where the Council requests information it shall inform the applicant or person of their duty to notify the Council of any change of circumstances and shall indicate the kind of changes of circumstances which are to be notified.

Matters related to the electronic communication of information, proof of delivery and content of information will be determined in accordance with Part 4 of Schedule 7 of the Regulations. 5

Where the person is a pensioner paragraph 7(4) (5) (6) and (7) of Schedule 8 of the Regulations apply which specify matters relevant to evidence and information related to pensioners.

#### **15. Amendment and withdrawal of applications**

Any person who has made an application may amend it at any time before a decision had been made by serving a notice in writing to the Council in accordance with paragraph 8 of Schedule 8 of the Regulations.

#### **16. Decisions by the Council**

The Council will make a decision in respect of any application for a reduction under this scheme in accordance with the criteria set out within the Council Tax Benefit Regulations 2006 (subject to the amendment made to regulation 57 referred to above), and in accordance with Schedules 7 and 8 of the Regulations.

The date upon which the Council is deemed to have received the properly completed application shall be determined in accordance with paragraphs 6 of Schedule 1, paragraph 7 and Part 1 of Schedule 7 of the Regulations being satisfied, or as soon as reasonably practicable thereafter.

The Council will notify the applicant or any person affected by its' decision under the scheme in writing forthwith, or as soon as reasonably practicable.

Any person affected to whom the Council sends or delivers a notification of a decision may, within one month of the notification of the decision, request in writing from the Council a statement setting out the reasons for its decision on any matter set out in the notice.

Where an award or payment of reduction is made the time and manner of granting the reduction under the scheme will be in accordance with Part 5 of Schedule 8 of the Regulations.

#### **17. Change of circumstances**

For persons who are not pensioners the date on which changes of circumstances are to take effect will be determined in accordance with paragraph 4 of Part 2 of Schedule 8 of the Regulations.

#### **18. Procedure for making an appeal**

Any applicant who is not in agreement with the decision of the Council has taken under this scheme may service a notice in writing on the Council setting out their reasons and grounds upon which they believe the Council has made the wrong decision.

Following receipt of an appeal in writing the Council will:

- 1) Consider the appeal
- 2) Notify the applicant in writing of the following:
  - a. Any decision not to uphold the appeal and the reasons for that; or
  - b. That steps are being taken to proceed with the appeal and set out what steps.

Where an applicant remains dissatisfied following receipt of any written notice sent by the Council in response to their appeal, they may within two months of the service of that notice, appeal to the valuation tribunal.

## **19. Transition Arrangements**

The regulations will state that a person who is in receipt of Council Tax Benefit immediately before 1st April 2013 then they will be treated as having made an application for a reduction under the local scheme.

A review process may be implemented by the Council for new and existing awards, this time period will be determined by the Council and failure by the Customer to fulfil and request during the review of their award may result in the termination of that award.

# Equality Impact Assessment

<b>Directorate: RHR</b>	
<b>Service: Finance &amp; Audit</b>	
<b>Name of Officer/s completing assessment: Jackie Adams</b>	
<b>Date of Assessment: 26.11.2014</b>	
<b>Name of service/function or policy being assessed: Council Tax Support Scheme 2015-16</b>	
1.	<p>What are the aims, objectives, outcomes, purpose of the policy, service change, function that you are assessing?</p> <p>The <u>changes</u> to the Council Tax Support scheme 2015-16</p>
2.	<p>Who implements or delivers the policy, service or function? State if this is undertaken by more than one team, service, and department including any external partners.</p> <p>As per the previous EIA, the policy is delivered by arvato</p>
3.	<p>Who will be affected by this proposal? For example who are the external/internal customers, communities, partners, stakeholders, the workforce etc. Please consider all of the Protected Characteristics listed (more information is available in the background information). Bear in mind that people affected by the proposals may well have more than one protected characteristic.</p> <p><b>Age:</b>  <b>Disability:</b>  <b>Gender Reassignment:</b>  <b>Marriage and Civil Partnership:</b>  <b>Pregnancy and maternity:</b>  <b>Race:</b>  <b>Religion and Belief:</b>  <b>Sex:</b>  <b>Sexual orientation:</b>  <b>Other:</b></p> <p>As per the original EIA, all Council Taxpayers are affected by the scheme</p>

4.	<p>What are any likely positive impacts for the group/s identified in (3) above? You may wish to refer to the Equalities Duties detailed in the background information.</p> <p>None from the changes to the scheme</p>
5.	<p>What are the likely negative impacts for the group/s identified in (3) above? If so then are any particular groups affected more than others and why?</p> <p>None from the changes to the scheme</p>
6.	<p>Have the impacts identified in (4) and (5) above been assessed using up to date and reliable evidence and data? Please state evidence sources and conclusions drawn (e.g. survey results, customer complaints, monitoring data etc).</p> <p>The changes to the scheme for 2015-16 will be that the various income assessments will increase with inflation. ~The intention of this is to keep the level of Council Tax Support received by claimants to a comparatively similar level to the previous scheme</p>
7.	<p>Have you engaged or consulted with any identified groups or individuals if necessary and what were the results, e.g. have the staff forums/unions/ community groups been involved?</p> <p>n/a</p>
8.	<p>Have you considered the impact the policy might have on local community relations?</p> <p>n/a</p>
9.	<p>What plans do you have in place, or are developing, that will mitigate any likely identified negative impacts? For example what plans, if any, will be put in place to reduce the impact?</p> <p>The Council has a hardship policy in place to support those in financial hardship</p>
10.	<p>What plans do you have in place to monitor the impact of the proposals once they have been implemented? (The full impact of the decision may only be known after the proposals have been implemented). Please see action plan below.</p> <p>The scheme is reviewed on an annual basis; if there are any significant changes to the scheme then these will be consulted upon</p>

<b>What course of action does this EIA suggest you take? More than one of the following may apply</b>	✓
<b>Outcome 1: No major change required.</b> The EIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken	<b>X</b>
<b>Outcome 2: Adjust the policy</b> to remove barriers identified by the EIA or better promote equality. Are you satisfied that the proposed adjustments will remove the barriers identified? (Complete action plan).	
<b>Outcome 3: Continue the policy</b> despite potential for adverse impact or missed opportunities to promote equality identified. You will need to ensure that the EIA clearly sets out the justifications for continuing with it. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact (see questions below). (Complete action plan).	
<b>Outcome 4: Stop and rethink</b> the policy when the EIA shows actual or potential unlawful discrimination. (Complete action plan).	

**Action Plan and Timetable for Implementation**

At this stage a timetabled Action Plan should be developed to address any concerns/issues related to equality in the existing or proposed policy/service or function. This plan will need to be integrated into the appropriate Service/Business Plan.

Action	Target Groups	Lead Responsibility	Outcomes/Success Criteria	Monitoring & Evaluation	Target Date	Progress to Date

<b>Name:</b> <b>Signed:</b> .....(Person completing the EIA)
<b>Name:</b> ..... <b>Signed:</b> .....( Policy Lead if not same as above)
<b>Date:</b> .....

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**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 15<sup>th</sup> December 2014

**CONTACT OFFICER:** Joseph Carter, Assistant Director, Assets, Infrastructure and  
Regeneration  
**(For all enquiries)** (01753) 875653

**WARD(S):** All

**PORTFOLIO:** Councillor Sohail Munawar, Commissioner for Social and  
Economic Inclusion

**PART I**  
**NON-KEY DECISION****APPROACH TO AIRPORTS COMMISSION CONSULTATION****1 Purpose of Report**

This report is to seek guidance from Cabinet as to whether Slough Borough Council should submit a formal response to the Airports Commission consultation.

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

The Cabinet is requested to resolve:

- (a) That all members be invited to comment on the list of potential mitigation and indicate their prioritisation, and that any further suggestions for mitigation are taken into consideration.
- (b) That the high level assessment of impacts, and the summary list of mitigations likely to be required be approved in principle.
- (c) That officers continue to engage with scheme promoters to encourage the inclusion of the required mitigations in scheme proposals.
- (d) That a draft response to the Airports Commission consultation be compiled by officers in time to be reviewed by Cabinet at its next meeting 19<sup>th</sup> January 2015, and submitted by the close of the consultation on 3<sup>rd</sup> February 2015.

**3. The Slough Joint Wellbeing Strategy, the JSNA and the Corporate Plan**

Proposed expansion of aviation capacity in the south east, and especially at Heathrow, would have impacts on each of the priorities set out in the Slough Joint Wellbeing Strategy. Expansion of Heathrow could impact a number of measures included in the Joint Strategic Needs Assessment.

Setting out Slough's response to the proposals for expanding aviation capacity through the Airports Commission consultation ensures that technical expertise and local knowledge is captured by the Commission, and helps to ensure that mitigation identified by Slough Borough Council is considered and implemented in line with the vision for Slough as set across the council's strategic documents.

4 **Other Implications**

(a) Financial

Work required in the preparation of the consultation response will be accommodated within existing budgets.

(b) Risk Management

<b>Risk</b>	<b>Mitigating action</b>	<b>Opportunities</b>
Legal <i>None</i>		
Property <i>Runways proposed to impact Colnbrook with Poyle</i>	Set out concerns and mitigating actions to reduce negative impacts	Expansion at Heathrow could improve the local area
Human Rights <i>None</i>		
Health and Safety <i>None</i>		
Employment Issues <i>None</i>		
Equalities Issues <i>None</i>		
Community Support <i>Residents may not engage in the process</i>	The council should aim to represent the views of residents while addressing technical concerns	Residents views will be articulated and may be included within Airports Commission recommendation
Communications <i>Residents may feel the council has not acted in their best interests</i>	The council should aim to represent the views of residents while addressing technical concerns	Residents will have confidence in their council to articulate their views and safeguard the future of the town
Community Safety <i>None</i>		
Financial <i>Knock on impacts could cost the council income or expenditure, e.g. business rates</i>	Set out the council's concerns to the Commission for their consideration	The council could safeguard the economy or benefit financially by highlighting potential risks to the local economy
Timetable for delivery <i>Submission not completed in time</i>	Authorise officers to devote necessary resource	Slough may benefit as a result of the submission
Project Capacity <i>Insufficient officer resource</i>	Authorise officers to devote necessary resource	Slough may benefit as a result of the submission
Other		

(c) Human Rights Act and Other Legal Implications

There are no Human Rights Act or Legal implications relating to the compilation of this response. The council will make all efforts to represent the best interests of all of Slough's residents.

(d) Equalities Impact Assessment

The consultation response will take account of Equalities Impacts during compilation.

5 **Supporting Information**

The Airports Commission is an independent commission, chaired by Sir Howard Davies, and attended by 4 other Commissioners. The Commission is designed to examine the need for additional UK airport capacity, and to make recommendations to central government about how this need can be met.

In December 2013, the Commission published an Interim Report, which identified a short-list of three options for increasing the UK's aviation capacity.

The short-listed options are:

- Gatwick Airport Second Runway
- Heathrow Hub: Extended Northern Runway
- Heathrow Airport Limited: New North West Runway

On November 11<sup>th</sup> 2014, the Commission published a Consultation, allowing public comment on the three shortlisted options and the Commission's assessment. This consultation will run for 12 weeks, and will end on Tuesday 3<sup>rd</sup> February 2015.

Following this public consultation, the Commission will submit a final report to government by summer 2015, which will assess the environmental, economic and social costs and benefits of a number of solutions to increase airport capacity.

The eight questions outlined in the Commission's consultation, published on November 11<sup>th</sup> 2014, are as follows:

*Q1: What conclusions, if any, do you draw in respect of the three short-listed options? In answering this question please take into account the Commission's consultation documents and any other information you consider relevant. The options are described in section three.*

*Q2: Do you have any suggestions for how the short-listed options could be improved, i.e. their benefits enhanced or negative impacts mitigated? The options and their impacts are summarised in section three.*

*Q3: Do you have any comments on how the Commission has carried out its appraisal? The appraisal process is summarised in section two.*

*Q4: In your view, are there any relevant factors that have not been fully addressed by the Commission to date?*

Q5: Do you have any comments on how the Commission has carried out its appraisal of specific topics (as defined by the Commission's 16 appraisal modules), including methodology and results?

Q6: Do you have any comments on the Commission's sustainability assessments, including methodology and results?

Q7: Do you have any comments on the Commission's business cases, including methodology and results?

Q8: Do you have any other comments?

Both proposals for expansion at Heathrow would result in a third runway crossing the borough boundary, and impacting heavily on land uses in Colnbrook and Poyle ward. Some impacts are common to both proposals while some arise from one or other of the options.

The Heathrow Airport Limited (HAL) proposal is for a new north-west runway of 3,500m, 1,045m north of the existing northern runway.

The Heathrow Hub (HH) proposal is for an extension of the existing northern runway, creating two in-line runways of 3000m in length separated by a 650m safety zone.

The level of detail available for the HH proposal is generally much less than for HAL, and while the council has engaged with both scheme promoters the engagement with HAL has yielded greater detail.

### High level assessment of impacts

The two proposals considered below are those relating to Heathrow and which will impact Slough the most. Members may wish to comment on the relative merits of expansion at Heathrow or Gatwick. Expansion at Gatwick would have little physical impact on Slough residents. It is argued that expansion at Heathrow would secure this airports hub status, with the Airports Commission acknowledging that Heathrow will deliver greater national economic benefits. It is widely recognised that expansion at Heathrow would benefit business and employment in the local area more favourably than expansion at Gatwick.

Impacts	North West runway	Extended Northern runway
<b>Noise</b> – people affected by 55Lden (Airports Commission)	(Total thousands) Today – 766.1 2030 – 741.8 2050 – 820	(Total thousands) Today – 766.1 2030 – 992.4 2050 – 1,035.1
<b>Noise</b> – detailed information on flight paths unavailable	Noise contours move further north over Slough exposing more residents to aircraft noise. Alternation can be retained over three runways. Greater respite for densely populated areas of west London	Fewer newly affected communities in Slough as runways inline. Aircraft can land further west to alleviate noise for densely populated west London.

<b>Noise Operating procedures</b>	-	Both proposals claim new technology and operating procedures will be utilised to minimise noise, e.g. quietest aircraft, steeper descents, landing gear, curved approaches etc.
<b>Land use</b>	Runway crosses M25 and extends westwards to the north of Colnbrook approximately as far west as Mill Street. Re-routing of Bath Road and construction of a by-pass to M25 J14. Relocation of Energy from Waste plant.	Runway crosses M25 and extends westwards to south of Colnbrook to approximately as far west as Coppermill Road/ Wraysbury Reservoir. M25 relocated westwards, few proposals available for changes to local roads. Loss of 242 properties (most in Colnbrook) and loss of industrial/commercial space on Poyle Industrial estate which would result in a loss of business rates and potentially reduce employment opportunities.
<b>Economic impact</b>	Total £112bn - £211bn Additional cargo and commercial proposals	Total £101 - £214bn
<b>Jobs</b>	92k max	112k max
<b>Transport</b>	Both schemes claim no additional vehicles on the road network as a result of public transport improvements e.g. Crossrail, HS2 and improved and expanded bus routes. HAL has suggested if required a congestion charge may be imposed around the airport.	
	HAL is committed to delivering Western Rail Access to Heathrow and has included the project as part of their transport baseline. This project meets the Department for Transport specification for a direct main line rail connection between Reading, Slough and Heathrow.	Part of HH proposal includes a transport interchange on the Great Western Mainline at Iver, rather than delivering Western Rail Access to Heathrow. This would add an additional station to the Great Western mainline which could increase journey times for passengers travelling to and from the west which could impact on attractiveness of business. There is also little detail on how passengers would be transported from Iver to the airport. The Airports Commission is considering the runway and transport elements of HH proposals separately. However HH has said that the Iver interchange is not instrumental to their runway proposal.

### **Mitigation likely to be required**

Some of the mitigations covered below have to some extent or another already been accommodated by either of the scheme promoters. The council will pursue an ongoing dialogue to ensure the proposals meet the councils mitigation requirements.

It is important that all elected members have the opportunity to assess the impact on their local area and have the opportunity to input into the mitigation process.

	<b>North West runway</b>	<b>Extended Northern runway</b>
Noise	Robust noise insulation package for residential properties required, including those newly affected. Insulation scheme for schools and affected civic buildings to ensure learning atmosphere maintained	Mitigation unlikely to be required to the same extent in Slough, though enhancements required for more intensively affected areas under existing flight paths.
	Ban on night flights 23.00 – 6.00. Use of quietest aircraft. Zero tolerance and higher penalties for non-adherence to operating procedures, with funds allocated to local communities. Predictable and guaranteed periods of respite. Noise preferential routes to avoid Slough populations.	
Air quality	Modal shift to sustainable forms of transport for passengers and employees essential through investment in public transport schemes. Utilisation of electric vehicles on and off airport, and investment in supporting infrastructure. Low emission zone for Slough.	
Economy, jobs and skills	No net loss of businesses/business rates and compensation if losses do occur plus support to rebuild the business base. Heathrow must contribute to building Slough's business base. Ensuring Heathrow complements, and does not compete with industrial/commercial areas or Slough town centre. Step change in the level of apprenticeships during construction and operation, and collaboration on skills and training to allow local residents to access high skilled opportunities.	
Roads	Provision of Colnbrook by-pass to alleviate congestion on High Street.	Re-alignment of local roads to ensure communities are not severed
	Improve connectivity between Heathrow and its closest communities. Alleviate issues of congestion and parking in Colnbrook.	
Planning	Joint masterplanning to ensure the best long term deal for local communities. Flood alleviation projects.	
	Expansion will place additional pressure on housing capacity. Heathrow needs to work with surrounding authorities to plan for this	Proposals required on re-housing of displaced communities within Slough. Council requires compensation for lost income from council tax.
	Energy from Waste plant re-provided at no detriment to Slough Borough Council	-
Transport	Commitment to improved surface access and modal shift of passengers and staff. Good multi modal accessibility to the airport from the west	Delivery of WRAtH rather than the proposed transport hub as generates greater benefits for passengers
Community	Disruption to communities must be mitigated through enhanced community facilities, re-provision/enhancement of lost recreation or open spaces, support for disrupted communities to access required facilities.	

## 6 **Comments of Other Committees**

This particular report has not been considered by any other committees.

The issue of aviation was last considered by Cabinet on 7<sup>th</sup> August 2012, at which time the Cabinet resolved to *promote the economic importance of Heathrow to the economy of Slough*, to make all efforts to *mitigate the negative impacts of Heathrow*, to *adopt a pragmatic approach to expansion of Heathrow, believing that expansion is preferable to closure*, and to *encourage the increase of capacity by all other means prior to supporting infrastructure expansion*.

## 7 **Conclusion**

The national consultation currently being held by the Airports Commission is a valuable opportunity for stakeholders to express their views on the proposed options for expanding aviation capacity in the UK. Slough will be substantially impacted by the two Heathrow based of the three shortlisted options, and thus it is important that the council has the opportunity to submit any issues with the proposals, to inform the Commission of local knowledge they have omitted, and to submit mitigations which the borough council has identified.

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**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 15 December 2014

**CONTACT OFFICERS:** Julie Pickering,  
Interim Assistant Director, Commissioning & Procurement  
**(For all enquiries)** (01753) 875275

**WARD(S):** All

**PORTFOLIO:** Commissioner for Environment and Open Spaces, Cllr Satpal Parmar

**PART I**  
**KEY DECISION****ENVIRONMENTAL SERVICES CONTRACT SAVINGS****1 Purpose of Report**

To inform cabinet of the ways the council could save money on environmental services by making changes to its contract with Amey.

The proposed savings and efficiencies identified are the ones that can be delivered in the short to medium term without major transformation to the services.

**2 Recommendations**

The Cabinet is requested to resolve that the suggested changes to the Amey contract identified in section 5 of this report be approved.

**3. The Slough Joint Wellbeing Strategy, the JSNA and the Corporate Plan**

The Slough Joint Wellbeing Strategy (SJWS) is the document that details the priorities agreed for Slough with partner organisations.

**3a. Slough Joint Wellbeing Strategy Priorities**

Slough Borough Council has stated through the Sustainable Community Strategy in the Environment and Regeneration section that it will pursue steps to:

- move up the waste hierarchy and increase the amount of waste recycled;
- reduce the overall amount of waste produced; and
- reduce dependency on landfill for final waste disposal.

Furthermore it also states that the council will:

- continue to provide a dedicated scheme to collect green garden waste.

The primary environmental commitment and statement made by the Council through the Slough Sustainable Community Strategy is that the council has set itself the target of recycling 60% of its waste by 2028. This is a core driver behind the Waste Strategy in development and defines the strategic horizon period.

Slough Borough Council has stated through the Sustainable Community Strategy in the Environment and Regeneration section that Slough has made good progress in recent years to improve the local environment and is now one of the cleanest boroughs in the South-East. Furthermore it also states that the council will support and ensure residents can:

- Volunteer for community clean up campaigns; and
- Keep their neighbourhood clean and tidy.

3b. **Cross-Cutting themes**

Residents play an important part in the sustainable management of the borough’s waste and the council relies on residents to sort their recycling and residual waste for collection, and to dispose of their waste considerately, especially larger items. Furthermore residents waste disposal habits have implications for the council’s budget, and influences the amount of waste sent to landfill, recycled or composted. Therefore, all residents have a civic responsibility to contribute to a cleaner, greener Slough, demonstrating the cross-cutting theme of **Civic responsibility**.

Successful waste management and street cleaning processes will ensure the town is kept tidy and clean, while unsuccessful processes may have inadvertent consequences such as a rise in fly tipping or littering, which damages the image of the town. This relates to the theme of **Improving the image of the town**.

3c. **Joint Strategic Needs Assessment (JSNA)**

There are no references within the Joint Strategic Needs Assessment (JSNA) for Environmental Services (Waste Collection, Street Cleaning, Grounds Maintenance).

4 **Other Implications**

(a) **Financial**

The financial implications of the rationalisation of services as set out in Section 5 is reduction in the fixed payments made to Amey by £514,147.18 for financial year 2015/16.

(b) **Risk Management**

<b>Risk</b>	<b>Mitigating action</b>	<b>Opportunities</b>
Legal	Environmental Protection Action 1990 minimum street cleanliness levels to be adhered to from changing	N/A
Property	Infringing of overgrown hedges onto Public Highway	N/A
Human Rights	N/A	N/A
Health and Safety	Infringing of overgrown hedges onto Public Highway.	The removal of task and finish will slow crews down. Crews going out earlier will reduce traffic congestion.
Employment Issues	Potential redundancies at Amey to be managed by contractor	N/A

Equalities Issues	N/A	N/A
Community Support	N/A	Provision of receptacles for community clear ups to made to all community groups / residents.
Communications	Bins will be collected earlier and this needs to be communicated to residents that are the first to have their bins collected.	Opportunity to inform residents of benefits of new collection times through reduced traffic congestion.
Community Safety	N/A	Earlier start times will mean that there is reduced congestion around some school routes.
Financial	See Section 4 a)	N/A
Timetable for delivery	Financial risk if savings are not made. Reputational risk to residents and businesses from impact of street cleaning and grounds maintenance proposed changes. Consultation with Union(s) required in advance of implementation.	
Project Capacity	To be delivered by Amey. Support for communications provided by SBC.	N/A
Other	N/A	N/A

(c) Human Rights Act and Other Legal Implications

There are not any Human Rights Act Implications.

(d) Equalities Impact Assessment

There is no identified need for the completion of an EIA.

**5 Supporting Information**

- 5.1 Slough Borough Council is responsible for collection, management and disposal of all household waste generated within the borough. These services are delivered by Amey under the environmental services contract, which runs until November 2017. The contract covers waste collection, waste management, waste disposal, highways, street cleaning and grounds maintenance.
- 5.2 A major review of the contract was conducted in early 2014 to identify savings, the initial remit being to reduce costs by 20%. The proposed changes listed below were suggested during discussions with Amey and amount to about an 8% reduction. A greater reduction would require the need for major changes to services.
- 5.3 Bin men currently start work at 7.30am and are allowed to finish once they have completed their rounds. Reducing the number of bin men and making them work a

fixed day of 6am to 2pm would allow the same number of bins to be collected by fewer men working longer days. It could also help tackle complaints from residents about bins not being put back properly by men who are rushing to complete their rounds. This change could save **£188,000.00**.

- 5.4 **£150,000** could be saved in the street cleaning budget by reducing the number of street cleaning teams and halving the number of trips the mechanical street sweepers make. This would involve them visiting the cleanest streets less often – twice or three times a week, rather than every day.
- 5.5 Slightly reducing the number of times grass is cut from 13 times to 12 times per year, and suspending it during hot/dry weather when the grass grows more slowly, would save **£36,445.42**.
- 5.6 Trimming hedges twice a year in February and September rather than three times in February, June and October would save **£66,156.70**.
- 5.7 Edging flower beds and paths once every two years rather than every year would save **£73,545.06**.
- 5.8 All the proposed changes would reduce fixed payments to Amey by **£514,147.18** for 2015/16.

## 6 **Comments of other committees**

None

## 7 **Conclusion**

Cabinet is requested to resolve the implementation of the proposed service changes to the Amey contract as identified above.

Cabinet should consider which (if any) or all of the options they wish to adopt and the implications of the service changes in the short, medium and long term.

The savings are not linked to proposed service changes currently in development through the waste strategy.

## 8 **Background Papers**

None

**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 15<sup>th</sup> December 2014

**CONTACT OFFICER:** Savio De Cruz, Acting Head of Transport, 01753 875640  
**(For all enquiries)** Charlotte Lee, National Management Trainee, 01753 875216

**WARD(S):** All

**PORTFOLIO:** Councillor Sohail Munawar  
 Commissioner for Social and Economic Inclusion.

**PART I**  
**KEY DECISION****A332 WINDSOR ROAD ROUTE ENHANCEMENT AND A355 TUNS LANE/FARNHAM ROAD ROUTE ENHANCEMENT****1. Purpose of Report**

The purpose of this report is to seek Cabinet's agreement to progress implementation of the A332 and A355 route enhancement schemes in order to reduce congestion and improve journey time reliability along these strategic routes.

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

The Cabinet is requested to resolve:

- (a) That the process of securing funding from Thames Valley Berkshire LEP be progressed and supported.
- (b) That the terms of the offer, including the potential need for the remainder of the scheme cost to be met by local funding contributions, be noted.
- (c) That the local funding contributions required from Council capital resources be agreed in principle subject to further consideration of scheme costs.
- (d) That the design of the scheme be agreed in principle subject to a positive outcome of the public consultation that is underway at the time of writing this report, and will be completed at the time of presenting this report to Cabinet.
- (e) That the tendering process be progressed in due course in line with the Council's procurement policy.

**3. The Slough Joint Wellbeing Strategy, the JSNA and the Corporate Plan****3a. Slough Joint Wellbeing Strategy Priorities****Health**

Aims relating to this report:

- Ensuring better community engagement to improve the wellbeing of our residents

- 3.1 Improving the strategic A332 and A355 routes will contribute to the health and wellbeing of those living and working in Slough by increasing access into the local community and enhancing social inclusion. The scheme will also help to address AQMAs by reducing pollution from congestion and 'stop start' road traffic.

## **Economy and Skills**

Aims relating to this report:

- Increase prosperity of the community and town
- Maintain and grow the town's economy
- Improve transport and communications infrastructure
- Increase inward investment and town centre regeneration

3.2 These schemes will contribute to the economy of Slough by reducing congestion along the town's strategic routes and making it more attractive as a place for businesses to invest. Improving access to the town centre will also encourage retail developments to utilise Slough as a place to do business, and will attract local people to visit the town centre's retail outlets and contribute to its growth.

## **Regeneration and Environment**

Aims relating to this report:

- Facilitate the regeneration of Slough town centre to become a thriving sub regional hub for public transport, retail, culture and living
- Encourage private sector investment to create employment and economic activity that will increase the viability and vitality of the town
- Maintain and improve access to recreational and leisure facilities, including parks and open spaces, using these in such a way as to ensure local people gain most benefit

3.3 Slough's environment will be enhanced by the potential reductions in CO2 and NO2 emission levels which are often caused by congestion and 'stop start' traffic. Moreover, improving the A332 will contribute towards regenerating the image of Slough, and will encourage residents and visitors to utilise the amenities in the town centre. Similarly, improving the A355 will help to regenerate a key strategic route to Slough Trading Estate, and will therefore contribute to the realisation of SEGRO's 'Masterplan' for the trading estate.

## **Housing**

Aims relating to this report:

- Better housing standards, including efficiency and more choice and affordability

3.4 Both schemes unlock an opportunity for new housing developments, and the A332 scheme in particular unlocks the opportunity to demolish derelict properties and potentially build new housing in its place. The A332 scheme will help the delivery of plans for Slough town centre supporting the provision of almost 2400 new dwellings and 79,000 sq m of new office and ancillary space. In addition to the 2400 dwellings described above there are opportunities for some 1000 extra dwellings in the town centre over and above the LDF allocation. These would be in the form of redevelopment and changes of use and rely on provision of improved access into the town centre. The opportunity to unlock further housing opportunities and regeneration of parts of Slough along the Farnham Road and Chalvey could also be progressed as a result of the A335 scheme.

## **Safer Communities**

Aims relating to this report:

- A place where people feel safe to live, visit, work and play
- Promote cohesive open communities that value diversity, encourage a sense of belonging and engender a sense of local pride

3.5 Improving the A332 and the A355 will enhance community safety in the area. Firstly, improvements to access and infrastructure for pedestrians and cyclists will provide safer crossing and cycling facilities, which has the potential to reduce the number of collisions involving pedestrians and cyclists. Secondly, upgrading junctions and signals will help to reduce collisions by limiting the incidences of excessive queuing which can lead to driver frustration and subsequent poor manoeuvres. Improvements to these strategic routes will also allow greater social inclusion and community cohesion through improved connectivity into the town centre.

## **Cross-Cutting themes**

### **Civic responsibility**

3.6 Improving transport and access to Slough's key amenities will encourage residents and visitors to become champions for the area, thus contributing towards the economic growth of the town.

### **Improving the image of the town**

3.7 Both of these schemes will improve two of the main strategic approaches into Slough, which has the potential to significantly enhance the public perception and overall image of the town. Reduced congestion will result in easier access for residents, visitors and business users, thus encouraging greater use of the town centre and key business locations.

## **4. Other Implications**

### **(a) Financial**

4.1 This scheme has been approved by the Capital Strategy Board, on the basis that over its lifetime it will unlock opportunities for housing, regeneration, business investment, and improvement to AQMA zones to help improve Business Rates income and Council Tax income through helping the delivery of additional units being built.

4.2 It is important to note the significant financial contribution from the council to these schemes of £5m (A332) and £5.5m (A355.) This will need to be factored into the next Capital Strategy (2015-20) as part of the planning process; this will come to Cabinet early in 2015. This cost will be borne by the Council's General Fund capital programme, and this will result in a revenue cost through either reduced investment balances or through the need to borrow additional funds. The Capital strategy is due to be approved by full Council in February 2015 and at this point, if approved, the scheme will receive the finalised approval for funding from SBC.

4.3 Contributions will come from:

A332

SBC Capital: £300,000 (P098)

SBC General Fund: £2m

TVBLEP: £2.7m

S106: None

A355

SBC General Fund: £100,000

TVBLEP: £4.4m

S106 (Eton College): £700,000

S106 (Other): £300,000

**(b) Risk Management**

<b>Risk</b>	<b>Mitigating action</b>	<b>Opportunities</b>
<p><b><u>Legal</u></b></p> <p>a) Unexpected land compensation claims.</p> <p>b) Delay in acquiring frontage land near Three Tuns/ land transfer negotiations and legal process longer than expected.</p> <p>c) Planning permission not being granted for elements that are not Permitted Development.</p>	<p>a) Address any claims in accordance with current legislation.</p> <p>b) Programme allows time for CPO process to be carried out and time for land transfer.</p> <p>c) Public consultation and close working with Ward Members, NAGs, Parish Councils and partners, bearing in mind that the affected land lies within the approved Bath Road Widening Line. On-going dialogue with planning officers to address likely concerns.</p>	
<b><u>Property</u></b>	No risks identified	
<b><u>Human Rights</u></b>	No risks identified	
<b><u>Health and Safety</u></b>	No risks identified	
<b><u>Employment Issues</u></b>	No risks identified	
<b><u>Equalities Issues</u></b>	Please see Section 4d of this report for a full list of risks and mitigations	Upgrades to pedestrian crossings will provide a safer crossing point for blind and partially sighted residents, thus enhancing social inclusion



<p><b><u>Community Support</u></b></p> <p>a) Unfavourable response to wider public consultation.</p>	<p>a) Programme allows for detailed design to be modified where necessary to meet specific objections.</p>	
<p><b><u>Communications</u></b></p> <p>a) Public unaware of proposals</p>	<p>a) Appropriate consultation to be carried out before works are carried out</p>	
<p><b><u>Community Safety</u></b></p>	<p>No risks identified</p>	<p>Upgrades to pedestrian crossings will enhance community safety</p>
<p><b><u>Financial</u></b></p> <p>a) Delays in achieving local contribution towards costs.</p> <p>b) Higher than expected costs arising post-business case approval.</p>	<p>a) Ensure SBC funding in place and on-going dialogue with partners.</p> <p>b) Manage scheme costs and benchmark against similar schemes.</p>	
<p><b><u>Timetable for delivery</u></b></p> <p>a) Unexpected lead in time and duration for Statutory Authority Works.</p> <p>b) Delays in procurement process.</p> <p>c) Utilities alterations greater than expected.</p>	<p>a) Discuss and place orders early on and allow adequate lead in time in Project Plan.</p> <p>b) Programme allows adequate time for procurement.</p> <p>c) Early consultation with Statutory Authorities</p>	
<p><b><u>Project Capacity</u></b></p>	<p>No risks identified</p>	
<p><b><u>Other</u></b></p> <p>a) Changes to design after commencing construction.</p>	<p>a) Fully complete design prior to commencing construction/ allow for contingency provision.</p>	

### **(c) Human Rights Act and Other Legal Implications**

4.4 No implications

### **(d) Equalities Impact Assessment**

4.5 An Equalities Impact Assessment has been carried out. The following potential impacts, and their corresponding mitigations, were raised:

4.6 Narrowing of the pavements at certain points may have a negative impact on those with access requirements, such as wheelchair users and blind or partially sighted road users. In order to mitigate for this, SBC will ensure that footway widths will be maintained so that vulnerable road users have access.

4.7 The change to the layout of the roads may have a negative impact on blind and partially sighted road users, as such changes can be disorientating. In order to mitigate for this, SBC will provide tactile paving on key footways in order to alert blind and partially sighted road users to road layout changes. All signal crossings will also be fitted as standard with tactile cones.

4.8 Narrowing of the pavements at certain points may have a negative impact on mothers with pushchairs. In order to mitigate for this, SBC will ensure that pavements are wide enough to remain accessible for those with access requirements

4.9 At some points during the construction process pavements may need to be closed or narrowed, which could negatively impact blind and partially sighted pedestrians, wheelchair users, and mothers with pushchairs. In order to mitigate for this, SBC ensure that diversions are in place for all pedestrians and cyclists

4.10 At this moment we are unable to identify what type of disruption will occur while SBC re-configure the disabled steps and access from the pavement to Slough Baptist Church. However, access to the Baptist Church will be maintained including the ramp access.

Equalities will also be managed through the CDM-C role throughout the process.

### **(e) Workforce**

4.11 No implications

### **(f) Property**

4.12 Please refer to Cabinet Report 'Windsor Road Regeneration Scheme,' presented in Part Two of the Cabinet meeting held on 15<sup>th</sup> September 2014.

## **5. Supporting Information**

### **Strategic Context**

5.1 The A332 provides a strategic link between Slough, Windsor and Bracknell. It also acts as the southern gateway to Slough town centre, and connects with Uxbridge (via the A412 Albert Street) and with Wexham Park Hospital and South Buckinghamshire (via the B415 Stoke Road). Every day an average of over 23,000

vehicles use Windsor Road, with morning peak flows of about 4,300 vehicles. An average of 12 buses an hour use the route.

- 5.2 The A355 is the strategic north-south route connecting M4 J6 with M40 J2. It gives access to the major focus of business activity at Slough Trading Estate for business travellers, staff and freight. It also serves Slough town centre via the A4 strategic east-west route and provides the main connection between Slough Trading Estate and Heathrow via M4 J6. South of M4 J6 the A355 crosses the Borough boundary and connects with the A332 to give access to and from Windsor and Bracknell. However, these routes often become congested, meaning that traffic is delayed and journey time reliability is poor along these routes.
- 5.3 Route enhancements along the A332 and A355 will therefore enhance connectivity into the town centre, and will improve journey time reliability across the Borough. The Council has submitted the A332 and A355 route enhancement schemes for inclusion for funding by the Thames Valley Berkshire LEP in October 2014, and has received financial approval from the LEP and the DfT for both schemes following the LTB meeting on the 20<sup>th</sup> November 2014.

### **Outline of the Schemes**

- 5.4 The A332 and A355 route enhancement schemes deliver a combination of:
- Road widening and junction and signal improvements, aimed at reducing congestion and improving journey time reliability
- 5.5 The schemes will enhance connectivity between key areas in the Borough, including:
- Slough town centre: these projects will complement the improvements that have been initiated since 2010 as part of the Heart of Slough regeneration project. Both enhancements will improve access to the town centre's shopping and commercial facilities, and will therefore contribute to the economic growth of the town
  - Slough Trading Estate  
The A355 project in particular will enhance access to Slough Trading Estate, and will therefore contribute to the completion of SEGRO's masterplan, which in turn will attract businesses to Slough and reaffirm Slough's status as an economic hub of the South East
  - The M4 and the M40: The A355 enhancement scheme will improve traffic flow on the strategic-north south route between the M4, Slough Trading Estate and the M40, which will also enhance access to Slough town centre

### **Detailed Infrastructure Proposals**

#### **5.6 A332 Route Enhancement**

This scheme is designed to reduce congestion, improve traffic flow, and improve journey time reliability. In order to do this, a number of enhancements will be carried out on this route, including:

#### **Northern section**

This section of the scheme focuses on carrying out improvement works on the northern section of Windsor Road. These works include:

## High Street to Herschel Street

- Widening of carriageway to two lanes northbound and southbound;
- Improvements to traffic signal operation/capacity;
- Improvements to bus infrastructure;
- Improvements to pedestrian facilities;
- Public realm enhancements linked with 'Heart of Slough' regeneration.

## Herschel Street to Albert Street(A412)/ Chalvey Road East

- Widening of carriageway to two lanes northbound and southbound;
- Improvements to traffic signal operation/capacity;
- Improvements to bus infrastructure;
- Landscaping enhancements.

## Southern section

This scheme focuses on carrying out improvement works on the section of A332 between Albert Street/Chalvey Road East and Ragstone Road. These works include:

- Widening of carriageway to two lanes northbound and southbound;
- Improvements to traffic signal operation/capacity; and
- Improvements to pedestrian facilities

## 5.7 A355 Route Enhancement

This scheme is designed to reduce congestion, improve traffic flow, and improve journey time reliability. In order to do this, a number of enhancements will be carried out on this route, including:

- Conversion of the Copthorne roundabout to a 'hamburger' design' similar to the Sainsbury roundabout in the Town Centre;
- Alteration of north-south (A355 Tuns Lane) movements to cut across the circulatory carriageway;
- Retention of the circulatory section for side roads (Cippenham Lane and Church Street)
- Retention of Church Street as a give-way controlled arm
- Installation of MOVA i.e. smart controlled signals on 3 approaches to the roundabout: A355 Tuns Lane north; A355 Tuns Lane south; and Cippenham Lane
- Church Street is to remain un-signalised
- Widening the south-east corner of the roundabout and reducing the speed limit on A355 south of the junction to 30mph to enable the conversion of the southbound carriageway to three lanes
- Conversion of the northbound carriageway of the A355 to three lanes from the High Street, Chalvey bridge to the new roundabout;
- Localised changes to signs and lines on approaches

## Programme

5.8 In summary, the programmes for each of the schemes are as follows:

### A332

- Business Case ready for submission to independent assessor: Oct 2014;
- Financial approval sought from BLTB: Nov 2014;

- Tendering process begins: March 2015;
- Works begin on ground: July 2015;
- Completion: Autumn 2016.

### **A355**

- Business Case ready for submission to independent assessor: October 2014;
- Financial approval sought from BLTB: November 2014;
- Tendering process begins: March 2015;
- First phase works begin on ground: June 2015;
- Completion of first stage works: Summer 2016.

## **Public consultation**

5.9 Slough Borough Council conducted a public consultation for the A332 and the A355 schemes over the period of 20<sup>th</sup> October-28<sup>th</sup> November inclusive. This public consultation took the form of a number of public events, held in various locations around Slough, as well as an online consultation on the Council's Limehouse portal, which allowed residents and businesses to respond to the consultation questionnaire online. Paper copies of the consultation questionnaire were posted to affected residents and businesses, and were also provided at each of the public events. Slough Borough Council received the following level of response for each of the schemes:

### **A332**

Online responses -56

Postal responses - 20

Total responses - 76

### **A355**

Online responses -63

Postal responses -10

Total responses - 73

5.10 Detailed percentage breakdowns can be found in the appendices. Please see below for an overview of the total responses received (received both online and via post.)

### **A332**

Question	Yes	No	Don't Know	No response
Do you support the widening of the carriageway to two lanes northbound and southbound between the High Street and Herschel Street in order to reduce congestion?	65.8%	23.7%	10.5%	0%
Do you support the widening of the carriageway to two lanes northbound and southbound between Herschel Street and Albert Street/Chalvey Road East in order to reduce congestion?	64.5%	25.0%	9.2%	1.3%
Do you support the widening of the carriageway to two lanes northbound and southbound between Ragstone Road and Albert Street/Chalvey Road East in order to reduce congestion?	61.8%	27.6%	10.5%	0%

## A355

Question	Yes	No	Don't Know	No response
Do you support the conversion of the Copthorne roundabout to a hamburger design in order to reduce congestion?	64.4%	21.9%	9.6%	4.1%
Do you support the widening of the southbound carriageway of the A355 to three lanes in order to reduce congestion?	75.3%	17.8%	2.7%	4.1%
Do you support road widening to reduce the journey time between the town centre and Junction 6 of the M4?	76.7%	16.4%	1.4%	5.5%
Do you support road widening of the south-east corner of the roundabout in order to enable the conversion of the southbound carriageway for three lanes?	67.1%	16.4%	8.2%	8.2%
Do you support the installation of MOVA controlled signals on three approaches to the roundabout in order to reduce congestion?	61.6%	23.3%	9.6%	5.5%
Do you support the change in speed limit from 70mph to 30mph between M4 Junction 6 and the Copthorne roundabout?	27.4%	58.9%	8.2%	5.5%

5.11 The only question where more respondents answered “No” than “Yes” was Question 6 of the A355 Consultation Questionnaire: “Do you support the change in speed limit from 70mph to 30mph between M4 Junction 6 and the Copthorne roundabout?” Slough Borough Council recognises these concerns. However, the scheme requires the speed limit to be reduced, due to the narrowing of lanes and associated safety concerns for motorists and pedestrians.

### 5.12 Public Feedback: A332

Residents have expressed concerns about:

- Entry/exit onto Windsor Road from surrounding side streets
- Concerns about how the scheme will affect the quality of the environment/pollution
- Concerns over whether the scheme will lead to excessive speeding
- Residents have expressed a desire for a speed limit, and a desire for speed cameras
- Residents have also outlined the need for parking, pedestrian crossing, and pedestrian and cycle facilities to be considered

Slough Baptist Church have expressed concerns about:

- Disabled parking
- Disabled access in/out of the Church
- Fire safety and fire exit – outflow entry/exit if the front entrance to the Church is changed
- Safety for children (including Guide groups) and the proximity of the Church to the road

- The loss of the front “garden” patio area to the Church and front garden of the residential property next door
- The need for facilities for parking, a layby for loading/unloading, and adequate space for access/egress
- It is also noted that Slough Foodbank and other Church groups need ease of access and facilities for loading, parking, and disabled parking.

Slough Borough Council will consider the possibility of loading areas and parking allocations at Slough Baptist Church throughout the detailed design process.

Slough Baptist Church have made Slough Borough Council aware that they are in the process of gathering signatures for a petition, to be submitted to the Council before the end of this year.

#### 5.13 Public Feedback: A355

The primary recurring concern about the A355 scheme centred around concerns about the reduction of the speed limit from 70mph to 30mph between the M4 Junction 6 and the Copthorne Roundabout, as acknowledged above.

Lastly, the Slough Local Access Forum provided Slough Borough Council with the following comments about both the A332 scheme and the A355 scheme:

- Feedback that the online questionnaire has been perceived as “leading”
- Enquiries as to how much each scheme will cost and how much congestion is expected to reduce by
- How congestion is measured
- Comments that the Windsor Road scheme will do little to reduce congestion, due to the fact that congestion is largely due to the road being single lane further north
- Comments that the schemes require well designed cycle lane provision
- Members would like “to know about the modelling used and the results achieved from this modelling to support the Council’s conclusions about the impact of these two schemes.”

- 5.14 Slough Borough Council has taken these comments on board and will respond to them individually. Where possible, Slough Borough Council will also use these concerns to inform the detailed design process, and amendments and/or mitigations will be made for these concerns where possible and feasible.

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

### Capital Strategy Board

- 6.1 This scheme has been approved by the Capital Strategy Board, on the basis that over its lifetime it will unlock opportunities for housing, regeneration, business investment, and improvement to AQMA zones to help improve Business Rates income and Council Tax income through helping the delivery of additional units being built.

## **7. Conclusion**

7.1 It is recommended that Cabinet:

- Agree to progress and support the process of securing funding from TVBLEP
- Agree in principle to the local funding contributions required from Council capital resources, subject to further consideration of scheme costs
- Agree and progress the design of the scheme

7.2 It is also recommended that it should be agreed for officers to continue in parallel the following:

- The design of both schemes through to tender stage and appointment, in line with the council's procurement policy
- Implementation of construction in 2015 for the route enhancement schemes, for completion in 2016

## **8. Appendices Attached**

- 'A' - Submitted LEP Bid, A332 Corridor Improvements
- 'B' - Submitted LEP Bid, A355 Route Enhancement
- 'C' - Percentage Breakdown: A332 Online Responses
- 'D' - Percentage Breakdown: A332 Postal Responses
- 'E' - Percentage Breakdown: A332 Total Responses
- 'F' - Percentage Breakdown: A355 Online Responses
- 'G' - Percentage Breakdown: A355 Postal Responses
- 'H' - Percentage Breakdown: A355 Total Responses
- 'I' - Equalities Impact Assessment

## **9. Background Papers**

- '1' - <http://static.slough.gov.uk/downloads/SJWSbooklet-final-2013.pdf>



## Thames Valley Berkshire LEP: Strategic Economic Plan

### *Programme D (Infrastructure) – Package Diii (Enhancing urban connectivity)*

### *Project 5: Slough – Corridor Improvements (A332)*

#### Project summary and overview

**1. Name of project:**

Slough – Corridor Improvements (A332)

**2. Lead organisation:**

Slough Borough Council

**3. Contact details: (name, email, telephone numbers)**

Savio DeCruz ([savio.deacruz@slough.gov.uk](mailto:savio.deacruz@slough.gov.uk) tel: 01753 875640)

**4. Brief description of the project and the main activities within it:**

This project includes a programme of junction improvements, road widening and other works along the strategic A332 with the aim of at improving conditions for general traffic as well as buses along this strategic route, making journeys quicker and more reliable.

**5. Location of the project:**

Central Slough

Local Authority: Slough Borough Council

Parliamentary Constituency: Slough

Postcode: SL1

#### Rationale for the project and strategic fit

**6. How will the project contribute to the delivery of Thames Valley Berkshire’s Strategic Economic Plan (SEP)?**

This project is concerned with the functioning of the road network in the east of Thames Valley Berkshire. It is a key project in the context of improved urban connectivity, one of the package priorities within the Strategic Economic Plan.

a) improve the **efficiency of Slough’s businesses** by reducing journey times and providing reliability along this corridor;

- b) support **retention and growth of employment** in Slough by protecting and enhancing the connectivity advantages which make Slough a good place to do business and a focus for future inward investment;
- c) reduce **CO<sub>2</sub> and NO<sub>2</sub> emission levels**, from stop start road traffic, hybrid public transport alternatives and good quality cycling and pedestrian infrastructure, which in turn assists in tackling this AQMA zone ;

The opportunity to unlock some further housing opportunities and regeneration in parts of Slough i.e. in the town centre and Chalvey.

**7. How does the project fit within the Programmes and Packages outlined in the SEP?**

This project is part of Programme D and, within that, Package D-iii: Enhancing Urban Connectivity. . It is also has linked to D-iv – Encouraging vibrant town centres and D-ii – Unlocking housing development.

**8. What is the rationale for the project?**

The road network in east Berkshire is congested with the A332 having delays of approximately 12-15 mins<sup>1</sup> in the peak period between the A332 bypass and the Town Centre. Improvements to the A332 by widening and removal of three pinch points will look to reduce congestion and encourage a smoother flow of vehicles and ultimately provide journey time reliability. The net benefit will result for both workers and business visitors to the Town Centre. The project also identifies access improvements for pedestrians to Slough Town Centre in addition to new infrastructure for buses and cyclists. This scheme will assist in underpinning major retail, office, housing and civic space regeneration in the centre of Slough.

**9. What market failures will it address? What is the evidence?**

Although some improvements have been carried out on the A332 with developer funding the private sector will not deliver a route enhancement scheme of this nature. The approach to the town centre is run down and is not attractive to new businesses wishing to set up in the town. The town centre has benefited from major regeneration but is still suffering from lack of retail development. Journey times have increased which indicate that shoppers are trying to avoid visiting the town centre, this is exacerbating the problem of growth in the area.

**10. What other options have been considered?**

An alternative scheme excluding road widening has been considered but was rejected due to it not achieving the capacity, journey time improvement and other benefits of the proposed route enhancement.

**11. What would be the consequences of a “do nothing” option?**

Improvements for pedestrians only could be realised through existing programmes but access to housing developments and the Town Centre would remain the same, resulting in detriment to future growth in the area.

**12. Which partner organisations are involved in, and committed to, the project?**

This is an SBC-led scheme but with committed funding contributions from developers. RBWM will need to be engaged as the scheme develops.

**Value for money**

**13. What outputs will the project deliver that are attributable to SLGF and other funding sources?**

Outputs		2015/ 16	2016/ 17	2017/ 18	2018/ 19	2019/ 20	2020/ 21	Later
Houses (units)	SLGF	55	345	420	420	270	110	215
	Other public sector (specify ESIF, etc.)	40	260	320	320	205	80	165
	Private sector	5	30	40	40	25	10	20
	Total	100	635	780	780	500	200	400
Jobs	SLGF	435	570	365	650	305	0	0
	Other public sector (specify ESIF, etc.)	330	430	275	495	230	0	0
	Private sector	40	50	35	60	30	0	0
	Total	805	1050	675	1205	565	0	0
Employment floorspace (sq m)	SLGF	9960	10800	5400	10800	5780	0	0
	Other public sector (specify ESIF, etc.)	7565	8200	4100	8200	4385	0	0
	Private sector	925	1000	500	1000	535	0	0
	Total	18450	20000	10000	20000	10700	0	0
Businesses created	SLGF							
	Other public sector (specify ESIF, etc.)							
	Private sector							
	Total							
Business assists	SLGF							
	Other public sector (specify ESIF, etc.)							
	Private sector							
	Total							
Other 1 (specify)	SLGF							
	Other public sector (specify ESIF, etc.)							
	Private sector							
	Total							
Other 2 (specify)	SLGF							
	Other public sector (specify ESIF, etc.)							
	Private sector							
	Total							

Note Benefit:Cost Ratio information is not available for this scheme at the moment.

**14. How have these outputs been estimated?**

Guidance from Council planning officers based on planning application and monitoring data. The floorspace, job and housing totals include those which form part of the Heart of Slough

regeneration project together with other town centre developments served by Windsor Road.

**15. What wider outcomes will be achieved in TVB? Please quantify these if possible.**

This scheme is concerned with maximising the capacity of the road network across the eastern part of Thames Valley Berkshire. It will reduce journey times and this in turn will result in productivity improvements.

Also, the scheme will help the delivery of plans for Slough town centre supporting the provision of almost 2400 new dwellings and 79,000 sq m of new office and ancillary space.

**16. To what extent are these outputs (and downstream outcomes/impacts) likely to be additional? What is the basis for this assessment?**

In addition to the 2400 dwellings described above there are opportunities for some 1000 extra dwellings in the town centre over and above the LDF allocation. These would be in the form of redevelopment and changes of use and rely on provision of improved access into the town centre; the A332 Windsor Road provides the southern gateway.

**17. What is the nature of the resourcing package that is proposed (e.g. balance between loans and grants, etc.)?**

The resourcing package is made up of 54% Single Local Growth Fund and 46% other contributions. This local funding will comprise the value of land being acquired by SBC for highway purposes, DfT grant, other SBC capital funds and developer contributions.

**18. What is the funding package through which the project will be delivered?**

Source	Year	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
SLGF	Capital	£2.7m					
	Revenue	N/A					
Other public sector	<i>Please specify</i>						
1	SBC	£2.05m					
2							
3							
Private sector	<i>Please specify</i>						
1	S106	£0.25m					
2							
3							

## Deliverability and risks

**19. How secure are the funding contributions from elsewhere?**

SBC funding commitment and developer contributions have been secured.

**20. What are the key project milestones?**

The junction improvements are already under construction and the land for widening has been resolved. Full implementation can start in 2015/16. The milestones are:

- Business Case ready for submission to independent assessor: Oct 2014;
- Conditional approval sought from BLTB: Nov 2014;
- Tendering process begins: Feb 2015;
- Works begin on ground: July 2015;
- Completion: April 2016.

**21. What are the proposed arrangements for project management?**

The Council has the resource to project manage and implement the scheme and operates a Prince2 project management procedure for large schemes like this.

**22. What are the principal risks linked to the project’s delivery, and what actions will be (or have been) taken to mitigate and manage these?**

Risk	Likelihood (H / M / L)	Severity (H / M / L)	Mitigating actions
1 Delay with planning permissions, where needed	L	H	Public consultation and close working with stakeholders
2 Higher than expected costs	L	M	Scheme to be tendered with other major projects included within the SEP to provide Vfm
3 Delays in procurement process	L	L	Programme allows sufficient time for process
4 Delays due to utility requirements	L	L	Close dialogue and planning with utility companies

***List of supporting information and evidence***

<sup>1</sup> Journey time information sourced direct from TomTom 3/03/14

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## Thames Valley Berkshire LEP: Strategic Economic Plan

### *Programme D (Infrastructure) – Package Diii (Enhancing Urban Connectivity)*

#### *Project 10: Slough A355 Route*

#### Project summary and overview

**1. Name of project:**

Slough A355 Route

**2. Lead organisation:**

Slough Borough Council

**3. Contact details: (name, email, telephone numbers)**

Savio DeCruz, ([savio.decruz@slough.gov.uk](mailto:savio.decruz@slough.gov.uk) tel: 01753 875640)

**4. Brief description of the project and the main activities within it:**

This is a scheme to improve traffic flow on the strategic north-south A355 route between the M4, Slough Trading Estate and the M40 and to enhance access to Slough town centre.

The scheme involves the remodelling of the Copthorne roundabout, signal and junction upgrades, selected road widening and bus priority measures.

**5. Location of the project:**

Central Slough

Local Authority: Slough Borough Council

Parliamentary Constituency: Slough

Postcode: SL1

#### Rationale for the project and strategic fit

**6. How will the project contribute to the delivery of Thames Valley Berkshire's Strategic Economic Plan (SEP)?**

Slough Trading Estate and Slough Town Centre are two key employment locations within TVB and both are important in the delivery of the SEP. It is clear that traffic congestion already has adverse impact on business efficiency and inward investment and, as such, threatens the future economic vitality of Slough. This scheme aims to:

- a) improve the **efficiency of Slough's businesses** by reducing journey times and providing reliability along this corridor;
- b) support **retention and growth of employment** in Slough by protecting and enhancing the connectivity advantages which make Slough a good place to do business and a focus for future inward investment;
- c) reduce **CO<sub>2</sub> and NO<sub>2</sub> emission levels**, from stop start road traffic and hybrid public transport alternatives, which in turn assists in tackling this AQMA zone ;

The opportunity to unlock some further housing opportunities and regeneration of parts of Slough along the Farnham Road and Chalvey could also be progressed as a result of improved connectivity.

**7. How does the project fit within the Programmes and Packages outlined in the SEP?**

This project is part of Programme D and, within that, Package D-iii, *Enhancing Urban Connectivity*.

**8. What is the rationale for the project?**

The A355 is the strategic north-south route connecting M4 J6 with M40 J2. It gives access to the major focus of business activity at Slough Trading Estate for business travellers, staff and freight. It also serves Slough town centre via the A4 strategic east-west route and provides the main connection between Slough Trading Estate and Heathrow via M4 J6. South of M4 J6 the A355 crosses the Borough boundary and connects with the A332 to give access to and from Windsor and Bracknell.

Therefore this project is concerned with improving traffic flow on a key part of the transport infrastructure. This in turn is important for the ongoing development and regeneration of both Slough town centre and Slough Trading Estate.

**9. What market failures will it address? What is the evidence?**

The diminishing connectivity of the A355 has been highlighted and been the subject of improvement to some extent with some funding from DfT via the Better Bus Fund Programme. However, it is noteworthy that this improvement is focussed on a small section of the A355 and focuses primarily on public transport improvements. Further enhancements to retain existing and improved connectivity of Slough Trading Estate are required and some minor improvements are being undertaken by SEGRO and Slough Borough but a larger scheme treating the route is required and it is unlikely that the private sector will fund a scheme of this nature without public investment.

**10. What other options have been considered?**

Re-distributing traffic across multiple motorway junctions but then this adds cost to journeys and creates bottlenecks in other areas of the town centre.

**11. What would be the consequences of a "do nothing" option?**

Diminishing connectivity to Slough Town Centre and SEGRO from the north and south would mean it is less competitive and attractive to do business in Slough which would have a negative impact on the areas ability to generate and contribute to UK PLC.

**12. Which partner organisations are involved in, and committed to, the project?**



SEGRO are in dialogue with Slough as part of their major redevelopment, we are also engaging with the Highways Agency via the Managed Motorway Project and RBWM which is affected by any disruption on the A355.

## Value for money

### 13. What outputs will the project deliver that are attributable to SLGF and other funding sources?

Improved vehicle journey times and reliability from central Slough (town centre, Slough Trading Estate and other employment areas) to M4 J6 for business users, freight, bus operators, Heathrow-related users and commuters with knock on positive effect on wider network delays. The A355 is recognised as being one the busiest roads in the TVB and is heavily used by HGV's and other commercial vehicles than any other road to undertake north-south journeys between the M4 and M40.

It is estimated congestions costs Slough £34m in wasted journey time (LSTF Bid Slough Borough Council) with traffic speeds dropping by 8% as a result. The scheme would look to build upon the work of the LSTF programme and other interventions to improve the traffic conditions that are leading to eroding connectivity.

The scheme is a key part of the SEGRO redevelopment for the Trading Estate as it will enhance connectivity to the heart of the trading estate for commuters, businesses and investors. By improving traffic conditions on the A355 the scheme will have a knock on positive effect on movement to the town centre via the A4; this will in turn contribute towards 'Heart of Slough' residential regeneration.

The scheme is expected to achieve a high value for money score (a BCR of 10:1 has been calculated for the Copthorne roundabout element of the scheme Pinch Point Fund Tranche 3 Bid).

Outputs		2015/ 16	2016/ 17	2017/ 18	2018/ 19	2019/ 20	2020/ 21	Later
Houses (units)	SLGF	75	75	75	75	75	75	300
	Other public sector (specify ESIF, etc.)	5	5	5	5	5	5	20
	Private sector	20	20	20	20	20	20	80
	Total	100	100	100	100	100	100	400
Jobs	SLGF	160	160	160	160	160	160	2065
	Other public sector (specify ESIF, etc.)	10	10	10	10	10	10	115
	Private sector	40	40	40	40	40	40	540
	Total	210	210	210	210	210	210	2720
Employment floorspace (sq m)	SLGF	6070	6070	6070	6070	6070	6070	77420
	Other public sector (specify ESIF, etc.)	345	345	345	345	345	345	4385
	Private sector	1585	1585	1585	1585	1585	1585	20195
	Total	8000	8000	8000	8000	8000	8000	102000
Businesses created	SLGF							
	Other public sector (specify ESIF, etc.)							
	Private sector							
	Total							
Business assists	SLGF							
	Other public sector (specify ESIF, etc.)							

	Private sector							
	Total							
Other 1 (specify)	SLGF							
	Other public sector (specify ESIF, etc.)							
	Private sector							
	Total							
Other 2 (specify)	SLGF							
	Other public sector (specify ESIF, etc.)							
	Private sector							
	Total							

**14. How have these outputs been estimated?**

Using figures from the Slough LDF and planning colleagues.

**15. What wider outcomes will be achieved in TVB? Please quantify these if possible.**

Improved connectivity will benefit the wider Thames Valley as it will help retain and grow the attractiveness of Slough and the wider Thames Valley as a place to do business. This will benefit in increasing the economic vitality of the area and help retain employment within Berkshire. With Crossrail and Western Rail Access to Heathrow (WRAtH) due in Slough in 2019 and 2021 respectively, it is critical that business users have journey time reliability to tie in with these new services. Delivering improvements on the A355 will enable connectivity with the proposed SMaRT project.

**16. To what extent are these outputs (and downstream outcomes/impacts) likely to be additional? What is the basis for this assessment?**

Without the scheme there would be a considerable loss of connectivity to the local and strategic road network thus reducing the economic vitality of Slough, thus these are not additional but necessary outputs of the scheme.

**17. What is the nature of the resourcing package that is proposed (e.g. balance between loans and grants, etc.)?**

20% Local and private sector partner funding and 80% grant.

**18. What is the funding package through which the project will be delivered?**

The total cost of the scheme is estimated to be £5.8m and the funding sought from SLGF is £4.4m.

Source	Year	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
SLGF	Capital	£4.4m					
	Revenue	N/A					
Other public sector	<i>Please specify</i>	0.5m					
1 SBC		£0.25m					
2							
3							
Private sector	<i>Please specify</i>						
1 S106 agreements		£1.15m					
2							

3							
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## Deliverability and risks

**19. How secure are the funding contributions from elsewhere?**

Private sector funding is secured through S106 agreements. Other public sector funding will be secured from the Council's 2015/16 capital resources.

**20. What are the key project milestones?**

- Business Case ready for submission to independent assessor: June 2014;
- Conditional approval sought from BLTB: July 2014;
- Tendering process begins: Feb 2015;
- First phase works begin on ground: June 2015;
- Completion of first stage works: June 2016.

**21. What are the proposed arrangements for project management?**

The project will be managed using the PRINCE 2 methodology

**22. What are the principal risks linked to the project's delivery, and what actions will be (or have been) taken to mitigate and manage these?**

This is a relatively low risk project in the sense that all works on this proposal are within the highway boundary and there are no third party interests. However other risks are identified in the table below.

Risk	Likelihood (H / M / L)	Severity (H / M / L)	Mitigating actions
1 Higher than expected costs	L	M	Scheme to be tendered with other major projects included within the SEP to provide VfM
2 Delays in procurement process	L	L	Programme allows sufficient time for process
3 Delays due to utility requirements	L	L	Close dialogue and planning with utility companies

### List of supporting information and evidence

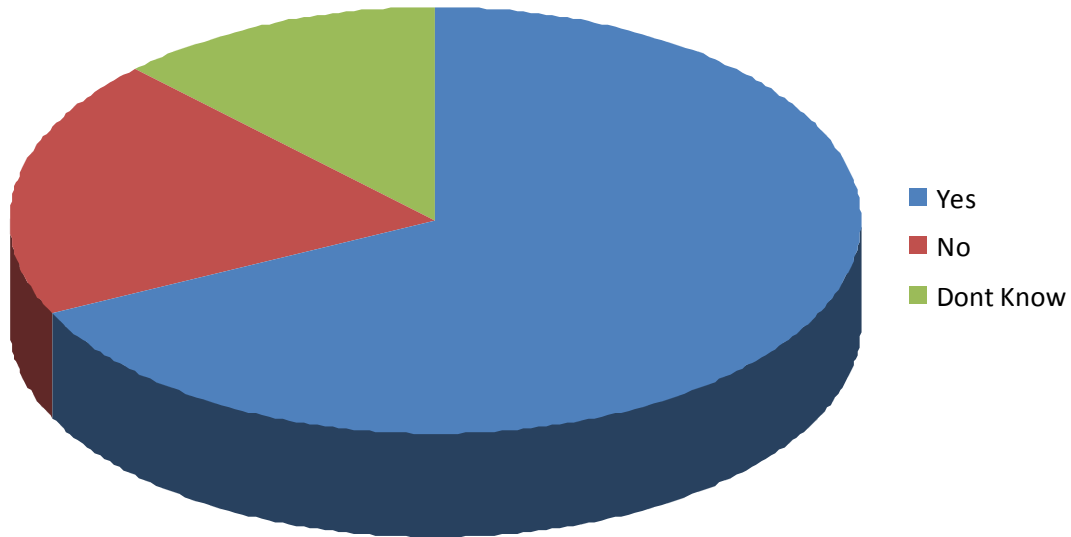
Slough Borough Council LSTF Bid

Slough A355 Pinch Point Fund Submission

Slough LDF

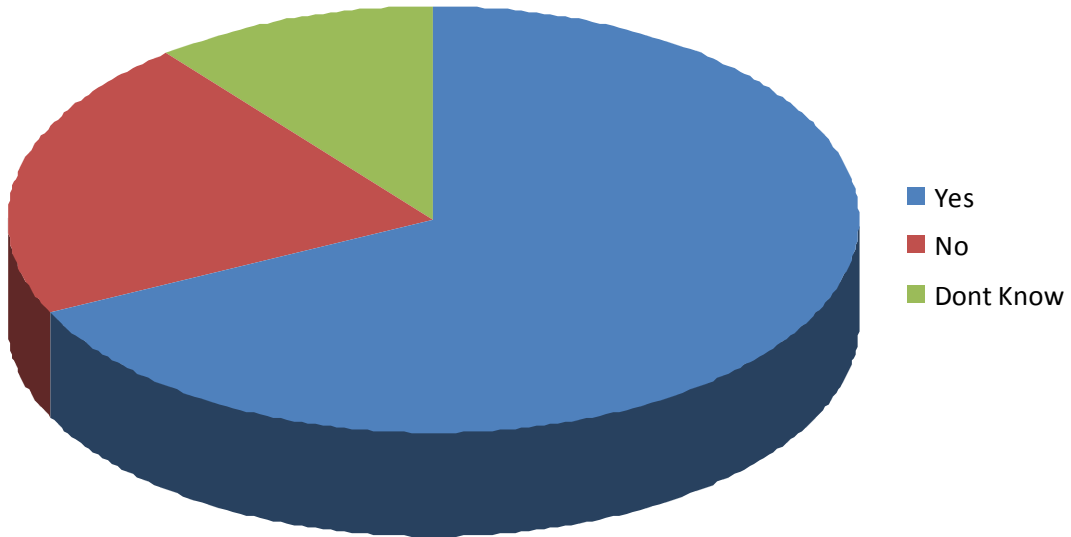
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**Q1: Do you support the widening of the carriageway to two lanes northbound and southbound between the High Street and Herschel Street in order to reduce congestion?**



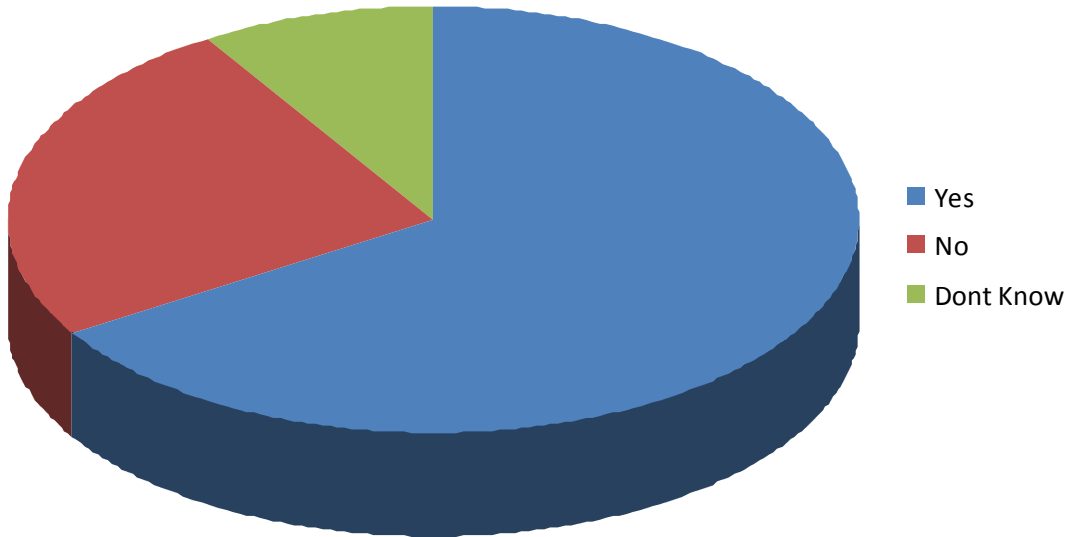
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	100.00%	-	56
<b>Yes</b>	67.86%	67.86%	38
<b>No</b>	19.64%	19.64%	11
<b>Dont Know</b>	12.50%	12.50%	7
<b>[No Response]</b>	0.00%	-	0
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>56</b>

**Q2: Do you support the widening of the carriageway to two lanes northbound and southbound between Herschel Street to Albert Street/Chalvey Road East in order to reduce congestion?**



Number of Responses	% Total	% Answer	Count
	100.00%	-	56
<b>Yes</b>	67.86%	67.86%	38
<b>No</b>	21.43%	21.43%	12
<b>Dont Know</b>	10.71%	10.71%	6
<b>[No Response]</b>	0.00%	-	0
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>56</b>

**Q3: Do you support the widening of the carriageway to two lanes northbound and southbound between Albert Street/Chalvey Road East and Ragstone Road in order to reduce congestion?**



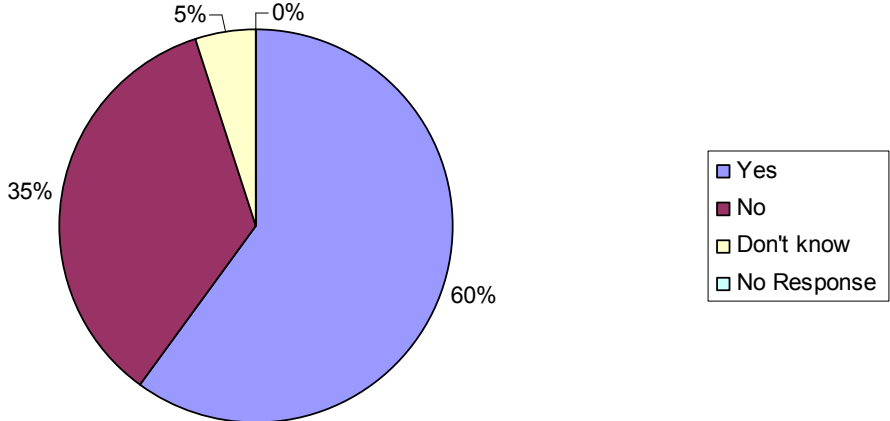
Number of Responses	% Total	% Answer	Count
	100.00%	-	56
Yes	66.07%	66.07%	37
No	25.00%	25.00%	14
Dont Know	8.93%	8.93%	5
[No Response]	0.00%	-	0
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>56</b>

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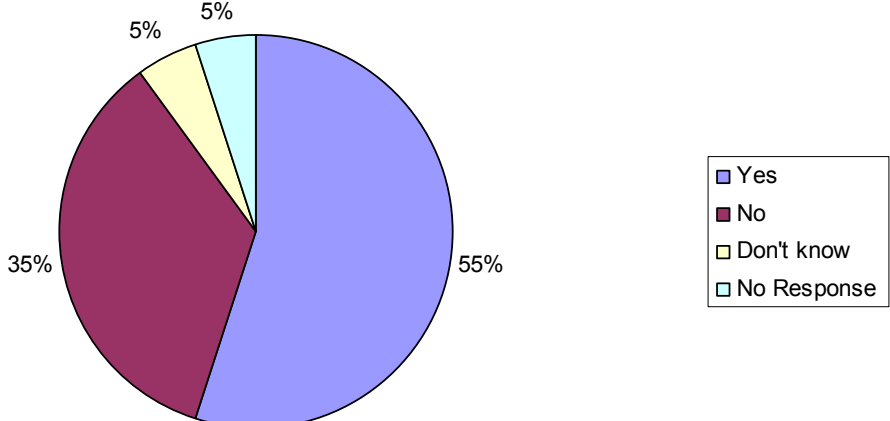


**APPENDIX D**

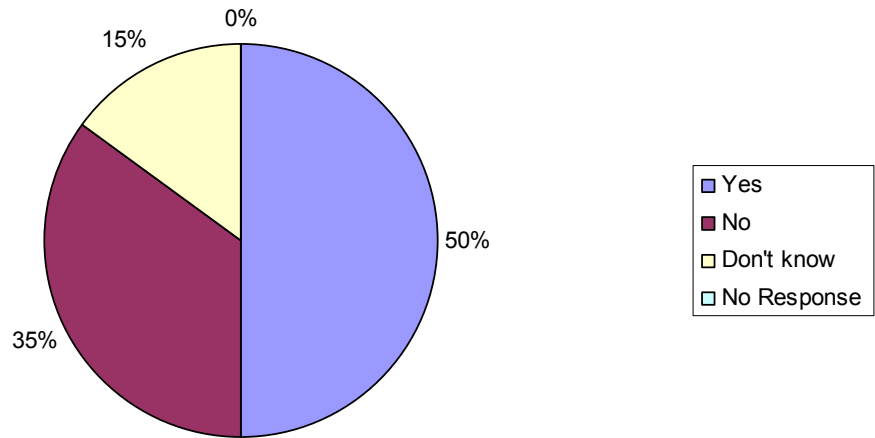
**Do you support the widening of the carriageway to two lanes northbound and southbound between the High Street and Herschel Street in order to reduce congestion?**



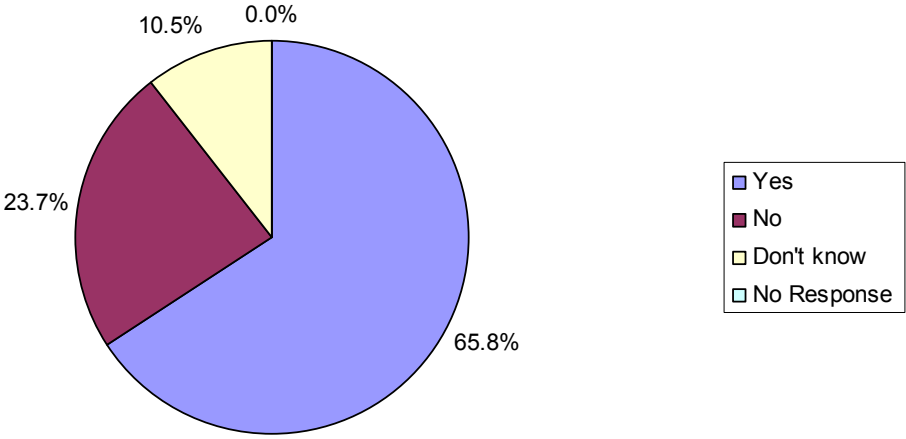
**Do you support the widening of the carriageway to two lanes northbound and southbound between Herschel Street and Albert Street/Chalvey Road East in order to reduce congestion?**



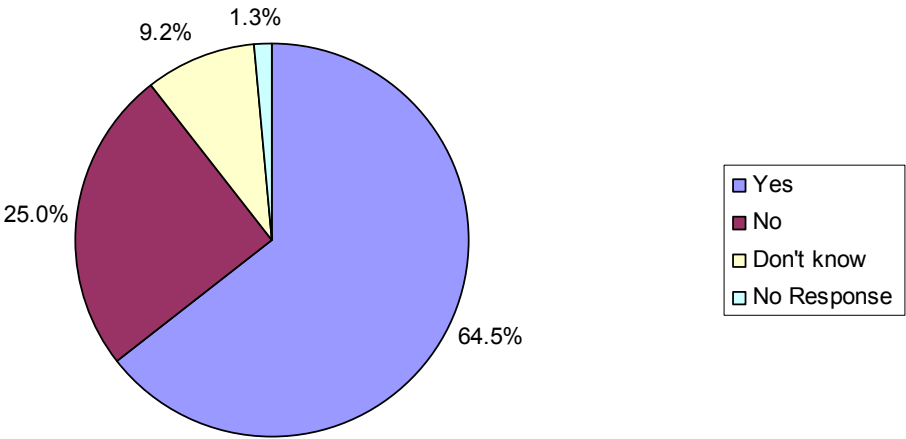
**Do you support the widening of the carriageway to two lanes northbound and southbound between Ragstone Road and Albert Street/Chalvey Road East in order to reduce congestion?**



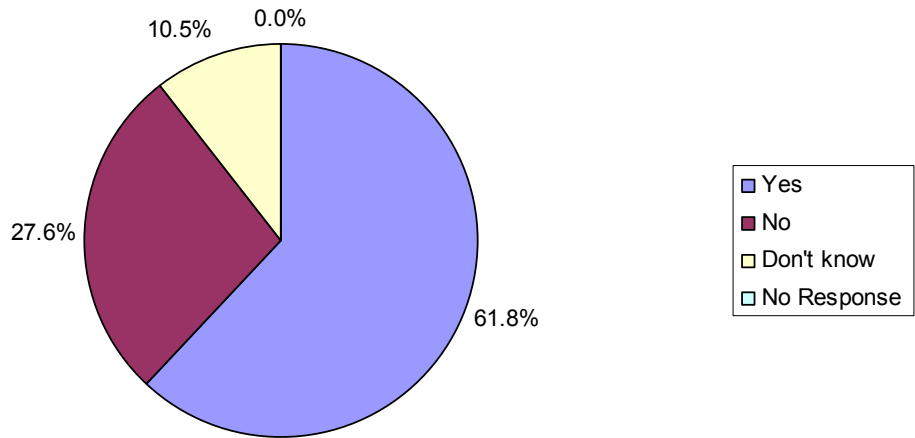
**Do you support the widening of the carriageway to two lanes northbound and southbound between the High Street and Herschel Street in order to reduce congestion?**



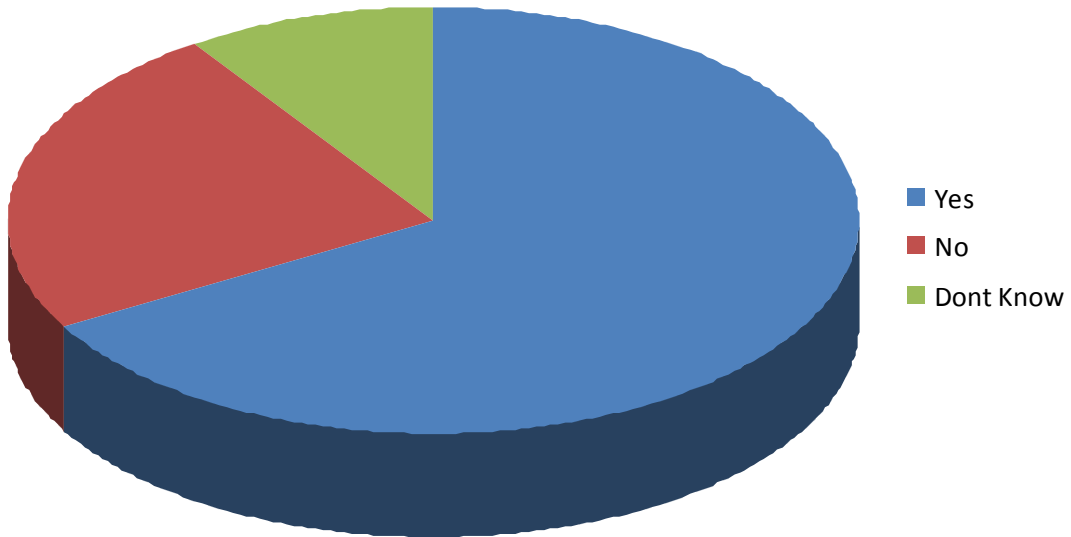
**Do you support the widening of the carriageway to two lanes northbound and southbound between Herschel Street and Albert Street/Chalvey Road East in order to reduce congestion?**



**Do you support the widening of the carriageway to two lanes northbound and southbound between Ragstone Road and Albert Street/Chalvey Road East in order to reduce congestion?**

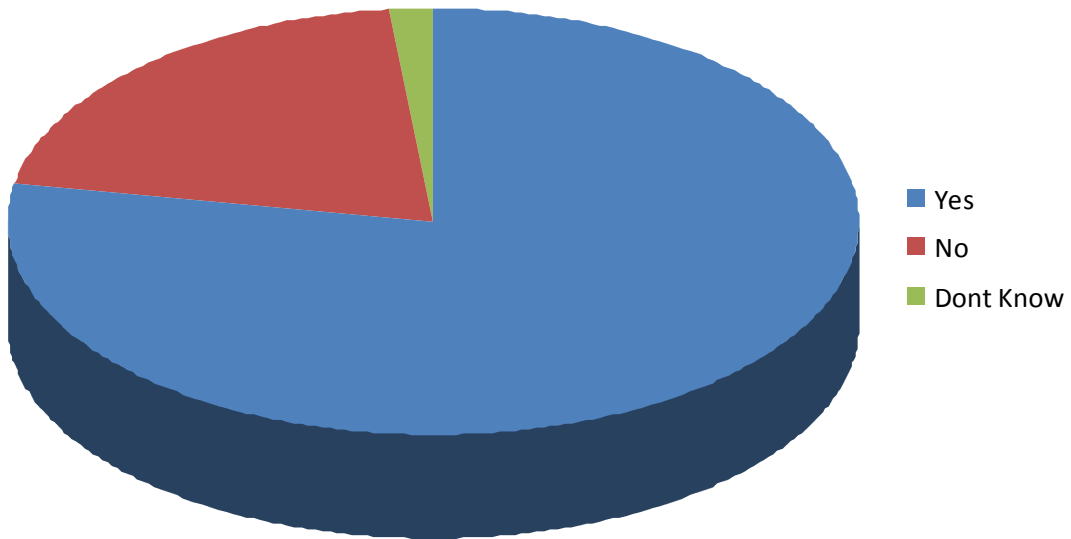


**Q1: Do you support the conversion of the Cophorne roundabout to a “hamburger” design in order to reduce congestion?**



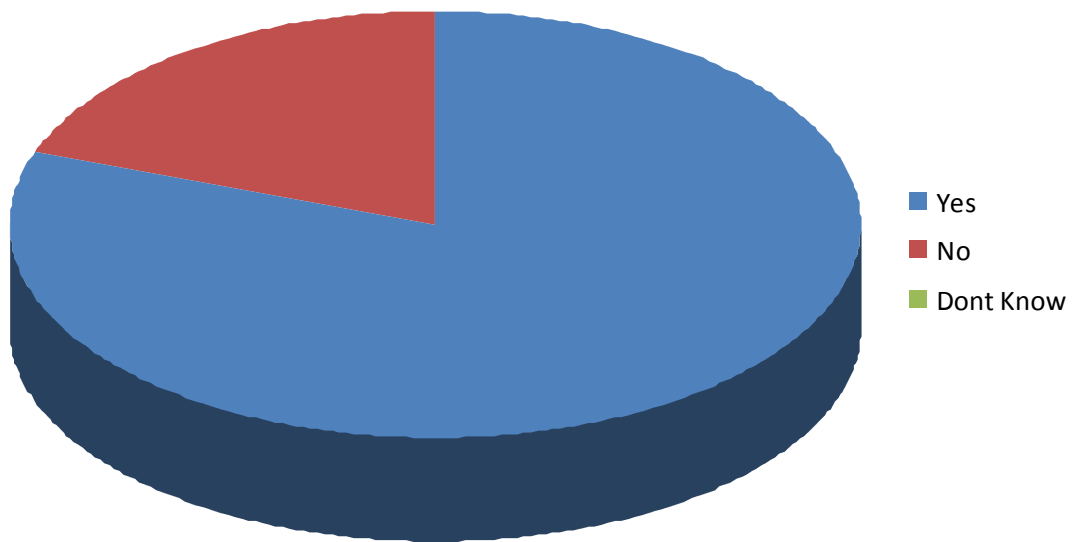
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	100.00%	-	63
<b>Yes</b>	66.67%	66.67%	42
<b>No</b>	23.81%	23.81%	15
<b>Dont Know</b>	9.52%	9.52%	6
<b>[No Response]</b>	0.00%	-	0
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>63</b>

**Q2: Do you support the widening of the southbound carriageway of the A355 to three lanes in order to reduce congestion?**



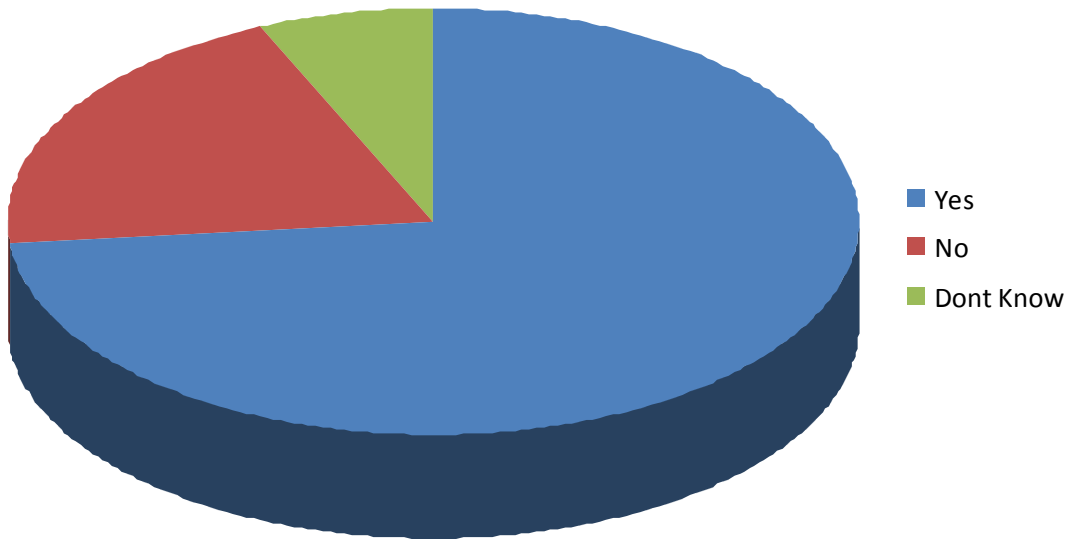
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	100.00%	-	63
<b>Yes</b>	77.78%	77.78%	49
<b>No</b>	20.63%	20.63%	13
<b>Dont Know</b>	1.59%	1.59%	1
<b>[No Response]</b>	0.00%	-	0
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>63</b>

**Q3: Do you support road widening to reduce the journey time between the town centre and Junction 6 of the M4?**



	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	98.41%	-	62
<b>Yes</b>	79.37%	80.65%	50
<b>No</b>	19.05%	19.35%	12
<b>Dont Know</b>	0.00%	0.00%	0
<b>[No Response]</b>	1.59%	-	1
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>63</b>

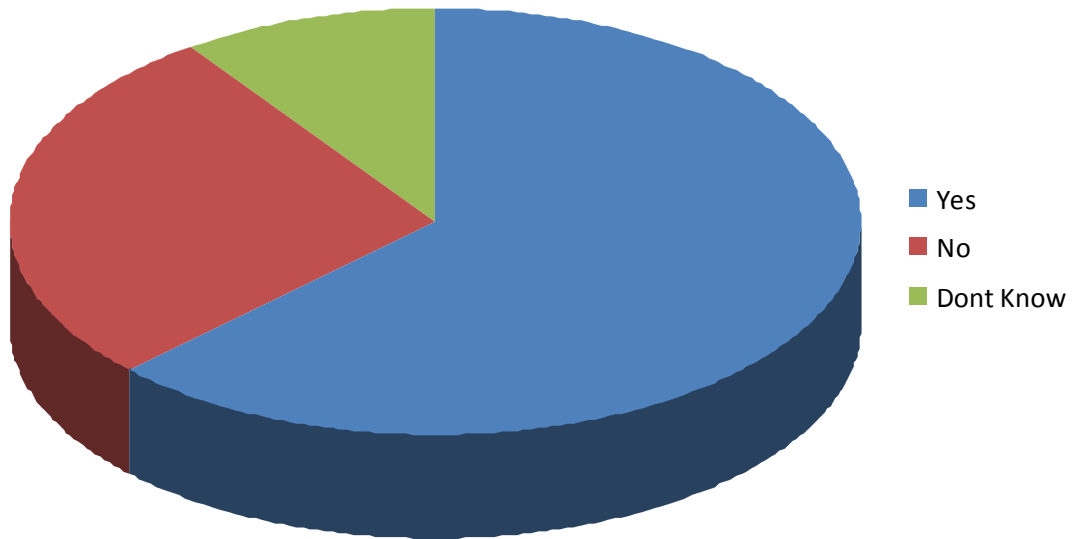
**Q4: Do you support road widening of the south-east corner of the roundabout in order to enable the conversion of the southbound carriageway for three lanes?**



	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	95.24%	-	60
<b>Yes</b>	69.84%	73.33%	44
<b>No</b>	19.05%	20.00%	12
<b>Dont Know</b>	6.35%	6.67%	4
<b>[No Response]</b>	4.76%	-	3
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>63</b>

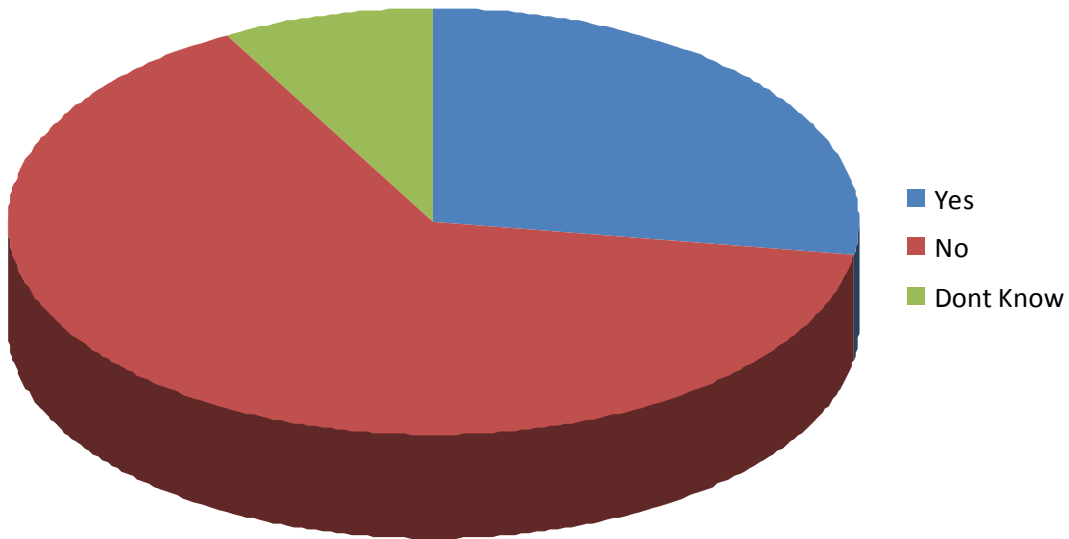


**Q5: Do you support the installation of MOVA controlled signals on three approaches to the roundabout in order to reduce congestion?**



	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	98.41%	-	62
<b>Yes</b>	61.90%	62.90%	39
<b>No</b>	26.98%	27.42%	17
<b>Dont Know</b>	9.52%	9.68%	6
<b>[No Response]</b>	1.59%	-	1
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>63</b>

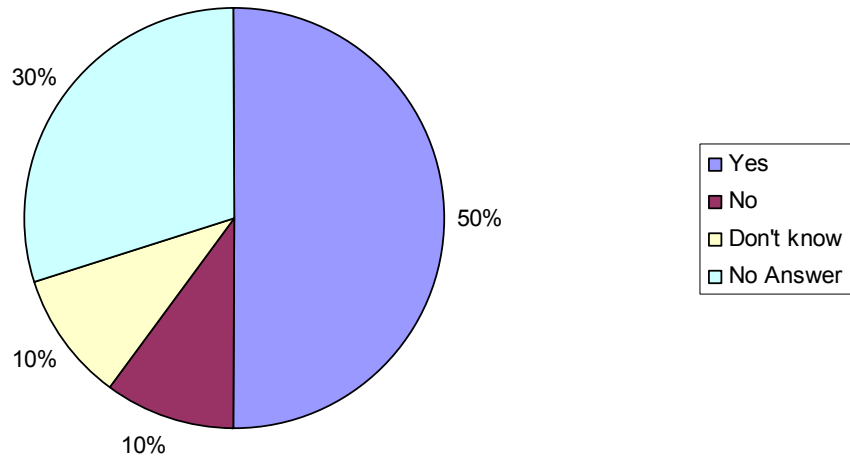
**Q6: Do you support the change in Speed Limit from 70mph to 30mph?**



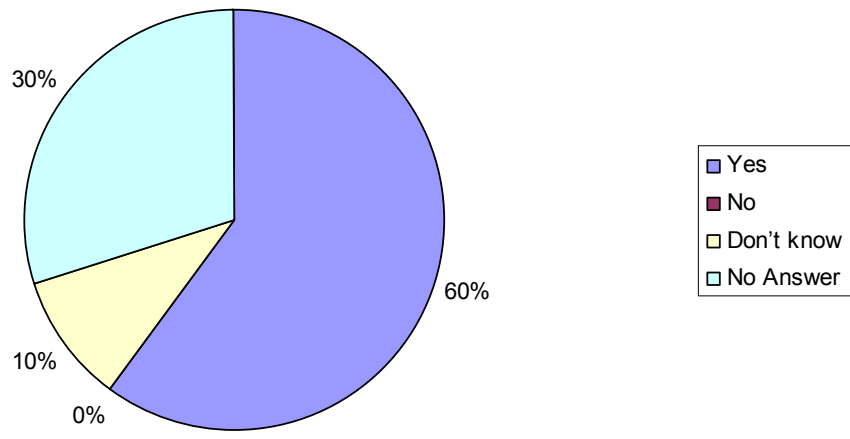
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	98.41%	-	62
<b>Yes</b>	26.98%	27.42%	17
<b>No</b>	63.49%	64.52%	40
<b>Dont Know</b>	7.94%	8.06%	5
<b>[No Response]</b>	1.59%	-	1
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>63</b>

**APPENDIX G**

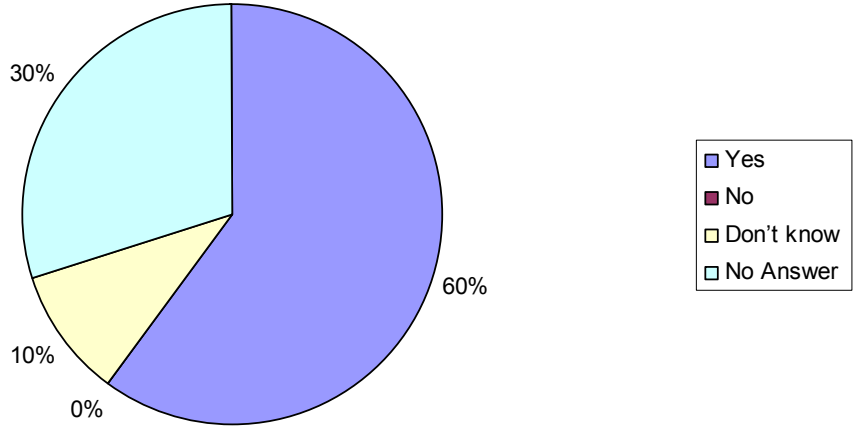
**Do you support the conversion of the Copthorne roundabout to a hamburger design in order to reduce congestion?**



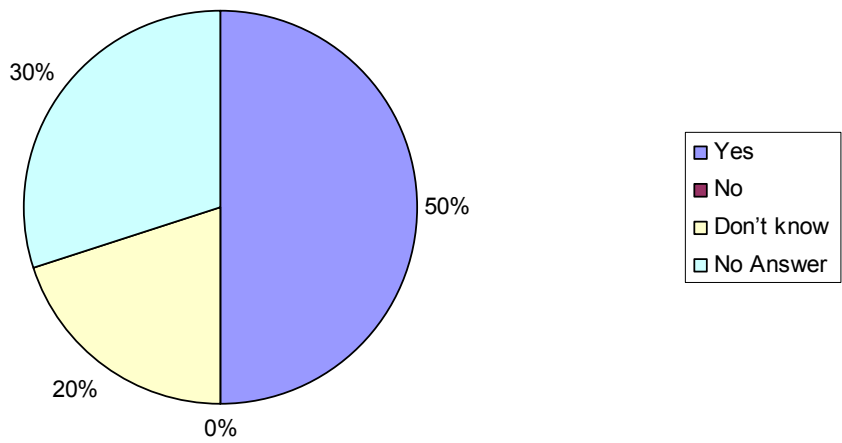
**Do you support the widening of the southbound carriageway of the A355 to three lanes in order to reduce congestion?**



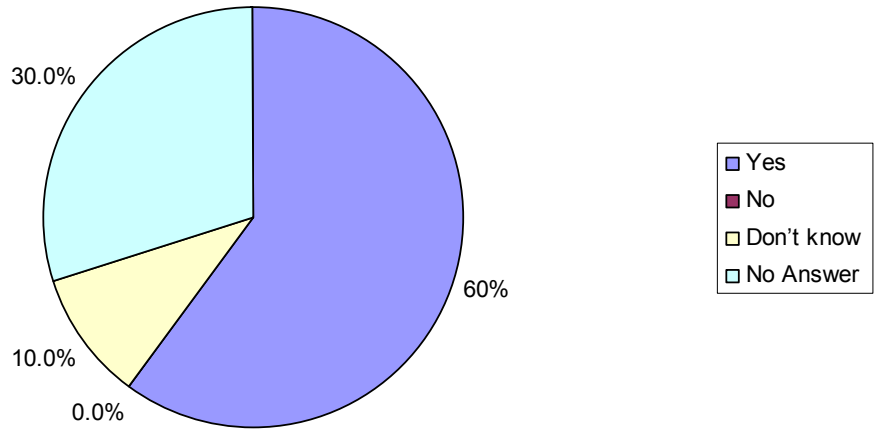
**Do you support road widening to reduce the journey time between the town centre and Junction 6 of the M4?**



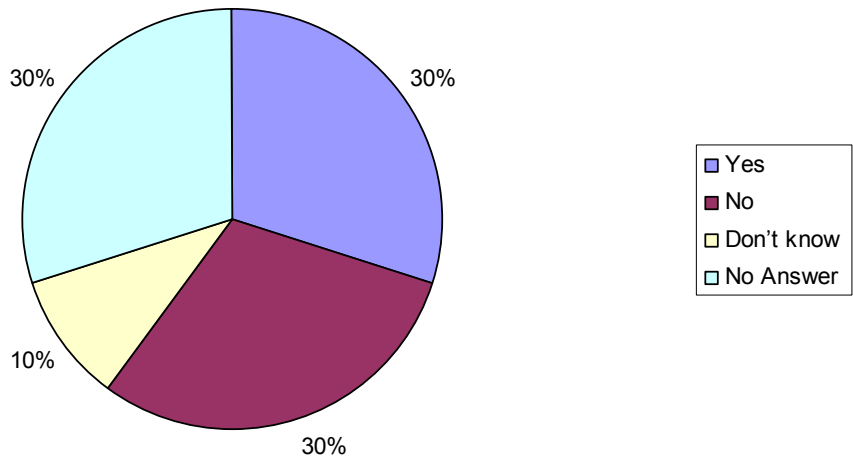
**Do you support road widening of the south-east corner of the roundabout in order to enable the conversion of the southbound carriageway for three lanes?**



**Do you support the installation of MOVA controlled signals on three approaches to the roundabout in order to reduce congestion?**

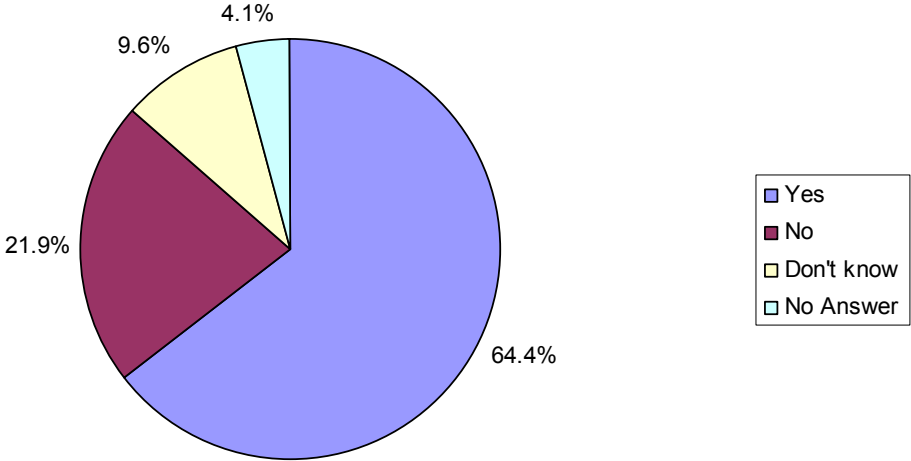


**Do you support the change in speed limit from 70mph to 30mph between M4 Junction 6 and the Cophthorne roundabout?**

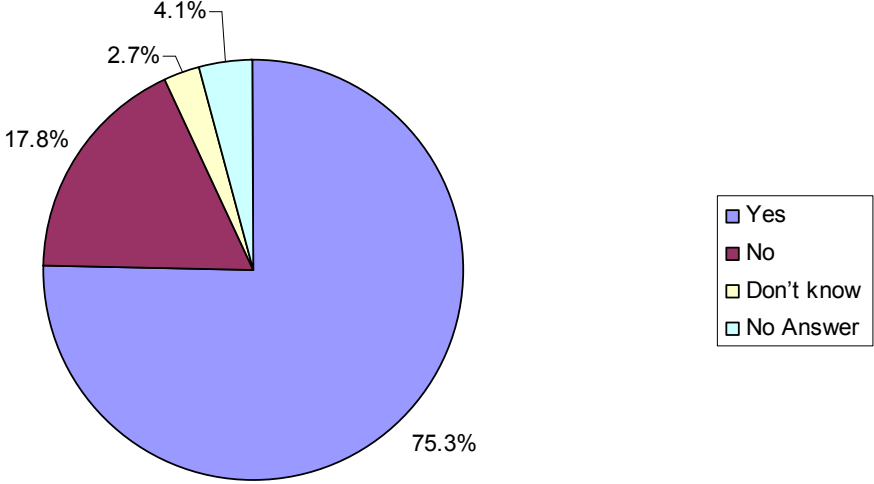


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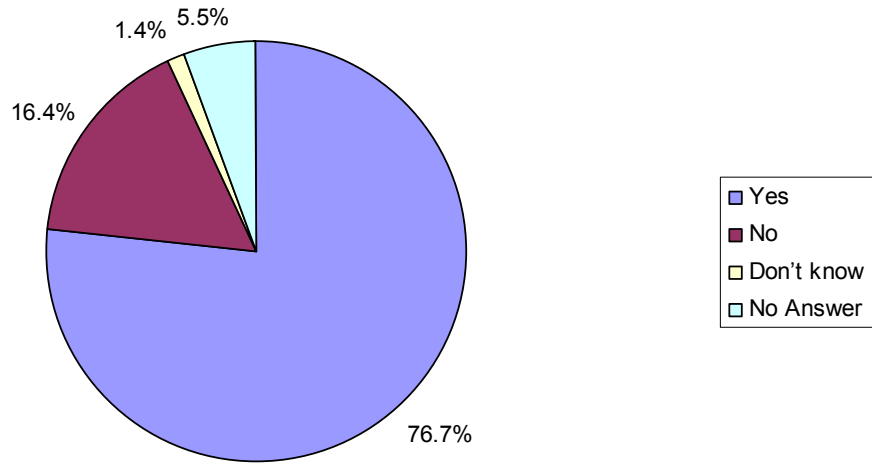
Do you support the conversion of the Copthorne roundabout to a hamburger design in order to reduce congestion?



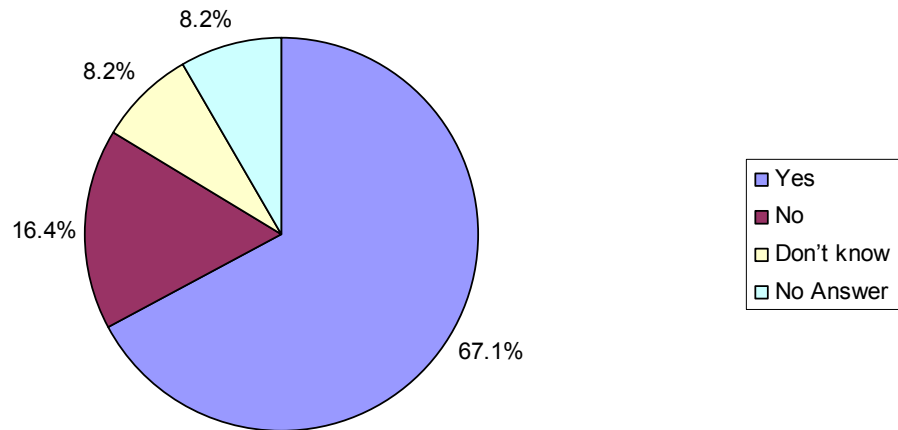
Do you support the widening of the southbound carriageway of the A355 to three lanes in order to reduce congestion?



**Do you support road widening to reduce the journey time between the town centre and Junction 6 of the M4?**

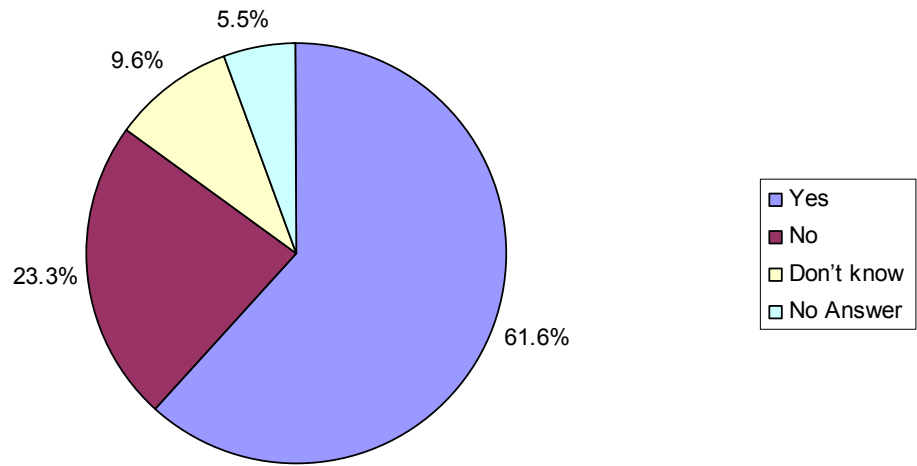


**Do you support road widening of the south-east corner of the roundabout in order to enable the conversion of the southbound carriageway for three lanes?**

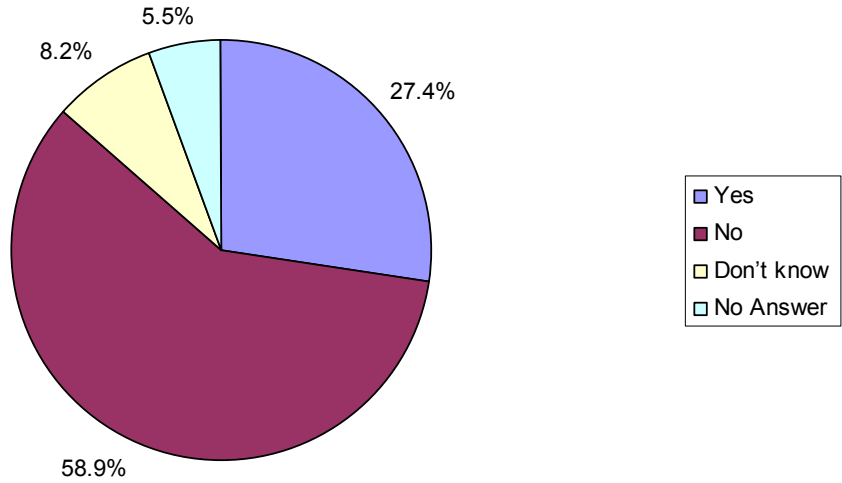




**Do you support the installation of MOVA controlled signals on three approaches to the roundabout in order to reduce congestion?**



**Do you support the change in speed limit from 70mph to 30mph between M4 Junction 6 and the Cophorne roundabout?**



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# Equality Impact Assessment

<b>Directorate: Resources, Housing and Regeneration</b>	
<b>Service: Transport</b>	
<b>Name of Officer/s completing assessment: Charlotte Lee</b>	
<b>Date of Assessment: 7/11/2014</b>	
<b>Name of service/function or policy being assessed: A332 and A355 Widening Schemes</b>	
1.	<p>What are the aims, objectives, outcomes, purpose of the policy, service change, function that you are assessing?</p> <p>The aim of these route enhancements is to carry out localised road widening on the A332 and the A355 in order to provide additional lanes and reduce congestion. Improvements to pedestrian crossings will also be carried out, in order to ensure that pedestrian safety along these routes is enhanced.</p>
2.	<p>Who implements or delivers the policy, service or function? State if this is undertaken by more than one team, service, and department including any external partners.</p> <p>The policy will be delivered and implemented by the Transport Department, with funding from the Council and the Government's Local Growth Fund (LGF.) Slough Borough Council (SBC) will also contract external partners. These partners are unknown at the time of completing this EIA, and the contract is to be awarded in line with SBC's procurement process when the schemes go out to tender in the next financial year.</p>
3.	<p>Who will be affected by this proposal? For example who are the external/internal customers, communities, partners, stakeholders, the workforce etc. Please consider all of the Protected Characteristics listed (more information is available in the background information). Bear in mind that people affected by the proposals may well have more than one protected characteristic.</p> <p><b>Age:</b> Pedestrian improvements will have a positive impact on pedestrians of a variety of ages, as they will ensure that the roads are safer to cross, especially for young and elderly pedestrians.</p> <p><b>Disability:</b></p>

SBC will need rights to re-configure the disabled steps outside Slough Baptist Church, and access to the Church from the pavement. However, access to the Church will be maintained throughout this process via ramp access in order to ensure that the reconfiguration does not have a negative impact on those with a disability or access requirement.

Improved pedestrian access points with tactile cones will have a positive impact on blind and partially sighted pedestrians, as it will provide safe and accessible locations at which to cross the road.

Closure or narrowing of the footway during the construction process may have a negative impact on disabled pedestrians. In this event, SBC and its contractors will provide diversion routes which are accessible for disabled pedestrians. Upon completion of the project, footway widths will be maintained in order to ensure they remain accessible.

**Gender Reassignment:** No impact

**Marriage and Civil Partnership:** No impact

**Pregnancy and maternity:**

Closure or narrowing of the footway during the construction process may have a negative impact on mothers with prams. In this event, SBC and its contractors will provide diversion routes which are accessible for mothers with prams. Upon completion of the project, footway widths will be maintained in order to ensure they remain accessible.

**Race:** No impact

**Religion and Belief:**

SBC will need rights to re-configure the disabled steps outside Slough Baptist Church, and access to the Church from the pavement. However, access to the Church will be maintained via ramp access in order to ensure that there is no negative impact upon attendees and members of Slough Baptist Church.

**Sex:** No impact

**Sexual orientation:** No impact

**Other:** No impact

	<p>What are any likely positive impacts for the group/s identified in (3) above? You may wish to refer to the Equalities Duties detailed in the background information.</p> <p>These schemes will improve pedestrian access across the two roads. This will ensure that the roads are safer to cross, particularly for the very young and the elderly.</p> <p>Additionally, the works will provide improved pedestrian access points; tactile cones underneath the control buttons of the crossing points; and tactile paving on key footways, which will help to ensure that the crossing points will be made safer for blind and partially sighted pedestrians.</p>
4.	<p>What are the likely negative impacts for the group/s identified in (3) above? If so then are any particular groups affected more than others and why?</p> <p>Narrowing or closure of the pavements at certain points during the construction process has the potential to negatively impact those with access requirements, such as wheelchair users, blind or partially sighted road users, and mothers with pushchairs</p> <p>SBC will need rights to re-configure the disabled steps and access from the pavement to Slough Baptist Church. This has the potential to disrupt access into the Church, and to make the Church less accessible for those with disabilities and access requirements</p> <p>The change to the layout of the roads has the potential to negatively impact blind and partially sighted road users, as such changes can be disorientating</p>
5.	<p>Have the impacts indentified in (4) and (5) above been assessed using up to date and reliable evidence and data? Please state evidence sources and conclusions drawn (e.g. survey results, customer complaints, monitoring data etc).</p> <p>These impacts have been identified after consideration of the most detailed and recent scheme designs.</p> <p>Any additional impacts, including those received as part of our consultation process, will be mitigated for as they are identified.</p>
6.	<p>Have you engaged or consulted with any identified groups or individuals if necessary and what were the results, e.g. have the staff forums/unions/ community groups been involved?</p> <p>We have held public consultations, at which we have consulted with businesses, residents, and community groups. The consultation finishes on 28<sup>th</sup> November, and all comments will be collated after this point and fed back so that changes can be made to the detailed designs if necessary.</p>

7.	<p>Have you considered the impact the policy might have on local community relations?</p> <p>The policy will reduce congestion and enhance connectivity into the town centre.</p> <p>It will also improve pedestrian access, so will enhance safety and community inclusion for pedestrians, particularly those who are blind or hard of hearing.</p>
8.	<p>What plans do you have in place, or are developing, that will mitigate any likely identified negative impacts? For example what plans, if any, will be put in place to reduce the impact?</p> <p>Narrowing or closure of the roads during the construction process has the potential to negatively impact blind and partially sighted pedestrians, wheelchair users, and mothers with pushchairs. In order to mitigate for this, SBC will ensure that accessible diversions are in place for all pedestrians and cyclists . Upon completion of the project, footway widths will be maintained in order to ensure they remain accessible.</p> <p>The change to the layout of the roads may have a negative impact on blind and partially sighted road users, as such changes can be disorientating. In order to mitigate for this, SBC will provide tactile paving on key footways in order to alert blind and partially sighted road users to road layout changes. All signal crossings will also be fitted as standard with tactile cones.</p> <p>At this moment we are unable to identify what type of disruption will occur while SBC re-configure the disabled steps and access from the pavement to Slough Baptist Church. However, access to the Baptist Church will be maintained via ramp, in order to ensure that entry to the Church is maintained, included disabled access.</p> <p>Equalities will also be managed through the CDM-C role throughout the process.</p>
9.	<p>What plans do you have in place to monitor the impact of the proposals once they have been implemented? (The full impact of the decision may only be known after the proposals have been implemented). Please see action plan below.</p> <p>Members of the public are able to contact Slough Borough Council with concerns upon completion of the works. The impact of the works will also be monitored by various teams within the Transport Department.</p>

<b>What course of action does this EIA suggest you take? More than one of the following may apply</b>	✓
<b>Outcome 1: No major change required.</b> The EIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken	
<b>Outcome 2: Adjust the policy</b> to remove barriers identified by the EIA or better promote equality. Are you satisfied that the proposed adjustments will remove the barriers identified? (Complete action plan).	✓
<b>Outcome 3: Continue the policy</b> despite potential for adverse impact or missed opportunities to promote equality identified. You will need to ensure that the EIA clearly sets out the justifications for continuing with it. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact (see questions below). (Complete action plan).	
<b>Outcome 4: Stop and rethink</b> the policy when the EIA shows actual or potential unlawful discrimination. (Complete action plan).	

### Action Plan and Timetable for Implementation

At this stage a timetabled Action Plan should be developed to address any concerns/issues related to equality in the existing or proposed policy/service or function. This plan will need to be integrated into the appropriate Service/Business Plan.

Action	Target Groups	Lead Responsibility	Outcomes/Success Criteria	Monitoring & Evaluation	Target Date	Progress to Date
SBC will provide diversion routes for pedestrians and cyclists in the event that a footway needs to be closed or narrowed during the construction process	Wheelchair users, blind and partially sighted pedestrians, pedestrians with access requirements, mothers with prams	Savio DeCruz	Disabled access will be maintained throughout the construction process	Monitoring of construction process and public feedback	TBC	Not yet started
SBC will ensure that footway widths are maintained upon completion of the projects, in order to remain accessible for those with access requirements such as wheelchair users and mothers with prams	Wheelchair users, blind and partially sighted pedestrians, mothers with prams	Savio DeCruz	Disabled access will be maintained on completion of the project	Monitoring of construction process and public feedback	TBC	Not yet started

SBC will maintain access to Slough Baptist Church by providing ramp access to the building whilst work is carried out to re-configure the disabled steps of the Baptist Church and access from the pavement to the Baptist Church	Wheelchair users, pedestrians with access requirements, blind and partially sighted pedestrians, members and attendees of Slough Baptist Church	Savio DeCruz	Disabled access to Slough Baptist Church will be maintained throughout the construction process and on completion of the project	Monitoring of construction process and public feedback	TBC	Not yet started
SBC will provide tactile paving on key footways in order to alert blind and partially sighted road users to road layout changes	Blind and partially sighted pedestrians	Savio DeCruz	Access for blind and partially sighted pedestrians will be maintained, and improved by this project	Monitoring of construction process and public feedback	TBC	Not yet started

<b>Name: Charlotte Lee</b> <b>Signed: .....</b> (Person completing the EIA)
<b>Name: Savio DeCruz</b> <b>Signed: .....</b> ( Policy Lead if not same as above)
<b>Date: 17/11/2014</b>



**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 27<sup>th</sup> November 2014

**CONTACT OFFICER:** Claire Portsmouth  
(For all enquiries) (01753) 875472

**WARD(S):** All

**PORTFOLIO:** Leader and Commissioner for Finance and Strategy –  
Councillor Anderson

**PART I**  
**NON-KEY DECISION**

**CONTRACTS IN EXCESS OF £250,000****1 Purpose of Report**

To advise the Cabinet of additional contracts of an estimated value of over £250,000, that are proposed to be let in the 2014/15 financial year and any exemptions to competitive tendering that have been granted. This is in addition to those that were notified to Cabinet in the April report.

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

The Cabinet is requested to resolve that the list of contracts attached at Appendix A be endorsed and to determine whether there are any special requirements it wishes to agree, with regard to any particular contract.

**3 Slough Joint Wellbeing Strategy Priorities**

This report being entirely administrative in nature does not directly contribute to the SJWS priorities. However the contracts listed in the appendix will contribute to all of the priorities.

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

The JSNA will be considered at the time of letting each contract.

**5 Other Implications****(a) Financial**

The contracts set out in the Appendix are included in approved budgets. Officer delegations authorise Directors to approve expenditure within approved capital budgets and decisions on work programmes within those budgets. Authority to approve additional expenditure up to either 10% or £25,000, whichever is the lower of the total cost of the capital scheme subject to the annual capital payments of the additional expenditure not exceeding the annual amounts included within the capital programme by more than wither 10% or £25,000 whichever is the lowest.

**(b) Risk Management**

There are no specific issues arising directly from this report.

### (c) Human Rights Act and Other Legal Implications

All contracts are let in accordance with the Council's agreed Contract Procedure Rules.

### (d) Equalities Impact Assessment

This report being entirely administrative in nature and is not therefore applicable to the Equalities Impact Assessment (EIA). EIA's will be fully considered at the time that each contract is let.

### (e) Workforce

Workforce implications will be considered upon the letting of each contract.

## 6 **Supporting Information**

### Council's Constitution

Subject to consultations with the Strategic Director of Resources, Housing and Regeneration in respect of the acceptance of any tender exceeding £100,000, Strategic Directors are authorised to make all decisions on the approval of the select lists of tendered, the invitation, evaluation and acceptance of quotations and tenders and the entering into contracts or agreements for the supply of goods, equipments, materials or services subject to:-

- (a) The intention to tender or enter into a contract of a value exceeding £250,000 having been previously reported and approved by the Cabinet or the appropriate Committee of the Council.
- (b) Exemptions to competitive tendering being reported for information to the Cabinet or the appropriate Committee of the Council (half yearly).
- (c) Any special requirements or directions given by the Council, its Committees or the Cabinet.

Any amendments/addition to the list have to be reported to the Cabinet as they arise and this will be done as necessary in the course of 2014/15 financial year. A list of the contracts is set out at Appendix A to this report and the Cabinet is asked to consider the attached list and endorse it.

## 7 **Comments of Other Committees**

None.

## 8 **Conclusion**

Appendix A details contracts of an estimated value of over £250,000, that are proposed to be let in the 2014/15 financial year and any exemptions to competitive tendering that have been granted.

## 9 **Appendices Attached**

'A' - List of additional contracts to be let in 2014/15 in excess of £250,000.

## **APPENDIX A**

### **CONTRACTS TO BE LET IN 2014/15 IN EXCESS OF £250,000**

#### **Customer and Community Services**

1. Thames Valley Athletic Centre – Contract document signing with RBWM

#### **Resources, Housing & Regeneration**

2. ERP (financial management system)
3. School Modernisation Programme
4. Building Maintenance and Building Cleaning (Corporate and HRA)

#### **Wellbeing**

5. School Meals (still to be agreed)

#### **Corporate (across one or more directorates)**

6. Insurance Services – Leasehold property and other corporate insurance cover

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**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 15<sup>th</sup> December 2014

**CONTACT OFFICER:** Catherine Meek, Head of Democratic Services  
(For all enquiries) 01753 875011

**WARD(S):** All

**PORTFOLIO:** Leader, Finance and Strategy – Councillor Anderson

**PART I**  
**NON-KEY DECISION**

**NOTIFICATION OF DECISIONS****1. Purpose of Report**

To seek Cabinet endorsement of the published Notification of Decisions, which has replaced the Executive Forward Plan.

**2. Recommendation**

The Cabinet is requested to resolve that the Notification of Decisions be approved.

**3. Slough Joint Wellbeing Strategy Priorities**

The Notification of Decisions sets out when key decisions are expected to be taken and a short overview of the matters to be considered. The decisions taken will contribute to all of the following Slough Joint Wellbeing Strategy Priorities:

- Health
- Economy and Skills
- Housing
- Regeneration and Environment
- Safer Slough

**4. Other Implications****(a) Financial**

There are no financial implications.

**(b) Human Rights Act and Other Legal Implications**

There are no Human Rights Act implications. The Local Authorities (Executive Arrangements) (Meetings and Access to Information)(England) Regulations 2012 require the executive to publish a notice of the key decisions, and those to be taken in private under Part II of the agenda, at least 28 clear days before the decision can be taken. This notice replaced the legal requirement for a 4-month rolling Forward Plan.

## **5. Supporting Information**

5.1 The Notification of Decisions replaces the Forward Plan. The Notice is updated each month on a rolling basis, and sets out:

- A short description of matters under consideration and when key decisions are expected to be taken over the following three months;
- Who is responsible for taking the decisions and how they can be contacted;
- What relevant reports and background papers are available; and
- Whether it is likely the report will include exempt information which would need to be considered in private in Part II of the agenda.

5.2 The Notice contains matters which the Leader considers will be the subject of a key decision to be taken by the Cabinet, a Committee of the Cabinet, officers, or under joint arrangements in the course of the discharge of an executive function during the period covered by the Plan.

5.3 Key Decisions are defined in Article 14 of the Constitution, as an Executive decision which is likely either:

- to result in the Council incurring expenditure which is, or the making of savings which are, significant, having regard to the Council's budget for the service or function to which the decision relates; or
- to be significant in terms of its effects on communities living or working in an area comprising two or more wards within the Borough.

The Council has decided that any expenditure or savings of £250,000 or more shall be significant for the purposes of a key decision.

5.4 There are provisions for exceptions to the requirement for a key decision to be included in the Notice and these provisions and necessary actions are detailed in paragraphs 15 and 16 of Section 4.2 of the Constitution.

5.5 To avoid duplication of paperwork the Member Panel on the Constitution agreed that the Authority's Notification of Decisions would include both key and non key decisions – and as such the document would form a comprehensive programme of work for the Cabinet. Key decisions are highlighted in bold.

## **6. Appendices Attached**

'A' - Notification of Decisions

## **7. Background Papers**

None.

# NOTIFICATION OF DECISIONS

1 DECEMBER 2014 TO 28 FEBRUARY 2015

## **SLOUGH BOROUGH COUNCIL**

### **NOTIFICATION OF DECISIONS**

Slough Borough Council has a decision making process involving an Executive (Cabinet) and a Scrutiny Function.

As part of the process, the Council will publish a Notification of Decisions which sets out the decisions which the Cabinet intends to take over the following 3 months. The Notice includes both Key and non Key decisions. Key decisions are those which are financially significant or have a significant impact on 2 or more Wards in the Town. This Notice supersedes all previous editions.

Whilst the majority of the Cabinet's business at the meetings listed in this document will be open to the public and media organisations to attend, there will inevitably be some business to be considered that contains, for example, confidential, commercially sensitive or personal information.

This is formal notice under The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that part of the Cabinet meetings listed in this Notice will/may be held in private because the agenda and reports for the meeting will contain exempt information under Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it.

Page 180  
This document provides a summary of the reason why a matter is likely to be considered in private / Part II. The full reasons are listed alongside the report on the Council's website.

If you have any queries, or wish to make any representations in relation to the meeting being held in private for the consideration of the Part II items, please email [catherine.meek@slough.gov.uk](mailto:catherine.meek@slough.gov.uk) (no later than 15 calendar days before the meeting date listed).

#### **What will you find in the Notice?**

For each decision, the plan will give:

- The subject of the report.
- Who will make the decision.
- The date on which or the period in which the decision will be made.
- Contact details of the officer preparing the report.
- A list of those documents considered in the preparation of the report (if not published elsewhere).
- The likelihood the report would contain confidential or exempt information.



## **What is a Key Decision?**

An executive decision which is likely either:

- To result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- To be significant in terms of its effects on communities living or working in an area comprising two or more wards within the borough.

## **Who will make the Decision?**

Decisions set out in this Notice will be taken by the Cabinet, unless otherwise specified. All decisions (unless otherwise stated) included in this Notice will be taken on the basis of a written report and will be published on the Council's website before the meeting.

The members of the Cabinet are as follows:

- |   |                         |
|---|-------------------------|
| • Leader of the Council – Finance & Strategy                  | Councillor Anderson     |
| • Commissioner for Community & Leisure                        | Councillor Carter       |
| • Commissioner for Education & Children                       | Councillor Mann         |
| • Commissioner for Environment & Open Spaces                  | Councillor Parmar       |
| • Commissioner for Health & Wellbeing                         | Councillor Hussain      |
| • Commissioner for Neighbourhoods & Renewal (& Deputy Leader) | Councillor Swindlehurst |
| • Commissioner for Performance & Accountability               | Councillor Sharif       |
| • Commissioner for Social & Economic Inclusion                | Councillor Munawar      |

## **Where can you find a copy of the Notification of Decisions?**

The Plan will be updated and republished monthly. A copy can be obtained from Democratic Services at St Martin's Place, 51 Bath Road on weekdays between 9.00 a.m. and 4.45 p.m., from MyCouncil, Landmark Place, High Street, or Tel: (01753) 875120, email: [catherine.meek@slough.gov.uk](mailto:catherine.meek@slough.gov.uk). Copies will be available in the Borough's libraries and a copy will be published on Slough Borough Council's Website.

### **How can you have your say on Cabinet reports?**

Each Report has a contact officer. If you want to comment or make representations, notify the contact officer before the deadline given.

### **What about the Papers considered when the decision is made?**

Reports relied on to make key decisions will be available before the meeting on the Council's website or are available from Democratic Services.

### **Can you attend the meeting at which the decision will be taken?**

Where decisions are made by the Cabinet, the majority of these will be made in open meetings. Some decisions have to be taken in private, where they are exempt or confidential as detailed in the Local Government Act 1972. You will be able to attend the discussions on all other decisions.

### **When will the decision come into force?**

Implementation of decisions will be delayed for 5 working days after Members are notified of the decisions to allow Members to refer the decisions to the Overview and Scrutiny Committee, unless the decision is urgent, in which case it may be implemented immediately.

### **What about key decisions taken by officers?**

Many of the Council's decisions are taken by officers under delegated authority. Key decisions will be listed with those to be taken by the Cabinet. Key and Significant Decisions taken under delegated authority are reported monthly and published on the Council's website.

### **Are there exceptions to the above arrangements?**

There will be occasions when it will not be possible to include a decision/report in this Notice. If a key decision is not in this Notice but cannot be delayed until the next Notice is published, it can still be taken if:

- The Head of Democratic Services has informed the Chair of the Overview and Scrutiny Committee or relevant Scrutiny Panel in writing, of the proposed decision/action. (In the absence of the above, the Mayor and Deputy Mayor will be consulted);
- Copies of the Notice have been made available to the Public; and at least 5 working days have passed since public notice was given.
- If the decision is too urgent to comply with the above requirement, the agreement of the Chair of the Overview and Scrutiny Committee has been obtained that the decision cannot be reasonably deferred.
- If the decision needs to be taken in the private part of a meeting (Part II) and Notice of this has not been published, the Head of Democratic Services will seek permission from the Chair of Overview & Scrutiny, and publish a Notice setting out how representations can be made in relation to the intention to consider the matter in Part II of the agenda.

For further information, contact Democratic Services as detailed above.

## Cabinet - 15th December 2014

Item	Port- folio	Ward	Priority	Contact Officer	Other Committee	Background Documents	New Item	Likely to be Part II
<p><b><u>Medium Term Financial Strategy Update</u></b></p> <p>To receive an update on the latest position with regards to the Council's Medium Term Financial Strategy and Budget 2015/16.</p>	F&S	All	All	Joseph Holmes, Assistant Director, Finance & Audit Tel: 01753 875358	-	None	√	
<p><b><u>Council Taxbases for 2015/16</u></b></p> <p>To present information on the properties in Slough and their categories of occupation for the purpose of determining the Council Taxbase for the borough for the 2015/16 financial year.</p>	F&S	All	All	Joseph Holmes, Assistant Director, Finance & Audit Tel: 01753 875358	-	None		
<p><b><u>Council Tax Support Scheme</u></b></p> <p>Further to the report to Cabinet on 15<sup>th</sup> September 2014, to consider potential changes to the Council Tax Support Scheme.</p>	F&S	All	All	Joseph Holmes, Assistant Director, Finance & Audit Tel: 01753 875358	-	None		

**Portfolio Key** – F&S = Finance and Strategy, P & A = Performance and Accountability, C & L = Community and Leisure, E & C = Education and Children, S & E = Social and Economic Inclusion, E & O = Environment and Open Spaces, H & W = Health and Wellbeing, N & R = Neighbourhoods and Renewal

**Bold** – Key Decision      Non-Bold – Non-Key Decision      *Italics* – Performance/Monitoring Report

<p><b><u>Slough Mass Rapid Transit (SMaRT) Detailed Designs and Consultation Results</u></b></p> <p>To consider the detailed designs for the Slough Mass Rapid Transit (SMaRT) scheme, and receive an overview of the feedback received at the Mass Rapid Transit public consultations.</p>	S&E	All	All	<p>Savio DeCruz, Head of Transport, Tel: 01753 875640</p> <p>Charlotte Lee, National Management Trainee, Tel: 01753 875216</p>	-	Report, 15/09/2014 Cabinet		
<p><b><u>A332 and A355 Route Enhancement Schemes</u></b></p> <p>To consider a report providing an overview of the A332 route enhancement scheme, including junction improvements and road widening; and the A355 route enhancement scheme, including the remodelling of the Copthorne roundabout, signal and junction upgrades, selected road widening and bus priority measures.</p>	S&E	All	All	<p>Savio DeCruz, Head of Transport, Tel: 01753 875640</p> <p>Charlotte Lee, National Management Trainee, Tel: 01753 875216</p>	-	None	√	
<p><b><u>Subsidiary Housing Company</u></b></p> <p>To consider a report on the outcomes of the Options Appraisal for a Subsidiary Housing Company.</p>	N&R	All	All	<p>Stephen Gibson, Head of Asset Management Tel: 01753 875852</p>	-	None		
<p><b><u>Leisure Strategy</u></b></p> <p>To consider a report seeking approval of the 5 year community leisure action plan and progress on replacement of facilities at Montem.</p>	C&L	All	All	<p>Andrew Stevens, Assistant Director, Community &amp; Skills Tel: 01753 875507</p>	-	None		

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**Bold** – Key Decision      Non-Bold – Non-Key Decision *Italics* – Performance/Monitoring Report

<b><u>Agreement of Pupil Premium Policy</u></b> To consider a report seeking agreement of a Pupil Premium Policy.	E&C	All	All	Jane Wood, Director of Wellbeing Tel: (01753) 875751	-	None	√	
<b><u>Children's Social Care Workforce Strategy 2014-17</u></b> To endorse the Strategy for strengthening the children's social care workforce as part of the Children's Services Improvement Plan.	P&A, F&S, E&C	All	All	Jane Wood, Director of Wellbeing Tel: (01753) 875751	-	None	√	
<b><u>References from Overview &amp; Scrutiny</u></b> <i>To consider any recommendations from the Overview &amp; Scrutiny Committee and Scrutiny Panels.</i>	P&A	All	All	Shabana Kauser, Senior Democratic Services Officer Tel: 01753 787503	-	None		
<b><u>Notification of Forthcoming Decisions</u></b> <i>To endorse the published Notification of Decisions.</i>	F&S	All	All	Catherine Meek, Head of Democratic Services Tel: 01753 875011	-	None		

## Cabinet - 19th January 2015

Item	Port- folio	Ward	Priority	Contact Officer	Other Committee	Background Documents	New Item	Likely to be Part II
<b><u>Trelawney Avenue Redevelopment Plan</u></b> Further to the Cabinet report of 14 <sup>th</sup> April 2014, to consider a report detailing the progress of the Trelawney Avenue Redevelopment Plan.	N&R	Langley Kedermister	All	Stephen Gibson, Head of Asset Management Tel: 01753 875852	-	None		

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**Bold** – Key Decision      Non-Bold – Non-Key Decision *Italics* – Performance/Monitoring Report

<u>References from Overview &amp; Scrutiny</u>  <i>To consider any recommendations from the Overview &amp; Scrutiny Committee and Scrutiny Panels.</i>	P&A	All	All	Shabana Kauser, Senior Democratic Services Officer Tel: 01753 787503	-	None		
<u>Notification of Forthcoming Decisions</u>  <i>To endorse the published Notification of Decisions.</i>	F&S	All	All	Catherine Meek, Head of Democratic Services Tel: 01753 875011	-	None		

## Cabinet - 9th February 2015

Item	Portfolio	Ward	Priority	Contact Officer	Other Committee	Background Documents	New Item	Likely to be Part II
<b><u>Financial &amp; Performance Report - Quarter 3 2014-15</u></b>	F&S	All	All	Joseph Holmes, Assistant Director, Finance & Audit Tel: 01753 875358	Overview & Scrutiny; Audit & Risk	None	√	
<b><u>Medium Term Financial Strategy 2015-19</u></b>  To consider, and if agreed, to recommend to Council the Medium Term Financial Strategy 2015-19.	F&S	All	All	Joseph Holmes, Assistant Director, Finance & Audit Tel: 01753 875358	Overview & Scrutiny Committee	None	√	
<b><u>Treasury Management Strategy</u></b>  To consider, and if agreed, to recommend to Council the Treasury Management Strategy.	F&S	All	All	Joseph Holmes, Assistant Director, Finance & Audit Tel: 01753 875358	Overview & Scrutiny	None	√	

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**Bold** – Key Decision      Non-Bold – Non-Key Decision *Italics* – Performance/Monitoring Report

<b>Capital Strategy</b> To consider, and if agreed, to recommend to Council the Capital Strategy.	F&S	All	All	Joseph Holmes, Assistant Director, Finance & Audit Tel: 01753 875358	Overview & Scrutiny Committee	None	√	
<b>Revenue Budget 2015-16</b> To agree the recommendations to be made to Council on the 2015-16 Revenue Budget.	F&S	All	All	Joseph Holmes, Assistant Director, Finance & Audit Tel: 01753 875358	Overview & Scrutiny Committee	None	√	
<b>Asset disposals</b>	N&R	All	All	Stephen Gibson, Head of Asset Management Tel: 01753 875852	-	None	√	
<u>References from Overview &amp; Scrutiny</u> <i>To consider any recommendations from the Overview &amp; Scrutiny Committee and Scrutiny Panels.</i>	P&A	All	All	Shabana Kauser, Senior Democratic Services Officer Tel: 01753 787503	-	None	√	
<u>Notification of Forthcoming Decisions</u> <i>To endorse the published Notification of Decisions.</i>	F&S		All	Catherine Meek, Head of Democratic Services Tel: 01753 875011	-	None	√	

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**Bold** – Key Decision      Non-Bold – Non-Key Decision *Italics* – Performance/Monitoring Report

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