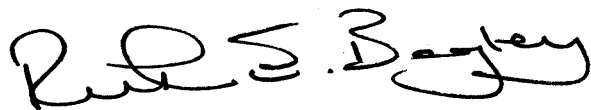


Date of issue: Friday, 27 February 2015

<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, 9TH MARCH, 2015 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 9th February 2015	1 - 10	
3.	<b>Leisure Strategy</b>	11 - 40	All
4.	<b>Agreement to Dispose of Two Sites for Free Schools</b>	41 - 50	All
5.	<b>Proposed Disposal of Land at Ledgers Road to Slough Regeneration Partnership</b>	51 - 56	Chalvey
6.	Manifesto Update for Pledges 2014/15	57 - 64	All
7.	Community Investment Fund 2014/15 Update and 2015/16 Allocations	65 - 70	All
8.	Five Year Plan Projects Funded Through the Thames Valley Berkshire LEP	71 - 80	All
9.	<b>Better Care Fund Pooled Budget Agreement 2015/16</b>	81 - 88	All
10.	Care Act 2014 - Implications for Charging Policy	89 - 102	All
11.	<b>Welfare Policies</b>	103 - 152	All
12.	<b>Business Rates Transitional Relief Discretionary Policies 2015-16 and 2016-17</b>	151 - 162	All
13.	<b>Children's Services Organisation Decisions</b>	To Follow	All
14.	<b>Re-commissioning and Procurement of a Responsive Repair &amp; Maintenance Service for Housing Properties</b>	163 - 172	All

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
15.	References from Overview & Scrutiny	173 - 176	All
16.	Notification of Forthcoming Decisions	177 - 188	All
17.	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).		
<b>PART II</b>			
18.	<b>Leisure Strategy - Appendix D</b>	189 - 194	All
19.	<b>Agreement to Dispose of Two Sites for Free Schools - Appendix A</b>	195 - 196	All
20.	<b>Re-commissioning and Procurement of a Responsive Repair &amp; Maintenance Service for Housing Properties</b>	197 - 204	All
21.	<b>Slough Library Site</b>	205 - 208	Chalvey

**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, 9th February, 2015.**

**Present:-** Councillors Anderson (Chair), Carter, Hussain, Mann, Parmar, Sharif and Swindlehurst

**Also present under Rule 30:-** Councillor Ajaib

**Apologies for Absence:-** Councillor Munawar

**PART 1**

**82. Declarations of Interest**

No declarations were made.

**83. Minutes of the Meeting held on 19th January 2015**

**Resolved –** That the minutes of the meeting of the Cabinet held on 19<sup>th</sup> January 2015 be approved as a correct record.

**84. Financial & Performance Report - Quarter 3 2014-15**

The Assistant Director, Finance & Audit introduced a report which updated the Cabinet on the latest financial forecasts for the 2014/15 year; sought approval for the virement and write off requests; and summarised the performance of key indicators and 'Gold' projects.

The forecast overspend at the end of the third quarter was £0.69m, which was £270k lower than the previous month as a result of remedial actions taken to manage the overspend. The main area of overspend was in the Children's and Families Service which had a forecast overspend of £1.38m and recovery plan was in place for Children's Social Care to reduce in year pressures. The Cabinet noted that the total forecast overspend was reducing and requested that work continue to move towards a breakeven position by the year end.

Commissioners noted that the Council's balanced scorecard to the end of December showed 69% of indicators were 'green' and a further 22% were 'amber'. The only three 'red' indicators related average staff sickness rates; the number of families placed in bed & breakfasts; and the percentage of Single Assessments completed and authorised within 45 working days. However, it was noted that there had been significant improvement in this indicator with 85.9% completed to timescales, which was below the nationally set target of 100% but well above historic local performance. All six 'Gold' projects had an overall status of 'amber'.

Following discussion, the Cabinet noted the financial and performance information and approved the write off and virement requests as detailed in sections 10 and 11 of the report.

**Resolved –**

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

**85. Medium Term Financial Strategy 2015-19**

The Assistant Director, Finance & Audit introduced the Medium Term Financial Strategy (MTFS) 2015-19 which set out the background to the Council's current financial position, future estimates and highlighted some of the key strands to deliver a balanced position over the period of the MTFS.

Government spending on local government had reduced by 25% since 2010 which had had a significant impact on the Council's budget, reducing by 14% to date and projected to have declined by 22% by the end of the MTFS period. The Council faced particular financial risks due to its large Business Rate base and rising pressures on services, particularly social care, in comparison to other authorities, however, there was less risk in Council Tax buoyancy with strong growth in the taxbase in recent years.

The Cabinet discussed a number of issues including the contribution of increased Treasury Management investment returns to offset the savings requirement and the longer term revenue position which indicated that the Council's income was projected to level off by 2021. Commissioners discussed the MTFS financial model, as detailed in Table 3.1 of the Appendix, and asked about the savings likely to be required in future years. The Assistant Director responded that significant savings ranging between £6m and £12m would be required each year to 2019. Some of these savings had already been identified and the Five Year Plan provided clear direction about where future savings could be achieved.

After due consideration, the Cabinet agreed to recommend the MTFS to Council at its meeting on 19<sup>th</sup> February 2015.

**Recommended –** That the Medium Term Financial Strategy 2015-19 be approved.

**86. Revenue Budget 2015-16**

The Assistant Director, Finance & Audit introduced a report setting out the draft Revenue Budget 2015/16 which the Cabinet were requested to recommend to Council on 19<sup>th</sup> February 2015.

The budget had been developed in the context of increased demand for services and the continuation of significant reductions in Government funding with the Revenue Support Grant falling by nearly a half over the past two years to £23.8m. The Council had generally managed to deliver key

outcomes whilst protecting frontline services wherever possible, and it was proposed to freeze Council Tax for the third time in the past four years. The total budgeted income for 2015-16 was £107.5m, a reduction from £112.1m in 2014-15, and the savings requirement was £9.8m after adjustments such as inflation and directorate pressures had been taken into account. A majority of the proposed savings had previously been approved by Cabinet and a full list was detailed in Appendix A to the report.

The Assistant Director provided an update on the final Local Government Finance Settlement which had confirmed that the Council would receive an additional un-ringfenced £197k for Local Welfare Provision but £243k less for Discretionary Housing Payments. It was proposed to hold the £197k against potential pressures around from the various Government welfare reforms. The Cabinet were also informed that some adjustments may be made to the figures prior to the full Council meeting once the parish, fire and police precepts were confirmed. Commissioners discussed a number of issues including the positive impact the surplus in the Collection Fund could have in future years and the work being done to increase Council Tax and Business Rates income.

Consideration was also given to the following recommendation from Overview & Scrutiny in relation to the revenue budget:

*“The Cabinet is requested to resolve that Officers be authorised to investigate the feasibility of implementing a Residents Card for differential fee rates for Residents and Non Residents, on a range of services, including sport pitch fees”.*

The Cabinet welcomed the recommendation and noted that lower fees and charges of up to 20% for Slough residents already existed in some service areas. The recommendation to authorise officers to investigate the feasibility of extending differential charging was agreed. This may not require a full Residents Card system and the most efficient and practical approach would be explored by Officers.

The Cabinet thanked Officers for the work done in preparing the budget and agreed to recommend the Revenue Budget 2015-16 to full Council on 19<sup>th</sup> February 2015.

**Resolved –**

That Officers be authorised to investigate the feasibility of implementing differential fee rates for Residents and Non Residents, on a range of services, including sport pitch hire.

**Recommended –**

That the Revenue Budget 2015/16 be approved by Council on 19th February 2015, noting that other organisations have yet to set their Council Tax precepts.

**Council Tax Resolution** – In relation to the Council Tax for 2015/16

- (a) That in pursuance of the powers conferred on the Council as the billing authority for its area by the Local Government Finance Acts (the Acts), the Council Tax for the Slough area for the year ending 31 March 2016 be as specified below and that the Council Tax be levied accordingly.
- (b) That it be noted that at its meeting on 15 December 2014 Cabinet calculated the following Tax Base amounts for the financial year 2015/16 in accordance with Regulations made under sections 31B (3) and 34(4) of the Act:
- (i) 38,462.6 being the amount calculated by the Council, in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 2012 (the Regulations) as the Council Tax Base for the whole of the Slough area for the year 2015/16; and
  - (ii) The sums below being the amounts of Council Tax Base for the Parishes within Slough for 2015/16:

a) Parish of Britwell	597.0
b) Parish of Coln. with Poyle	1,781.1
c) Parish of Wexham	1,270.3
- (c) That the following amounts be now calculated for the year 2015/16 in accordance with sections 31A to 36 of the Act:
- (i) £437,571,351 being the aggregate of the amounts which the Council estimates for the items set out in section 31A (2)(a) to (f) of the Act. (Gross Expenditure);
  - (ii) £ 392,237,445 being the aggregate of the amounts which the Council estimates for the items set out in section 31A (3) (a) to (d) of the Act. (Gross Income);
  - (iii) £45,333,906 being the amount by which the aggregate at paragraph c (i) above exceeds the aggregate at paragraph c (ii) above calculated by the Council as its council tax requirement for the year as set out in section 31A(4) of the Act. (Council Tax Requirement);
  - (iv) £1,178.64 being the amount at paragraph c(iii) above divided by the amount at paragraph b(i) above, calculated by the Council, in accordance with section 31B(1) of the



Act, as the basic amount of its Council Tax for the year, including the requirements for Parish precepts.

- (v) That for the year 2015/16 the Council determines in accordance with section 34 (1) of the Act, Total Special Items of £207,046 representing the total of Parish Precepts for that year.
- (vi) £1,173.27 being the amount at paragraph c (iv) above less the result given by dividing the amount at paragraph c (v) above by the relevant amounts at paragraph b (i) above, calculated by the Council, in accordance with section 34 (2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates.
- (vii) Valuation Bands

<b>Band</b>	<b>Slough Area</b>	<b>Parish of Britwell</b>	<b>Parish of Colnbrook with Poyle</b>	<b>Parish of Wexham Court</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
A	782.18	44.06	31.80	24.48
B	912.54	51.41	37.10	28.56
C	1,042.91	58.75	42.40	32.64
D	1,173.27	66.10	47.70	36.72
E	1,434.00	80.79	58.30	44.89
F	1,694.72	95.47	68.90	53.05
G	1,955.45	110.16	79.50	61.21
H	2,346.54	132.19	95.40	73.45

Being the amounts given by multiplying the amounts at paragraph c (iv) and c (vi) above by the number which, in the proportion set out in section 5 (1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with section 36 (1) of the Act, as the amount to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

- (viii) That it be noted that for the year 2015/16 the Thames Valley Police Authority precept has been provisionally stated in line with previous year increases, in accordance with section 40 of the Act, for each of the categories of dwellings shown below:

<b>Band</b>	<b>Office of the Police and Crime Commissioner (OPCC) for Thames Valley £</b>
A	109.14
B	127.32
C	145.52
D	163.70
E	200.08
F	236.46
G	272.84
H	327.41

***These precepts have not been formally proposed or agreed by the Thames Valley Police Authority and may be revised when agreed.***

- (ix) That it be noted that for the year 2015/16 the Royal Berkshire Fire Authority has provisionally stated the following amount in precept issued to the Council, in accordance with section 40 of the Act, for each of the categories of dwellings shown below:

<b>Band</b>	<b>Royal Berkshire Fire Authority £</b>
A	40.44
B	47.18
C	53.92
D	60.66
E	74.14
F	87.62
G	101.10
H	121.32

***These precepts have not been formally proposed or agreed by the Royal Berkshire Fire Authority and may be revised when agreed.***

- (x) Note that arising from these recommendations, and assuming the major precepts are agreed, the overall Council Tax for Slough Borough Council including the precepting authorities will be as follows:

Band	Slough £	Office of the Police and Crime Commissioner (OPCC) for Thames Valley £	Royal Berkshire Fire Authority £	TOTAL £
A	782.18	109.14	40.44	931.76
B	912.54	127.32	47.18	1,087.04
C	1,042.91	145.52	53.92	1,242.35
D	1,173.27	163.70	60.66	1,397.63
E	1,434.00	200.08	74.14	1,708.22
F	1,694.72	236.46	87.62	2,018.80
G	1,955.45	272.84	101.10	2,329.39
H	2,346.54	327.41	121.32	2,795.27

- (xi) That the Section 151 Officer be and is hereby authorised to give due notice of the said Council Tax in the manner provided by Section 38(2) of the 2012 Act.
- (xii) That the Section 151 Officer be and is hereby authorised when necessary to apply for a summons against any Council Tax payer or non-domestic ratepayer on whom an account for the said tax or rate and arrears has been duly served and who has failed to pay the amounts due to take all subsequent necessary action to recover them promptly.
- (xiii) That the Section 151 Officer be authorised to collect (and disperse from the relevant accounts) the Council Tax and National Non-Domestic Rate and that whenever the office of the Section 151 Officer is vacant or the holder thereof is for any reason unable to act, the Chief Executive or such other authorised post-holder be authorised to act as before said in his or her stead.
- (xiv) The above figures assume a council tax freeze for the Royal Berkshire Fire Authority. If this is not the case this report requests the Section 151 or nominated officer be authorised to adjust the council tax charges in line with final figures following consultation with the leader and leader of the opposition

**HRA Rents and Service Charges –**

- (e) That the proposed increase in Housing Revenue Account rents and service charges for 2015/16 be as follows:
  - (i) Council house dwelling rents for 2015/16 increase by an average of £2.24 per week (2.2% average increase) with effect from Monday 6<sup>th</sup> April 2015. This is in line with current

government guidelines on rent increases, linked to September CPI+1%.

- (ii) Garage rents, heating, utility and ancillary charges increase by 2.3% with effect from Monday 6<sup>th</sup> April 2015. This is based upon the September RPI figure.
- (iii) Service charges increase by 2.2% with effect from Monday 6<sup>th</sup> April 2015. This is based upon the CPI+1% uplift used for rent setting.
- (iv) 'Other committee' property rents increase by an average of 2.2% from Monday 6<sup>th</sup> April 2015 in line with the average increase of all housing properties.

#### **Fees and Charges –**

- (f) That the proposed increase in Fees and charges outlined in Appendix Fi for 2015/16 be as follows:
  - (i) Sports Pitch fees and Allotment fees increase by the benchmark plus 4.2%
  - (ii) The sports pitch fees will be implemented from the 1st April 2015 but the allotments will take effect from the 1st December 2017 as the allotment holders are normally given a year's notice and the fees for 2016 have already been set.

#### **87. Trelawney Avenue Redevelopment Plan Interim Update Report**

The Strategic Director, Regeneration, Housing and Resources introduced a report which updated the Cabinet on the progress of the Trelawney Avenue Redevelopment Plan.

Extensive discussions had been held with NHS England and the Slough Clinical Commissioning Group about the potential for GP and other health facilities located in a new community hub on the Merrymakers site, however, at the time of writing the report both of these organisations had indicated that they were unable to support the proposal as they felt the Langley area was already well served by existing GP practices. Members were informed that since the report it had been written, further discussions had been held which left open the possibility of such facilities and Officers therefore suggested a change to the recommendation to continue discussions with health partners with the outcome the subject of a further report to Cabinet in June 2015.

The Cabinet reaffirmed their ambition for a community hub in the area and therefore agreed to continue discussions with health partners to seek to achieve this outcome. It was also agreed to delegate authority to Officers, following consultation with the relevant Commissioners, to take further steps on the housing elements of the plan that could be progressed without compromising the option for a community hub on the Merrymakers site.

**Resolved –**

- (a) That further discussions be held with NHS England and Slough Clinical Commissioning Group (CCG) regarding the provision of an additional GP practice or satellite practice at a new community hub on the Merry Makers site (Area A) as part of the wider redevelopment plans.
- (b) That Thames Valley Police (TVP) remain interested in working collaboratively with the Council to re-locate into new or refurbished premises.
- (c) That following consultation with community groups, internal departments and TVP, the option of remodelling existing retail is being considered. In addition to giving TVP a greater presence within the local area, this option would allow the Council to develop residential-led proposals for the site of the existing police station (an HRA site owned by SBC) as part of the overall strategy.
- (d) That subject to (c), the Strategic Director of Regeneration, Housing & Resources and the Head of Asset Management, following consultation with the Commissioners for Neighbourhoods & Renewal and Community & Leisure, be authorised to take necessary steps prior to a further report in June 2015 to progress residential development schemes that provide a mix of affordable housing with a range of house types be pursued on part of the Merry Makers Site (Area A), subject to pursuing the option of the Cabinet's ambition for a community hub; and at the 324 Trelawney Avenue site (Area B); and Trelawney Avenue Residential Infill site (Area C).
- (e) That the proposals to introduce new sporting facilities in Langley Academy part funded by the Council that will support local sports clubs, promote improved health and well being and meets a need identified by the community be noted.
- (f) That a follow-up report be presented to Cabinet in June 2015.

**88. References from Overview & Scrutiny**

The Cabinet received a report detailing recommendations from the Overview & Scrutiny Committee in relation to the 2015-16 budget.

The recommendation in relation investigating the possibility of further differential charging for a range of services was resolved during consideration of the Revenue Budget (Minute 86 refers).

The following recommendation had also been received in relation to the Treasury Management Strategy 2015-16:

*“The Cabinet is requested to recommend that investment in the property fund portfolio increase from £7 million to £10 million.”*

It was noted that the Cabinet had already agreed on 19<sup>th</sup> January to recommend the Treasury Management Strategy 2015-16 to Council which included provision for increasing investment in the property fund portfolio. It was therefore agreed to support the recommendation from scrutiny when recommending the Treasury Management Strategy to Budget Council on 19<sup>th</sup> February 2015.

**Recommended –** That investment in the property fund portfolio increase from £7 million to £10 million.

**89. Notification of Forthcoming Decisions**

The Cabinet considered the published Notification of Key Decisions for forthcoming three month period. A number of amendments had been made since publication and these were noted before the published plan was endorsed.

**Resolved –** That the published Notification of Decisions for the period between February and April 2015 be endorsed.

Chair

(Note: The Meeting opened at 6.37 pm and closed at 7.05 pm)

**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 9 March 2015

**CONTACT OFFICER:** Roger Parkin  
**(For all enquiries)** Strategic Director Customer & Community Services  
 (01753) 875207

**WARD(S):** All

**PORTFOLIO:** Community and Leisure – Councillor Carter

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

**LEISURE STRATEGY****1 Purpose of Report**

- 1.1 This report will update members on progress made towards delivering the high level Leisure Strategy approved by Cabinet in July 2014. It will present feedback on proposals to increase levels of physical activity, summarise the findings of the feasibility study commissioned to identify the mix and location of required facilities to replace Montem Leisure Centre. It also discusses how the Council will realise its objective of making more people more active more often and make recommendations on the future location of new leisure provision.

**2 Recommendations**

The Cabinet is requested to resolve:

- (a) That the five year community leisure plan (Appendix A) be adopted and implemented.
- (b) That the recommended facility mix be approved as set out in section 6.3 of this report.
- (c) That the Centre site be approved as the preferred site for the new leisure centre.
- (d) That a comprehensive masterplan for the Centre site should be undertaken that identifies opportunities for a mix of leisure, community and residential use.
- (e) That the work identified at (d) is funded from the Leisure Strategy budget.
- (f) A report is brought back to Cabinet in June 2015 to finalise and agree the masterplan for the Centre site.
- (g) That the Strategic Director Customer & Community Services be authorised to implement the next steps as set out in this report, following consultation with the Commissioner for Community and Leisure, including:
  - (i) Implement the five year community leisure plan, subject to detailed development of options and public consultation
  - (ii) Agree the best procurement route for the ice arena refurbishment to secure best value and proceed to procurement and detailed designs.

### 3 Wellbeing Strategy Priorities

- **Economy and skills**
- **Health and wellbeing**
- **Regeneration and environment**
- **Safer Slough**
- **Civic responsibility**
- **Improving the town's image**

3.1 All the actions within the Leisure Strategy will contribute towards achieving the overarching vision of the Slough Joint Wellbeing Strategy and will make significant contributions specifically to the health, wellbeing and safer Slough themes.

- **Health and Wellbeing.** Cabinet in July 2014 approved a strategy for leisure, with the overarching aim to "enhance the health and wellbeing of Slough residents by ensuring leisure activity is adopted as a habit for life for all – more people, more active, more often". The causal link between physical activity and overall health indicators is clear, particularly for obesity and heart disease, which are high priorities for Slough.
- **Safer Slough.** The opportunity to participate in shared leisure activities makes a positive contribution to community cohesion and interaction for all members of the varied and diverse community in Slough.
- **Regeneration and environment.** Leisure facilities, both open spaces and buildings, can be used for leisure purposes, contributing to the quality of the environment of the town. They provide opportunities to regenerate specific sites and local communities.

3.2 This will be one of a group of strategies that underpin and enable the Wellbeing Strategy. Each addresses a specific area of activity and links with and reinforces the strategic aims and objectives of others. All are linked by the common vision of the Wellbeing Strategy.

### 4 Other Implications

#### 4.1 Financial

Within the current Medium Term Financial Strategy (MTFS) capital programme, funding has been allocated for a number of leisure projects. The main strands are:

- £1.463m related capital investment in this year's programme predominantly for repairs and maintenance to existing facilities.
- £3.5m earmarked for future improvements to the ice arena subject to final approval.
- £450k over 3 years allocated for small capital improvements in community venues including parks for leisure purposes.
- £540k for capital improvements to Baylis Park
- £2.3m Section 106 funds, including commuted sums, allocated to parks and leisure priorities

4.2 There is currently no confirmed capital budget for major new leisure development other than ice in the Medium Term Financial Strategy. Further



allocations of major capital funding will be considered as part of the detailed design development of any new facilities.

#### 4.3 Risk Management

<b>Risk</b>	<b>Mitigating action</b>	<b>Opportunities</b>
Legal	None at this stage	
Property	A detailed facilities options appraisal will be done as part of the development of the Leisure Strategy	Release sites for housing regeneration that will generate a capital receipt
Planning – permission may not be granted if there is a net loss in community facilities.	Provide alternative community as part of master planning process.	
Human Rights	None	
Health and Safety	This will be addressed for new facilities as they are developed	
Employment Issues	None	
Equalities Issues	The strategy focuses on identified priority groups, but will maintain opportunities for all. There will be a clear link between local dispersed provision and the ability of priority groups to engage	Improved access to quality facilities will contribute to increasing levels of activity by Slough residents
Community Support	User and non user information has been used to inform the strategy.	Further consultation will be undertaken as proposals are developed. Opportunities for enhanced community cohesion.
Communications	None	
Community Safety	None	
Financial	See section 4.1	
Timetable for delivery	None	Link with contract ending in 2017
Project Capacity	None	

#### 4.4 Human Rights Act and Other Legal Implications

There are no direct Human Rights Act or other legal implications arising from this report.

#### 4.5 Property Implications

The property implications are discussed in Appendix E.

#### 4.6 Equalities Impact Assessment (EIA)

An Equalities Impact Assessment will be completed for new leisure facilities when those plans have been developed.

#### 4.7 Workforce

There are no direct workforce implications arising from this report.

### **5 Progress in implementing the leisure strategy**

#### **5.1 Strategy development**

Cabinet agreed the leisure strategy in July 2014, which has been developed to achieve the overarching outcome of **more people more active more often**. This outcome will be achieved by maintaining levels for those who are currently active and engaging more people in active lifestyles.

1. 5% more active Slough adults than in 2013 (63% increased to 68%)
2. 1% fewer children reported as overweight or obese in reception and at year 6 in the highest rate wards

5.2 The strategy is central to improving wellbeing and health outcomes. It is a key driver for the parks strategy.

#### **5.3 Five year plan for community leisure**

The outline action plan for a five year community leisure programme (dispersed strategy) is included as Appendix A. Plans to increase community participation include negotiating enhanced levels of public access to school swimming pools, sports halls and playing fields, and targeted investment in locally accessible venues including particularly parks, as well as the Community Sports Activation programme and other initiatives reported to Cabinet in October 2014. This complements work by schools and sports clubs as well as play provision.

5.4 The community leisure programme will reach out to and engage people who are not currently active to encourage them to take exercise close to where they live or work. There will be facilities and programmed activities and outreach activities to develop new users and act as a bridge to the main leisure facilities and in turn encourage their use.

5.5 The strategy gives priority to increasing participation of children, young people and women. Key wards with poor health outcomes and low participation will be prioritised, particularly Baylis and Stoke, Britwell and Northborough, Chalvey and Central, but there will be activities and improvements across all parts of the borough. Implementation is already in progress and will gather momentum in 2015. The proposal to introduce the new leisure facility at Farnham Road will reduce the travelling time and cost for residents of the key wards and is therefore consistent with this objective.

5.6 Capital funding of £150,000 a year for the next three years and revenue funding of £50,000 has been allocated to develop community facilities and build local programming. Investment will include simple and accessible facilities like walking trails, outdoor gyms or MUGAs at a convenient location in an indoor or outdoor community venue, including particularly parks. This shows the intent of the Council in investing in improving health outcomes, but

it is a priority to secure further funding through partners to embed and extend the improvements, with the aim that they become self financing by 2019.

- 5.7 The detail of the plan will be developed through a consultative process engaging local people before final decisions are taken on investment ready to start from April 2015.

## **6 Main leisure facilities**

### **6.1 Scope**

The leisure strategy has identified a core network of specialist facilities, including two main leisure centres at Langley and a replacement for Montem, together with a potential new stadium at Arbour Park on the Stoke Road, and ten pin. Langley is the subject to significant improvement works in 2015 to address the pool lining and some other structural issues, which together will give the centre a 15 year life. Progress on replacing Montem and upgrading the ice arena are outlined below.

### **6.2 Main centre facility mix**

A team of consultants led by FMG have assessed all available evidence of community needs for leisure. This included data from Sport England, local demographic trends information, and some user and non user surveys, as well as consultation with schools and the sports community and governing bodies. This work identified some special factors affecting leisure provision in the borough, including:

- Significant population growth
- Unmet demand for swimming time at pools
- Importance of a central venue to be accessible to more people
- Charging and programming sensitive for some parts of the community

### **6.3 Recommended facilities**

Evidence from the review proposed the following facility mix to replace the Montem Leisure Centre to meet future needs for the next 10-20 years. Appendix B is an extract from the consultants' report showing demographic changes, demand mapping and potential use and costs and savings from the new facilities. Cabinet is asked to approve that this mix be used for the next stage of detailed design development.

- Minimum 6 lane swimming pool, with a preferred option for an 8 lane pool
- 125m<sup>2</sup> learner pool
- 100-125 station gym
- 3 studios (2 fitness studios and a spinning studio)
- 5 court sports hall
- 1-2 squash courts

- 6.4 A new 6 lane pool with moveable floor and booms would be much more flexible for different types of user than the current pool at Montem and could accommodate around 10% more swimmers. An 8 lane pool would cost around £500,000 more to provide and could cost £23,000 more to run. It would though further improve programming and increase swim capacity by a further 5-10%. An 8 lane pool is preferred, but it is proposed that a final decision be taken in June 2015 when site master planning has been completed and a full

financial picture has been built, together with evaluation of opportunities to secure additional funding for a larger pool.

## 6.5 **Site options**

Fourteen sites at various locations within the borough were evaluated for suitability for a new leisure centre. Thereafter the following criteria were applied to identify the preferred options:

- An accessible location
- Space for the new facility
- Parking and accessibility (inc. space for parking and access)
- Planning and site development considerations

6.6 Of these ten were ruled out because they were not sufficiently accessible. A further two sites were rejected because of other reasons. The assessment is summarised below and a brief profile of sites is given in Appendix C.

Site options	Accessible	Space	Parking/ access	Development issues	Comment
Haymill	No	√	√	√	Outside central zone
Montem school	√	√	√	No	Access issues and school site
Old library	√	No	√	√	Insufficient space on site
Thomas Gray Centre	√	√	No	√	Insufficient space for parking and access
	√	√	√	√	Good location; 3 alternatives for plot; good access; brown field development; investment in priority area
Darvill's Lane	√	√	No	√	Insufficient space for parking and access
Chalvey 4&5	√	√	No	√	Insufficient space for parking and access
Merrymakers	No	√	√	√	Outside central zone
Arbour Park	√	√	√	No	Good site and accessible. Conflicts with detailed planning application submitted by SBC for the site
Langley leisure	No	√	√	√	Outside central zone and would mean one leisure facility
Upton Court Park	No	√	√	√	Outside central zone
Salt Hill Park	√	√	√	No	Good site; planning and highways issues
Kedermister Park	No	√	√	√	Outside central zone
Harvey Park	No	√	√	√	Outside central zone

- 6.7 The preferred option is therefore the Centre in the Farnham Road. The findings of the FMG study were then further tested by comparing and contrasting the merits of building a new leisure centre against the default position refurbishing Montem. This additional process, which provided a scored evaluation against a set of financial and non financial criteria, supported the work undertaken by FMG and reaffirmed that the new leisure offering should be provided at Farnham Road (see Appendix D). However, it is stressed that consideration will need to be given to meeting Planning Policy. Core Strategy Policy 6 requires retention of community facilities. Whilst the loss of the facility at Montem is likely to be accepted, the loss of community services/facilities operating from The Centre will need to be justified and/or replaced.
- 6.8 In order to determine a final costed design it is proposed that a comprehensive master plan be prepared for the Centre site. This would determine the best mix of leisure, residential and community uses. It will address highways, planning and legal issues as well as building and asset management matters. This will form part of the business case for investment.
- 6.10 **Procurement strategy**  
A review of procurement options has been undertaken. The time for normal procurement routes is between 10 and 18 months from the initial tender to award. The existing Partnership Agreement between SBC and Slough Regeneration Partnership includes a mechanism that allows for the refurbishment of the Ice Arena to be awarded to the joint venture company. If this delivery approach was pursued the timescale would be considerable shorter. There are considerable benefits in involving the leisure centres operator in designing facilities so they can help maximise their use and operational effectiveness. One possible model would be a Design, Build, Operate and Manage contract (DBOM) which could be combined with procurement for the leisure operating contract, combining two processes for work to start in the summer of 2017. The relative advantages of these routes will be assessed in parallel to the master planning for a decision in June 2015.
- 6.11 **Ice arena**  
Progress is being made in securing designs and prices to refurbish the ice arena, with the intention of commencing works in 2015.

## **7 Comments of other committees**

7.1 None.

## **8 Conclusion**

8.1 This report outlines how the leisure strategy approved by Cabinet in July 2014 is being implemented. The strategy will ensure investment in core facilities to maintain current participation in physical activity, and in particular, the community leisure programme will reach out and enable residents to be more active in ways that fit with their lifestyles and needs in localities where they live. Targeted capital and revenue investment will mean more people are more active more often, which will deliver significant health benefits and longer term savings in health costs, as well as enhancing individuals' quality of life.

### **Appendices Attached**

- A Outline 5 year community leisure plan
- B Facility mix (from Feasibility study for the replacement of Montem Leisure Centre. FMG Consulting, November 2014)
- C Site options - summary of sites assessed (from Feasibility study for the replacement of Montem Leisure Centre. FMG Consulting, November 2014)
- D Options Appraisal – contrast of advantages and disadvantages between refurbishing Montem Leisure Centre and building a new leisure centre at Farnham Road (**Part II, contains exempt information**).

### **Background papers**

Leisure Strategy. Cabinet report, 14 July 2014  
Leisure Strategy. Cabinet report, 13 October 2014

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Ref	Theme	Action	Target Year for Delivery	Owner	Cost	Secured funding	Funding Partners	Priority
<b>Core Leisure offer</b>								
Core 1	Replace Montem Leisure Centre - Essential	Secure funding, site and procurement route subject to business case.	2018	AS, AH	£12 Million	12,000,000	Slough BC	A
Core 2	Replace Montem Leisure Centre - Desirable	Secure funding for additional 2 lanes for an 8 lane main pool	2018	AS, AH	£0.5 Million		Sport England, ASA, Others	A
Core 3	Refurbish Ice Centre	Secure funding, site and procurement route subject to business case.	2015	AS, AH	£3.5 Million	3,500,000	Slough BC	A
Core 4	Refurbish Langley Leisure Centre	Secure funding, site and procurement route subject to business case.	2015	AS, AH	750,000	400,000	Slough BC	A
<b>Local Capital Investment</b>								
Local 1	Baylis and Stoke - Outdoor Fitness	Outdoor gym subject to surveys	2020	AH	TBC	TBC	TBC	B
Local 2	Baylis and Stoke - Outdoor Fitness	Fitness trail subject to surveys	2020	AH	15,000	15,000	Slough BC	B
Local 3	Baylis and Stoke - Outdoor Classes	Fitness classes in local facilities / parks (dependant on findings of full audit of existing services)	2015	AH	4,000	4,000	Sport England	B
Local 4	Baylis and Stoke - MUGA	MUGA with football goals or informal kick-about area subject to surveys	2020	AH	TBC	TBC	TBC	B
Local 5	Baylis and Stoke - Older Children's Play Provision	Play provision for older children subject to surveys	2020	AH	TBC	TBC	TBC	B
Local 6	Britwell & Northborough - Outdoor Fitness	Outdoor gym subject to surveys	2018	AH	TBC	TBC	TBC	B
Local 7	Britwell & Northborough- Outdoor Fitness	Fitness trail subject to surveys	2018	AH	TBC	TBC	TBC	B
Local 8	Britwell & Northborough- Outdoor Classes	Fitness classes in local facilities / parks (dependant on findings of full audit of existing services)	2015	AH	4,000	4,000	Sport England	B
Local 9	Britwell & Northborough - MUGA	MUGA with football goals and tennis markings and / or informal kick-about area subject to surveys	2015	AH	90,000	90,000	Section 106	B
Local 10	Britwell & Northborough - Older Children's Play Provision	Play provision for older children subject to surveys	2015	AH	110,000	110,000	Section 106	B
Local 11	Central - MUGA (cricket markings)	Cricket targets / non turf wickets on existing MUGA	2015	AH	5,000	5,000	Slough BC	B
Local 12	Chalvey - Outdoor Fitness	Outdoor gym subject to surveys	2020	AH	TBC	TBC	TBC	B
Local 13	Chalvey - Outdoor Fitness	Fitness trail subject to surveys	2020	AH	TBC	TBC	TBC	B
Local 14	Chalvey - Outdoor Classes	Fitness classes in local facilities / parks (dependant on findings of full audit of existing services)	2018	AH	TBC	TBC	TBC	B
Local 15	Cippenham Green and Cippenham Meadows - MUGA (markings)	Cricket targets / non turf wickets and Tennis markings on existing MUGA	2016	AH	TBC	TBC	TBC	C
Local 16	Colnbrooke with Poyle - Routes	Improved connectivity through cycling / running / walking routes	2017	AH	TBC	TBC	TBC	C
Local 17	Elliman - Outdoor Fitness	Outdoor gym subject to surveys	2019	AH	TBC	TBC	TBC	B
Local 18	Elliman - Outdoor Fitness	Fitness trail subject to surveys	2019	AH	TBC	TBC	TBC	B
Local 19	Elliman - Outdoor Classes	Fitness classes in local facilities / parks (dependant on findings of full audit of existing services)	2018	AH	TBC	TBC	TBC	B
Local 20	Farnham - Outdoor Fitness	Outdoor gym subject to surveys	2019	AH	TBC	TBC	TBC	B

Local 21	<b>Farnham - Outdoor Fitness</b>	Fitness trail subject to surveys	2019	AH	TBC	TBC	TBC	B
Local 22	<b>Farnham - Outdoor Classes</b>	Fitness classes in local facilities / parks (dependant on findings of full audit of existing services)	2018	AH	TBC	TBC	TBC	B
Local 23	<b>Farnham - Older Children's Play Provision</b>	Play provision for older children subject to surveys	2018	AH	TBC	TBC	TBC	B
Local 24	<b>Foxborough - MUGA</b>	MUGA with football goals and tennis markings and / or informal kick-about area subject to surveys and impact of Maplin Park MUGA	2014	AH	79,000	79,000	TBC	C
Local 25	<b>Foxborough - Older Children's Play Provision</b>	Play provision for older children subject to surveys	2018	AH	TBC	TBC	TBC	B
Local 26	<b>Haymill &amp; Lynch Hill - Routes</b>	Improved connectivity through cycling / running / walking routes making use of green space to connect the ward to facilities in Britwell & Northborough	2019	AH	TBC	TBC	TBC	B
Local 27	<b>Langley Kederminster - Older Children's Play Provision</b>	Play provision for older children subject to surveys	2020	AH	TBC	TBC	TBC	C
Local 28	<b>Langley Kederminster and Langley St Mary's - MUGA or Increased access and floodlighting of Langley Grammar School Courts</b>	MUGA with tennis markings / tennis court or community access to and floodlighting of Langley Grammar School courts (6)	2020	AH	TBC	TBC	TBC	C
Local 29	<b>Upton - Outdoor Fitness</b>	Outdoor gym subject to surveys	2020	AH	TBC	TBC	TBC	C
Local 30	<b>Upton - Outdoor Fitness</b>	Fitness trail subject to surveys	2020	AH	TBC	TBC	TBC	C
Local 31	<b>Upton - Outdoor Classes</b>	Fitness classes in local facilities / parks (dependant on findings of full audit of existing services)	2019	AH	TBC	TBC	TBC	C
Local 32	<b>Wexham Lea- Outdoor Fitness</b>	Outdoor gym subject to surveys	2019	AH	TBC	TBC	TBC	B
Local 33	<b>Wexham Lea- Outdoor Fitness</b>	Fitness trail subject to surveys	2019	AH	TBC	TBC	TBC	B
Local 34	<b>Wexham Lea- Outdoor Classes</b>	Fitness classes in local facilities / parks (dependant on findings of full audit of existing services)	2018	AH	4,000	4,000	Sport England	B
Local 35	<b>Upton: Upton Court Park</b>	Improvement to park building and changing rooms and development of designated cycle routes and tracks.	2018	AH	TBC	121,000	Section 106	B
Local 36	<b>Britwell &amp; Northborough: Kennedy Park with Monksfield Recreation Ground</b>	Sereis of trim / walking trails and natural play area for younger children	2017	AH	TBC	678,000	Section 106	B
Local 37	<b>Baylis &amp; Stoke - Baylis Park with Godolphin Recreation Ground</b>	Development of cycling routes using cinder track	2017	AH	TBC	540,000	Slough BC	C
Local 38	<b>Langley Kederminster - Kederminster Park</b>	Development of sporting provision	2020	AH	TBC	TBC	TBC	C
Local 39	<b>Cippenham Meadows - Mercian Recreation Ground</b>	Development of sporting provision	2020	AH	TBC	TBC	TBC	C
Local 40	<b>Langley St Mary's - Bloom Park</b>	New play area for younger children and fitness related provision including trim trails	2015	AH	45,000	45,000	Section 106	B
Local 41	<b>Central - Bowyer Recreation Ground</b>	Programme coach led activity programme targetting children and families	2015	AH	4,000	4,000	Slough BC	C
<b>Community Sport and Physical Activity Programme</b>								
Prog 1	<b>HITZ – NEETs Rugby Programme</b>	<b>Implement as per CSAF Delivery Plan</b>	2014	AH	n/a	100%	Premiership Rugby / London Irish	A
Prog 2	<b>Sports Passport Scheme</b>	<b>Implement as per CSAF Delivery Plan</b>	2014	AH	n/a	100%	Sport England	A

Prog 3	Disability Road Show Programme	Implement as per CSAF Delivery Plan	2014	AH	n/a	100%	Sport England	A
Prog 4	Multi-sports Programme	Implement as per CSAF Delivery Plan	2014	AH	n/a	100%	Sport England	A
Prog 5	Bootcamps	Implement as per CSAF Delivery Plan	2014	AH	n/a	100%	Sport England	A
Prog 6	Rowing / Canoeing Programme	Implement as per CSAF Delivery Plan	2014	AH	n/a	100%	Sport England	A
Prog 7	Develop training programme for sports activists and volunteers	Implement as per CSAF Delivery Plan	2014	AH	n/a	100%	Sport England	A
Prog 8	Level 1 coaching qualification courses	Implement as per CSAF Delivery Plan	2014	AH	n/a	100%	Sport England	A
Prog 9	HITZ – NEETs Rugby Programme	Implement as per CSAF Delivery Plan	2015	AH	n/a	100%	Premiership Rugby / London Irish	A
Prog 10	Sports Passport Scheme	Implement as per CSAF Delivery Plan	2015	AH	n/a	100%	Sport England	A
Prog 11	Disability Road Show Programme	Implement as per CSAF Delivery Plan	2015	AH	n/a	100%	Sport England	A
Prog 12	Multi-sports Programme	Implement as per CSAF Delivery Plan	2015	AH	n/a	100%	Sport England	A
Prog 13	Bootcamps	Implement as per CSAF Delivery Plan	2015	AH	n/a	100%	Sport England	A
Prog 14	Rowing / Canoeing Programme	Implement as per CSAF Delivery Plan	2015	AH	n/a	100%	Sport England	A
Prog 15	Develop training programme for sports activists and volunteers	Implement as per CSAF Delivery Plan	2015	AH	n/a	100%	Sport England	A
Prog 16	Level 1 coaching qualification courses	Implement as per CSAF Delivery Plan	2015	AH	n/a	100%	Sport England	A
Prog 17	Urban Action Sports Festival	Implement as per CSAF Delivery Plan	2015	AH	n/a	100%	Sport England	A
Prog 18	HITZ – NEETs Rugby Programme	Implement as per CSAF Delivery Plan	2016	AH	n/a	100%	Premiership Rugby / London Irish	A
Prog 19	Sports Passport Scheme	Implement as per CSAF Delivery Plan	2016	AH	n/a	100%	Sport England	A
Prog 20	Disability Road Show Programme	Implement as per CSAF Delivery Plan	2016	AH	n/a	100%	Sport England	A
Prog 21	Multi-sports Programme	Implement as per CSAF Delivery Plan	2016	AH	n/a	100%	Sport England	A
Prog 22	Bootcamps	Implement as per CSAF Delivery Plan	2017	AH	n/a	100%	Sport England	A
Prog 23	Rowing / Canoeing Programme	Implement as per CSAF Delivery Plan	2017	AH	n/a	100%	Sport England	A
Prog 24	Develop training programme for sports activists and volunteers	Implement as per CSAF Delivery Plan	2017	AH	n/a	100%	Sport England	A
Prog 25	Level 1 coaching qualification courses	Implement as per CSAF Delivery Plan	2017	AH	n/a	100%	Sport England	A
Prog 26	Urban Action Sports Festival	Implement as per CSAF Delivery Plan	2017	AH	n/a	100%	Sport England	A
Prog 27	Slough Sports Awards	Implement as per CSAF Delivery Plan	2016	AH	n/a	100%	Sport England	A
Prog 28	Training	Implement as per CSAF Delivery Plan	2017	AH	n/a	100%	Sport England	A
<b>Procuring a new Leisure provider</b>								
Proc 1	Undertake a procurement Exercise to secure a new provider in 2017	Business Case and Procurement of Advisers	2015 / 2016	AH	£100k	TBC	Slough	A
Proc 2	Leisure Provider in Place	Provider Contract Commences	2017	AH				
					Total Secured			

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**Facilities mix**

**Extract from Feasibility study for the replacement of Montem Leisure Centre. FMG Consulting, November 2014**

**LOCAL CONTEXT AND LOCAL NEED****Introduction**

We have undertaken a demand and supply analysis within Slough to help provide an indicative picture of demand for a range of sports and physical activities in the area.

The analysis includes the following data:

- The demographic profile of Slough
- Sport England Local area profile for Slough and Market Segmentation data
- Existing usage information (as provided)
- A summary of previously undertaken consultation

For the purpose of this report, we have summarised the demand and supply analysis below but the full report is included in Appendix A.

**Demographic Profile**

The proportion of children and young people, and families with children in Slough is significantly above national and regional averages and consequently there are also a lower proportion of older residents.

As a result, Slough's residents should have a propensity to be more physically active than the current Borough's participation figures suggest. This implies that there is significant scope for improving participation rates and it also suggests that leisure facilities will need to cater to a young market.

In terms of population growth in the future, a significant increase of 22.5% is expected over the 20 years between 2012 and 2032 in Slough. The most substantial growth will occur in the over 60s age groups and this is likely to have a negative impact on demand, although there will clearly be greater net demand as a result of the larger population. There will also be significant growth among older children and young people (10-19 year olds) as well as mid-life groups (45-59).

**Table 2.1 – Current and Projected Populations**

Age Bands	Population 2012	Population 2032	% Change
All ages	141,800	173,700	22.5%
0-4	13,100	12,600	-3.8%
5-9	10,700	12,200	14.0%
10-14	9,000	12,000	33.3%
15-19	8,700	11,400	31.0%
20-24	8,900	10,600	19.1%
25-29	12,800	12,500	-2.3%
30-34	14,400	13,100	-9.0%
35-39	11,900	13,200	10.9%
40-44	10,500	12,700	21.0%
45-49	9,000	11,800	31.1%

Age Bands	Population 2012	Population 2032	% Change
50-54	8,000	11,300	41.3%
55-59	6,600	9,300	40.9%
60-64	5,300	8,300	56.6%
65-69	3,800	6,800	78.9%
70-74	3,100	5,500	77.4%
75-79	2,600	4,100	57.7%
80-84	1,900	2,900	52.6%
85-89	1,100	1,700	54.5%
90+	600	1,500	150.0%

Slough's population will also grow due to additional new housing. It is estimated by Slough Borough Council's Planning Department that 500 new home per annum will be developed over the next 5 years. The growth will be concentrated in the following wards:

- Central (1,558 home)
- Upton (417 homes)
- Langley St Mary's (305 homes)
- Britwell & Northborough (258 homes)

The demographic analysis also identified that there is significant ethnic diversity in Slough, suggesting that facilities and activities will need to be able to meet the needs of a wide variety of groups.

### **Socio-Economic Status of Population**

In terms of socio-economic status, Slough has a lower proportion of AB and C1 residents and a higher proportion of C2 and DE residents than the national and regional averages and this is reflected by the levels of deprivation and unemployment which are also high. This suggests that significant parts of the population will not have high levels of disposable income to spend on leisure, sport and physical activity. The cost of participation, lack of time (for example due to work and child care responsibilities) and cost of travel are likely to be significant barrier to participation for many people in Slough.

Levels of car ownership in Slough are below the regional average, but there are significant discrepancies within Slough. As a result of this limitation on mobility, and a reportedly poor public transport system in Slough, localised facility provision will be particularly important.

### **Sport England Market Segmentation**

The most prominent segments in Slough are fairly evenly divided between active types (Tim, Jamie, Phillip, Helena and to a lesser extent Kev) and relatively inactive types (Leanne, Brenda and Elsie & Arnold). However, it is the more prominent groups that tend to be more active, suggesting that participation levels in Slough should be higher than they are currently.

From these dominant segments, the Market Segmentation identifies high levels of demand and latent demand in Slough for keep fit/gym, swimming, football, athletics, tennis and cycling. This suggests that a level 1 facility will need to include significant health and fitness provision, a large pool, a large sports hall to accommodate team sports particularly 5-a-side football/futsal and studio space for fitness classes and spinning. It also suggests that there are high levels of demand among the adult population for studio hall space (e.g. classes), outdoor gyms/fitness trails, MUGA's, AGP's, grass pitches, cycling/running paths and marked routes.

## **Consultation and Current Usage**

Consultation with the Operator - Slough Community Leisure ('Trust') and a review of current usage figures demonstrates the high levels of demand for swimming and a lack of available capacity at the Montem Leisure Centre pool. The Trust also indicated that there is high occupancy of existing sport hall space, which is particularly popular for five a side football and futsal.

Consultation also showed that the health and fitness and studio provision is also well utilised, although the Trust did not indicate that additional provision is required to accommodate demand. In terms of squash court provision at Montem Leisure Centre, the 3 courts do not reach capacity even at peak times, and there is no indication of significant demand or latent demand for squash locally.

There was also consultation undertaken with the local population through resident's surveys and they indicated demand for the following among young people in Slough:

- MUGA facilities including tennis markings in Langley, Cippenham and Britwell
- Cricket provision in Langley, Cippenham and Central Slough
- Informal and low cost football provision in Britwell
- Dance activities in Britwell and Langley
- Keep fit / gym
- Football - informal and low cost / free of charge
- Swimming
- Zumba
- Rugby
- Boxing
- Basketball

## **Supply Analysis**

This section highlights the key findings from the supply analysis undertaken and assesses the existing levels of supply in Slough. The conclusions, taken with the level of demand will then be utilised to provide a recommended facility mix for a future facility in Slough. Table 6 in the supply and demand analysis report (Appendix A) identifies the sport and physical activity facilities in and within 1 mile of Slough's Borough boundary.

There is a relatively good distribution of facilities and facility types across Slough. There is also a significant variety of facilities and, in general, a high proportion of these facilities have public or Sports Club/Community Association access. Facilities are also relatively well distributed geographically, although, as would be expected, there is a higher density of facilities in the central areas of the borough. Colnbrook and Poyle in particular have a low number of facilities, although it is also the smallest borough in terms of population.

For the purpose of this summary section, we have focused on:

- Health and fitness
- Sports halls
- Squash
- Swimming pool water

## **Health and Fitness**

The supply analysis showed that there are 28 facilities in the area contributing to a minimum of 1,422 stations. Of these facilities, 20 of the facilities (1,341 stations) are available to the public (including memberships), 2 facilities (33 stations) have Sport Club/Community Association access while there are also 3 private facilities (48 stations).

Furthermore, examination of the location of the facilities identified that wards including Britwell, Cippenham Green, Wexham Lea and Baylis & Stoke have no health and fitness facilities.

Additionally, the health and fitness facilities in Cippenham Meadows and Upton are concentrated in the corner of each ward closest to the centre of Slough. In terms of fitness studios locations, there are a lack of studios in the East and Southwest of the Borough, although there are a number of flexible community spaces in the East in particular. The location of these facilities can be viewed in Figure 11 of the demand and supply analysis report in Appendix A.

Therefore, although demand for health and fitness is very high in the Borough, there are a significant number of accessible facilities. Consultation with the Operator also suggests that there is additional capacity within the existing provision to meet this demand.

However, the distribution of the facilities leaves some areas with high demand with a lack of facilities, which will impact particularly on young people and those without access to a car. Free provision such as outdoor gyms, fitness trails etc. should be considered in these areas to cater for this issue.

### **Health and Fitness Recommendations**

The demand assessment showed that there are high levels of demand for keep fit / gym activities across all geographic areas of Slough and also among a wide variety of population groups. However, consultation with SCL suggested that capacity still exists within their existing level of provision to accommodate demand. The Active Communities Team also informed SLC that there are a growing number of budget gyms appearing in Slough, which is increasing supply.

In terms of studios accommodating fitness classes, these are well distributed across the Borough. A large proportion of these facilities are accessible to the public - i.e. either allow pay and play access (10 health and fitness facilities with 860 stations) or registered membership access (10 health and fitness facilities with 481 stations). This suggests that those residents that are inclined to join a gym or regularly access this type of built facility are able to do so within the existing level of provision relatively easily.

As a result of the analysis, we recommend that the new leisure centre ***includes 125 stations and 3 studios (2 fitness studios and a spinning studio)*** which is equivalent to the existing level of provision at Montem Leisure Centre. This will also be able to accommodate population growth in the future. Additional flexible space that could be used for group exercise could also be provided through retention of two squash courts with a movable wall.

However it should be noted that the consultation has also demonstrated that a lack of time and cost are significant barriers for potential users of this type of facility. Young people in particular have high levels of demand for keep fit/gym activities and are most affected by the issue of cost. As this is a target group for the Council, and there is scope for provision to have an impact to a wider sector of the community who experience similar barriers, this should be addressed through the dispersal of facilities as shown in the leisure facility strategy.

As a result of the barriers to exercise, it is recommended that ***a combination of outdoor gyms and fitness trails are provided*** in areas which have a high proportion of young people, high levels of deprivation / lower socio-economic status residents, low car ownership and few accessible facilities. These include Baylis & Stoke, Eliman, Central, Farnham, Upton, Wexham Lea and Britwell & Northborough.

This demand should also be met to some extent by provision of a range of fitness classes in local facilities e.g. sports halls, studios and flexible community spaces. The supply assessment suggests that there is a relatively strong supply of facilities within Slough which are capable of accommodating this type of activity. However, more work on accessibility needs to be undertaken in the future.



## Sports Halls

The demand and supply analysis in Appendix A identifies 28 sports halls within the Slough area totalling 89 courts. Of the 28 halls, 10 halls (49 courts) are publically accessible, 10 halls (26 courts) are available on a Sports Club/Sports Association access and 7 halls (10 courts) are private.

A number of new sports hall (12 courts) are also being developed at Lynch Hill Enterprise Academy (4 courts in Britwell & Northborough), St Joseph's Catholic High School (4 courts in Central), and Ditton Park Academy (4 courts in Upton). Another free school is likely to be approved to open in 2016 and would include community use of facilities outside of school hours.

There is also an identified shortfall of sports halls that can accommodate ball games etc. as according to Sport England's FPM run, suggesting that the existing level of provision will need to be maintained as a minimum supported by increased access to school facilities, particularly new school developments. This view is also supported by consultation with SCL which identified that the sports halls at Montem Leisure Centre and Herschel Sports at operating at near capacity at peak times.

The FPM run of Sports Halls undertaken by Sport England suggested a **significant shortfall of compliant provision of circa 14 courts**. A high proportion of demand in sports halls is for five a side football and this may be ameliorated by some extent by localised MUGA provision and increased AGP provision, although this is not guaranteed.

Furthermore, despite a number of new school community facilities emerging, the hours of access are inherently limited, and strong community access agreements would be required to secure access in the long term. There is also projected to be significant population growth and new housing in Slough, which will increase future demand for sports hall provision.

## Sports Hall Recommendations

The analysis concludes that as a **minimum 5 courts** are required to be provided in Slough to support peak time access in addition to encouraging community access and balanced programming at a high number of new school sports halls.

Therefore, it is recommended that given the high demand for sport hall space in Slough, it is recommended that the existing provision of a **5 court sports hall at Montem Leisure Centre is re-provided at a new leisure centre facility**, supported by the negotiation of increased community access at new or existing school developments and facilities.

## Swimming Pool Water

Table 6 located in the demand and supply analysis report in Appendix A has identified 17 swimming pools in the area across 14 sites. There are 13 pools, which are publically accessible while 2 pools have Sports Club/Sports Association access and 2 pools are private.

The analysis showed that there are facilities located centrally, in the east and in the west but there is also a number of areas without swimming pools. However, given the cost of providing this type of facility, it is reasonable to expect users to have to travel slightly further to access provision.

Montem Leisure Centre (438m<sup>2</sup> of pool water) and Langley Leisure Centre (325m<sup>2</sup>) are the Council's two principle leisure facilities and both provide a significant amount of water space. Furthermore, Windsor Leisure Centre (outside Slough's boundaries) has 725m<sup>2</sup> of water space, and will provide an alternative accessible facility, particularly for residents of Upton, Chalvey and Cippenham Meadows.

In terms of demand, swimming in Slough has very high levels of demand and latent demand. Swimming was identified as having the second highest participation of all sports in Slough by Sport England while consultation with the Trust and the Sport England FPM also indicates that there is limited spare capacity and that the pools are heavily used at peak times. The FPM run identifies a shortfall of 717m<sup>2</sup> of water space in the Borough but this is prior to understanding the cross boundary facilities.

When taking this into account, 95% of demand is met from existing facilities in the borough or exported to other local authorities, although part of the projected users to the Council's facilities are imported from other local authorities, but in overall terms Slough is net exporter. There is an estimated 500 swims per week in peak period not currently being met by Slough which are mostly due to living outside the catchment of the facilities.

This information suggests that the amount of water space in Slough at present must be maintained in the future as a minimum and that the Borough would benefit from additional facilities or increased access to school facilities where possible. Additional flexibility through movable booms and floor would also be advantageous for the area.

A centrally located facility, similar in location to the current Montem Leisure Centre, provides good strategic coverage of the Borough in terms of accessibility. Whilst the entire Borough falls within a 20 minute drive time of a central facility, the walk time catchment is significantly more limited. This suggests that a site with strong public transport links will be crucial to ensuring accessibility of the facility for residents without access to car. It also emphasises the importance of maximising community access to the pool at Beechwood School. Additional provision, for example as part of a new school development, should be considered in the west of the Borough in future.

Analysis on accessibility of swimming pools detailed that Montem and Langley Leisure Centres and Le Club Slough - Windsor are the only fully accessible facilities within Slough with pay and play access.

In addition, other facilities within Slough allow only registered membership use, which will be beyond the financial means of many residents while Sports Club / Community Access will also significantly limit access for the community. Ideally, in order to provide more accessible provision in the west of the Borough, Beechwood School would allow pay and play access outside of school hours.

### **Swimming Pool Water Recommendations**

At present, publicly accessible swimming within Slough is provided by Montem and Langley Leisure Centres and Beechwood School, which still has not optimised access for the community and is used primarily by private swimming schools. These pools are supplemented by 3 commercial facilities within Slough plus Windsor Leisure Centre to the south also provides an alternative facility for some residents.

Montem Leisure Centre provides strong strategic coverage of the Borough as it is centrally located, with its entire geographic area falling within a 20 minute drive time. This is supported by Langley Leisure Centre in the east of the borough and Beechwood School in the west of the Borough. However, access for residents without access to a car will be more limited, particularly in the west where Beechwood School does not provide as much public access.

We conclude that ***existing levels of swimming pool provision will need to be maintained going forward as a minimum***. Additional water space or at least increased public access of the Beechwood School facility and any other new school developments would be desirable. Furthermore, increased flexibility of water space, for example a movable boom, would also be beneficial to the Borough of Slough.

Therefore, it is recommended that a ***6 lane 25 metre pool with movable boom with variable height floor and 125m2 teaching pool*** is provided at a centrally located level 1 facility as a minimum. This should be supplemented by the negotiation of increased public access at Beechwood School and any future swimming facilities at new school developments. In addition, an option with an ***8 lane pool with the same flexible use features*** should also be explored at this stage.

### **Squash**

Squash facilities are limited within Slough's boundaries, but the assessment advises that demand is low and consultation with SCL revealed unused capacity at peak times in the existing 3 squash

courts. This suggests squash should not be a prioritised facility type in Slough, unless the space is designed as a multi-purpose studio.

Furthermore, the Council last year co-funded the Thames Valley Athletics Centre in partnership with Windsor and Maidenhead, which included 4 new squash courts. As a result, this created an opportunity to explore the rationalisation of the squash courts at Montem Leisure Centre with the potential option to possibly not replacing them in the future due to budgetary constraints. Therefore, SLC recommends this is subject to consultation with current users and the governing body England Squash.

Therefore, with the range of other squash facilities in or near the borough, the information suggests there is currently an oversupply of squash facilities.

### **Squash Recommendations**

As a result of the demand and supply analysis, it is recommended that ***a reduced number of squash courts, i.e. 1 or 2 courts are re-provided at a level 1 facility***, and that consideration is given to designing these to provide additional studio space if demand is low through a movable wall.

### **Net Demand for Level 2 Facilities**

The full report for the remaining facilities analysis can be located in the demand and supply analysis report in Appendix A. However, we have detailed the headline recommendations below:

- **Pitch Sports**
  - It is recommended that SBC pursue the inclusion of a ***full size AGP*** with community use as part of a community stadium facility, and that it encourage the ***development of AGPs on schools sites*** whilst securing as much community use as possible outside of school hours.
  - The Council may also wish to consider provision of ***2-3 small sided AGP pitches*** adjacent to The Level 1 facility to compensate for the loss of indoor sports hall space and to encourage the export of use outside.
  - ***Free access to MUGAs*** in and near Central and Cippenham Green and Meadows wards to be supplied where possible with cricket targets / non-turf wickets. Also additional free access MUGAs with football goals or informal kick-about areas be provided Wexham Lea and Baylis & Stoke. The impact of new MUGAs, including those due to be provided as part of school developments, in Britwell & Northborough, Cippenham and Central should be assessed before providing additional facilities in these areas.
- **Indoor Sports** (boxing/martial arts, gymnastics and flexible community spaces)
  - It is recommended that a ***full audit*** of these facilities and the sport and physical activity services provided within them will be need to fully appreciate where there are gaps in provision.
- **Tennis**
  - It is recommended that ***additional tennis court facilities or marking of tennis courts on new / existing MUGAs*** are provided in Britwell & Northborough, Cippenham Green, Cippenham Meadows, Langley St Mary's and Langley Kedermister to meet demand.
  - Alternatively, ***increased access to the 6 courts at Langley Grammar School*** would meet demand for this locality (Langley St Mary's and Langley Kedermister).
- **Cycling**
  - It is recommended that the Council maximise ***marked routes*** through, around and between ***parks and open spaces***, and provide ***route maps*** online and at park sites to facilitate and encourage participation by residents.
- **Children's Play**
  - ***Play facilities*** for young children and facilities and programmes for young families, (e.g. Buggy exercise classes, Baby Yoga etc.) could be the focus of the

- dispersed strategy in Chalvey and Cippenham Meadows due a high proportion of young children and people aged between 25-44 years old.
- A number of wards have high proportion of older children and young teenage residents compared with Slough as a whole, particularly Baylis & Stoke, Britwell & Northborough, Wexham Lea and Foxborough, but also Farnham and Langley Kedermister. More **adventurous play provision** and **free or low cost facilities and services** focused on the interests of young people could be the focus of the dispersed strategy in these areas.

## Summary

In this section, we have reviewed the Sport England FPM data, the census information, market segmentation and consulted with the operator and have established the requirements for the Level 1 and Level 2 facilities.

The Level 1 facilities (which form the replacement leisure centre) are analysed in further detail in this report and the Level 2 facilities are included in the updated Leisure Strategy included in Appendix B to this report.

## FACILITY OPTIONS

### Introduction

Following on from Section 2 above, this section sets out the recommended facilities for the new leisure centre (Level 1 Hub). The table below sets out the options to be considered in further detail:

**Table – Facility Options**

Primary Facilities	Option A	Option B
Swimming Pool	6 lane x 25m	8 lane x 25m tank
Teaching Pool	125m <sup>2</sup>	125m <sup>2</sup>
Gym	125 stations	125 stations
Sports Hall	5 courts	5 courts
Squash Courts	2 courts	2 courts
Café and Vending	Yes	Yes

As can be seen, the difference between the options is the size of the main pool tank, which has an additional 2 lanes. The main pool tank is fitted with moving floors and a boom.

### Overall Profit and Loss

The table below sets out the overall income and expenditure relating to the new facility to include all income and costs

**Table – Summary of Profit and Loss Projection - Option A (6 Lane Pool)**

	2013/14 Actual £	Year 1 £	Year 2 £	Year 3 £	Year 4 £	Year 5 £
Sports Hall	167,308	100,611	105,641	110,923	116,469	122,293
Squash	22,435	17,264	18,127	18,671	19,044	19,235
Health and Fitness	1,170,509	1,222,668	1,274,340	1,321,676	1,346,720	1,346,720
Swimming	605,518	705,377	689,306	678,176	673,404	673,404
Café	13,196	159,716	164,291	168,178	168,979	170,002
Vending	26,477	79,858	82,145	84,089	84,489	85,001
Retail	13,573	19,964	20,536	21,022	21,122	21,250
Other	168,724	0	0	0	0	0
<b>Total Income</b>	<b>2,187,740</b>	<b>2,305,458</b>	<b>2,354,387</b>	<b>2,402,736</b>	<b>2,430,229</b>	<b>2,437,905</b>
Salaries and Wages	-954,855	-881,786	-881,786	-881,786	-881,786	-881,786
Total Premises	-355,972	-484,002	-496,002	-505,002	-505,002	-505,002
Advertising & Marketing	-56,833	-46,109	-47,088	-48,055	-48,605	-48,758
Total Other Costs	-128,381	-45,696	-45,696	-45,696	-45,696	-45,696
Total Cost of Goods Sold	-38,619	-139,751	-143,755	-147,156	-147,856	-148,752
Total OHP and VAT	-365,116	-297,497	-302,592	-307,113	-308,763	-309,224
<b>Total Expenditure</b>	<b>-1,899,776</b>	<b>-1,894,842</b>	<b>-1,916,919</b>	<b>-1,934,808</b>	<b>-1,937,708</b>	<b>-1,939,218</b>
<b>Net Surplus/(Cost)</b>	<b>287,965</b>	<b>410,617</b>	<b>437,467</b>	<b>467,927</b>	<b>492,520</b>	<b>498,687</b>

When comparing the 2013/14 actual with the new Year 1 projection it can be seen that:

- The net surplus increases by £122,000 mainly from an increase in income
- There are increased revenues compared to the 2013/14 position relate to initial growth in swimming and fitness, although this is partially offset by the reduction in the number of squash and sports hall court, and
- There are operational savings from staffing, marketing, general supplies and services, utility costs and also maintenance costs.
- The new Operator will incur additional costs associated with national non-domestic rates and equipment lifecycle costs, which are not included in the 2013/14 net surplus.

### Income projections

The table below highlights the level of income that we believe will be generated over the first 5 years of operation of a new facility. We have also included a comparison with the actual 2013/14 and our Year 1 projection.

**Table – Income Projections**

	2013/14 Actual £	Year 1 £	Year 2 £	Year 3 £	Year 4 £	Year 5 £
Sports Hall	167,308	100,611	105,641	110,923	116,469	122,293
Squash	22,435	17,264	18,127	18,671	19,044	19,235
Health and Fitness	1,170,509	1,222,668	1,274,340	1,321,676	1,346,720	1,346,720
Swimming	605,518	705,377	689,306	678,176	673,404	673,404
Café	13,196	159,716	164,291	168,178	168,979	170,002
Vending	26,477	79,858	82,145	84,089	84,489	85,001
Retail	13,573	19,964	20,536	21,022	21,122	21,250
Other	168,724	0	0	0	0	0
<b>Total Income</b>	<b>2,187,740</b>	<b>2,305,458</b>	<b>2,354,387</b>	<b>2,402,736</b>	<b>2,430,229</b>	<b>2,437,905</b>

### The Impact of the 8 Lane Option compared to the 6 Lane Option

The key marginal difference in income and costs are shown in the table below. These include swimming income, premises costs, chemicals and staffing costs and these are covered in more detail below.

It should be noted that the 8 lane option has a marginal increase in net expenditure, but this is partly due to pool capacity issues. It is very possible that the 8 lane option could break-even, provide a more flexible pool and improve the retention of users, given the income per m2 of pool water is marginally reduced.

**Table – Summary of Variations – Position at End of Year 3**

All £	Option A	Option B	Difference
Swimming	678,176	711,228	33,053
Café	168,178	171,803	3,625
Vending	84,089	85,902	1,812
Retail	21,022	21,475	453
Salaries and Wages	-881,786	-915,979	-34,193
National Non Domestic Rates	-174,746	-184,122	-9,376
Utility Costs	-129,663	-136,620	-6,957
Equipment Lifecycle Fund Contribution	-41,274	-41,944	-669
Advertising & Marketing	-48,055	-48,834	-779
Consumables	-10,720	-13,720	-3,000
Café - Cost of Goods Sold	-84,089	-85,902	-1,812
Vending - Cost of Goods Sold	-54,658	-55,836	-1,178
Retail - Cost of Goods Sold	-8,409	-8,590	-181
Central Costs	-72,082	-73,250	-1,168
Irrecoverable VAT	-58,975	-60,728	-1,754
Contingency / profit	-72,082	-73,250	-1,168
Net Operating Surplus	467,927	444,635	-23,292

The table above shows that increasing the lanes from 6 (Option A) to 8 (Option B) would increase overall income by £37k. However, overall net operating surplus would reduce by £23k.

### Swimming income

We have assumed that there will be a marginal increase in income, but given that the 6 lane would remain at a very high utilisation rate per m2 of pool water (£1,400), under this option we would expect to see growth through gala and casual swimming, but again the 8 lane option will also be operating at higher than average utilisation (circa £1,300 per m2).

### Staffing Costs

We have included an additional lifeguard to cover busy periods whilst the pool is open in accordance with recommended health and safety guidance.

### Premises costs

Part of the premises costs, are linked to capital expenditure which as the building is larger incurs a higher capital cost. We have also included an increase in utility costs to heat the water and manage the air handling plant in the pool hall and changing areas.

### Chemicals

A small provision has been made for additional chemicals for the pool water, reflecting the larger pool size of £3,000 under Consumables.

### Other Costs

There are a number of other costs, including cost of goods sold which is linked to the additional café sales, irrecoverable VAT and also central costs and profit which are linked to the marginal increase in revenue.

## Savings from Investment

The Montem Leisure Centre forms only part of the portfolio of leisure facilities and services provided by the current Leisure Trust and included in their overall management fee from the Council. It is not possible within this report to consider the overall change in the management fee for the whole contract when it comes up for renewal.

	Year 1 £	Year 2 £	Year 3 £	Year 4 £	Year 5 £
New Projected Surplus	388,141	414,573	444,635	469,001	475,168
Adjusted Net Operating Surplus	112,965	112,965	112,965	112,965	112,965
Saving from Investment	275,176	301,608	331,670	356,036	362,203

However it is possible to establish the impact on the management fee arising from the capital investment when compared to the current position. However, the current 2013/14 budget does not include the transfer of NNDR responsibility to the Operator, so we have made an adjustment for this additional cost. We estimate that the budget for the NNDR will be £175,000 per annum.

### Table – Overview of Adjusted Net Operating Surplus

	£
Current Net Operating Surplus	287,965
Budget for NNDR from Council	-175,000
<b>Adjusted Net Operating Surplus</b>	<b>112,965</b>

The table below sets out a comparison between the new projected operational surplus for the site by the Operator and the equivalent net operating surplus based upon the actual 2013/14 but adjusted for a number of items explained in the table above.

### Table – Savings from Investment – Option A

	Year 1 £	Year 2 £	Year 3 £	Year 4 £	Year 5 £
New Projected Surplus	410617	437467	467927	492520	498687
Adjusted Net Operating Surplus	-112965	-112965	-112965	-112965	-112965
Saving from Investment	297652	324503	354963	379556	385723

It can be seen that the new facility will generate net savings of circa £300,000 in Year 1 to £385,000 in Year 5 and onwards, with Option B generating substantial savings but these are marginally less than Option A mainly due to the over performance of the current facility.

### Table – Savings from Investment – Option B

	Year 1 £	Year 2 £	Year 3 £	Year 4 £	Year 5 £
New Projected Surplus	388141	414573	444635	469001	475168
Adjusted Net Operating Surplus	-112965	-112965	-112965	-112965	-112965
Saving from Investment	275176	301608	331670	356036	362203

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**Site options - summary of sites assessed**

**Extract from Feasibility study for the replacement of Montem Leisure Centre.  
FMG Consulting, November 2014**

Thirteen sites have been through an initial assessment under the following headings:-

1. Is the site within the desired “central” zone of Slough as defined through the SLC demand analysis?
2. Does the notional building design fit on the site?
3. Does the building and car parking fit on the site?
4. Reviewed by Assets management team against other proposals / site uses (eg education)

These sites were:

**Title Montem School,**

Address Chalvey Grove, Slough SL1 2TE

Description Community Centre, open space and school land

Size 23,760sqm

Current usage Community centre, public open space and HRA garages

Constraints

- School land (protected)
- Loss of public open space
- Access

**Title Old library site**

Address 85 High St, Slough SL1 1EA

Description Town Centre Library

Size 2,473sqm

Current usage Library (being relocated 2015)

Constraints

- Building would need to be multi storey
- Car parking
- Town centre location that is already earmarked for other development

**Title Thomas Grey and Milan Centre**

Address Queens Rd, Slough, Berkshire SL1 3QW

Description School and Community Centre

Size 5,225sqm

Current usage SEN School & Community building

Constraints

- School site (protected)
- Car parking
- Access (residential area)

**Title The Centre and Rotunda building**

Address Farnham Road, Slough, SL1 4UT

Description Conference/office facility, associated car parking, community building and nursery

Size 17,760sqm

Current usage Same as above

Constraints

- Relocate some current usage
- Centre is a relatively modern building

**Title Darvills Lane**

Address Slough SL1 2PH

Description Community centre leased by tenant, supported residential accommodation and block of 16 flats

Size 7,042sqm

Current usage Same as above

Constraints

- Relocation of current services and residential accommodation
- Relocation of housing tenants
- Access

**Title Chalvey 4&5**

Address Ladbrooke Rd, Slough SL1 2SR

Description Former School land and changing rooms

Size 5,441sqm

Current usage Vacant

Constraints

- School land (protected)
- Location in same ward as existing leisure centre
- Clear site and size

**Title Merrymakers**

Address Meadow Road, SL3 7QA

Description Currently a public House, Community Hall, car park and residential housing

Size 5,237

Current usage Same as above

Constraints

- Relocation of housing tenants
- Not centrally located – close to existing Langley centre
- Parking

**Title Arbour Park**

Address Stoke Road, SL2 5AY

Description School playing fields and former Arbourvale School

Size 62,390

Current usage West Wing- theatre dance academy

Constraints

- School land (protected)
- Earmarked for a school development and sports stadium
- Development opportunity uncertain at this stage

**Title Langley Leisure Centre**

Address Parlaunt Rd, Langley, Slough SL3 8BD

Description Current local leisure centre

Size 8,927

Current usage Same as above

Constraints

- Not centrally located
- Would not provide devolved access across the borough

**Title Harvey Park**

Address SL3 8TA

Description Public open space.

Size 33,260 sqm

Current usage Public open space. Football & cricket clubs.

- Not centrally located
- Parking is limited
- Would not provide devolved access across the borough

**Title Upton Court Park**

Address Upton Road, Slough

Description Public open space. Provides access to rugby, hockey and cricket clubs

Size 361, 700sqm

Current usage Public open space. Rugby club based here

Constraints

- Not centrally located
- Public open space (protected)
- Relocation of rugby club
- Access

**Title Salt Hill Park**

Address Bath Road, SL1 3SR

Description Public open space, tennis club, café/restaurant and bowling alley

Size 132,000sqm

Current usage Same as above

Constraints

- Public open space
- Heavily utilised park
- Parking
- Vehicle access off A4
- Same ward as current leisure centre
- Covenant and planning constraints

**Title Kedermister Park**

Address London Road, Slough

Description Public open space with changing rooms and guide hut

Size 105,600sqm

Current usage Same as above

Constraints

- Public open space
- Not centrally located

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**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 9<sup>th</sup> March 2015

**CONTACT OFFICER:** Stephen Gibson, Head of Asset Management

**(For all enquiries)** (01753) 875852

**WARD(S):** All

**PORTFOLIO:** Councillor Rob Anderson, Leader of the Council and  
Commissioner of Finance and Strategy  
Councillor Pavitar Kaur Mann – Commissioner for Education  
and Children

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

**AGREEMENT TO DISPOSE OF TWO SITES FOR FREE SCHOOLS****1 Purpose of Report**

The purpose of this report is to seek approval to:

- Agree a final financial contribution from the Education Funding Agency (EFA) towards the relocation costs of the Creative Dance Academy and new facilities for St Joseph's Catholic High School,
- Dispose of land at Castleview, by granting a long-term lease to the school's trust for the location of Ditton Park Academy, and
- Dispose of land at the former Arbour Vale site, by granting a long-term lease to the Secretary of State for the location of Lynch Hill Enterprise Academy.

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

Cabinet is requested to resolve:

- (a) That the Chief Executive following consultation with the Leader of the Council and Commissioner for Education and Children is given delegated authority to:
  - i) finalise the agreement between the Council and the EFA regarding the EFA's contribution to the accommodation works required in order that the Lynch Hill Enterprise Academy project can proceed on the former Arbour Vale site (specifically, relocation of the Creative Dance Academy, internal remodelling for St Joseph's to provide replacement classrooms and a dance studio, a new 4-court sports hall and MUGA), and
  - ii) agree the sum that Slough will contribute to deliver these projects.
- (b) That any contribution from Slough towards the accommodation works will be financed from Basic Need grant.
- (c) That Officers proceed with the accommodation works once contracts are exchanged for Lynch Hill Enterprise Academy.
- (d) That land near Castleview is leased to the Trust of Ditton Park Academy for a new school.
- (e) That land formerly used by Arbour Vale School is leased to the Secretary of State for use by Lynch Hill Enterprise Academy.

### 3 Slough Wellbeing Strategy Priorities

Priorities:

- **Economy and Skills** – the delivery of school places for Slough residents will support delivery of skills and qualifications to young people in Slough and improve their life chances. However some uses of land may have greater value to the town's economy if used for purposes other than education.
- **Health and Wellbeing** – the delivery of well-designed schools with adequate outdoor space will provide an opportunity for young people to live active lifestyles and contribute to improved fitness and the reduction of childhood obesity and other health risks.
- **Regeneration and Environment** – using land to deliver school places may have regeneration value and may deliver environmental improvements or damage, e.g. through increased traffic levels. Other uses may have higher regeneration value and different environmental consequences.

### 4 Joint Strategic Needs Assessment (JSNA)

- 4.1 Slough's School Places Strategy will support the JSNA by ensuring sufficient school places are available for all resident children. Free Schools are part of the range of solutions for providing the new places required to 2022.
- 4.2 The number of children with Statements of Educational Need (SEN) requiring specialist resourced provision and special school places is rising slightly faster than the general population. Adding an SEN unit for secondary pupils at Ditton Park Academy will create the first of a number of new units that will be required to meet the rising demand.

### 5 Other Implications

#### (a) Financial

- 5.1 Whilst responsibility for ensuring sufficient school places rests with Slough, the EFA provide annual allocations of Basic Need capital grant for Slough to deliver sufficient places to fulfil its statutory obligation. The construction cost of two new 6-form entry secondary schools with sixth forms would cost the Council circa £36m. Slough would effectively receive two new secondary schools at no cost to the Authority.

As Free Schools are externally funded by the government, these two Free School projects will allow us to defer current Basic Need funding for future projects. A proportion of this unallocated funding will be used to provide the balance of funding towards the accommodation works required at St Joseph's and the Orchard Youth and Community Centre (YCC). Basic Need grant will also be used to fund the new SEN unit at Ditton Park Academy which has previously been agreed by the Cabinet.

#### Castlevue Site

- 5.2 The EFA has agreed to purchase the land near Castlevue for use by the Ditton Park Academy. An independent valuation has been undertaken which confirms that the sum received from the EFA reflects the best value valuation for the site (refer to Appendix A – Part II as it contains exempt information).

Part of the Arbour Park site

- 5.3 The Secretary of State has powers to make a scheme providing for the transfer of the freehold or a grant of a lease of part of the former Arbour Vale School footprint to an Academy. The Secretary of State would not require approval from Slough as part of the land has been used for educational purposes; this applies until July 2015 for the non-playing field areas and July 2017 for playing field areas. There is a difference of opinion between Slough and the Department of Education (DfE) as to the extent of land that could be subject to a lawful application of scheming powers; however the current arrangement is expected to provide a satisfactory conclusion for both parties and avoid the need for any dispute on the matter. On this basis no value has been attached to the transfer of this site for a Free School.

### **St Joseph's Enhancements**

- 5.4 In order to allow the Council's proposed Community Sports Facility to proceed, changes are required to the playing fields of St Joseph's. A number of enhancements have been agreed with the school to secure their support for the changes.
55. Subject to Ministerial approval the EFA has agreed to contribute funding towards new facilities at St Joseph's including a new 4-court sports hall, MUGA and conversion of the current hall to classrooms and dance studio. It is anticipated that formal confirmation on the level of funding will be received before the end of March 2015.

### **Relocation of the Creative Dance Academy to Orchard YCC**

- 5.6 A similar situation surrounds the relocation of the current users of the West Wing. Whilst the Curve will offer a new performance space, the day-to-day activities of the Creative Dance Academy will move to the former Orchard YCC, which will require conversion as well as a degree of refurbishment. Subject to Ministerial approval the EFA has agreed to make a substantial contribution towards this relocation. As above, it is anticipated that formal confirmation on the level of funding will be received before the end of March 2015.
- 5.7 The intention is to fund any shortfall from the EFA, towards the works required at the Orchard Centre and St Joseph's, by using unallocated Basic Need grant.
- 5.8 The West Wing Arts Centre was partly refurbished using funding from the Department of Culture, Media and Sport's "Space for Sports and Arts Initiative", now administered through Sport England. The conditions of the grant award require that the venue should operate as an arts facility for 21 years (from 2004). Based on feedback in 2009, if the Council were to replace the facilities (in this case through the combination of the Orchard Centre and the Curve ) and they meet the benefits offered by the original facility, Sport England would be 'sympathetic' to an approach from the Council to relocate the facilities and not seek a partial repayment of this funding.

## Risk Management

5.9

<b>Risk</b>	<b>Mitigating action</b>	<b>Opportunities</b>
<p><b>Legal</b> Challenge from St Joseph's.</p> <p>Challenge to Class Consent changing playing field layout.</p>	<p>Enhancements have secured St Joseph's support for the project.</p> <p>Community Sports Facility pitch remains school playing field.</p> <p>Period for challenge has passed.</p>	<p>Community to benefit from use of new sports hall out of school hours.</p> <p>St Joseph's will have access 10 hours a week to the new 3G pitch.</p>
<p><b>Property</b> Other sites considered by the DfE.</p> <p>Projects delayed and temporary school sites used for 2 or 3 years.</p>	<p>Work with DfE to secure former Arbour Vale and Castleview sites.</p>	<p>New schools and sports facilities will support the wider regeneration of the areas and contribute to the Leisure Strategy.</p>
<p><b>Human Rights</b> Challenges from specific interest groups.</p>	<p>Appropriate consideration and consultation.</p>	
<p><b>Health and Safety</b> Traffic risks.</p>	<p>Commission transport surveys and sound transport planning.</p>	
<p><b>Employment Issues</b></p>	<p>There are potential issues linked to the requirement to relocate the West Wing.</p>	
<p><b>Equalities Issues</b> Challenges</p>	<p>Ensure needs of all parts of community are considered and balanced in the school places strategy.</p>	
<p><b>Community Support</b> Risk of objection.</p>	<p>Communicate scale of the school places problem and benefits.</p> <p>Full planning process will be followed for both sites.</p>	
<p><b>Communications</b> Risk of objection.</p>	<p>Develop an effective communication plan.</p>	
<p><b>Community Safety</b></p>		
<p><b>Financial</b> Site issues deter future Free School promoters/approvals.</p> <p>Funding gap is larger than expected.</p>	<p>Identify sites and work with appropriate Free School promoters.</p> <p>Obtain realistic market estimates from the SRP.</p> <p>Set aside adequate Basic Need funding.</p>	<p>Supporting appropriate Free School promoters.</p> <p>Sources of funding for improving St Joseph's facilities otherwise limited.</p>



SBC may need to repay up to 50% of the grant received to refurbish the West Wing.	Liaise with Sport England and enter new agreement for replacement facilities.	New facilities provided for the community.
<b>Planning</b> School's Trust is refused planning permission for Castleview.  Green belt call-in by the Secretary of State for one or both of the Arbour Vale planning applications.	This is a risk for the DfE, although it does impact on plans to reinvest the capital receipt.  Carry out detailed alternative site appraisal to support current site.	Consider developing the Castleview site for housing and realise the best value valuation described in 5.2 above.

(b) Human Rights Act and Other Legal Implications

5.10 There are no Human Rights Act Implications of the proposed action. The Council will be required to follow its governance requirements in any decision making that has implications for the Council or any assets it holds or has an interest in.

In the case of the land at Castleview, the Council have power under Section 123 of the Local Government Act 1972 to dispose of it in any manner they wish provided they do so for a consideration no less than the best that can reasonably be obtained.

There is an overarching Council requirement to ensure the holistic redevelopment of land at the former Arbour Vale School site. As such, although the disposals of both Castleview and land at Arbour Vale are contingent on the Council's overarching requirements being met, it is important to note that no part of the Council or indeed the DfE is able to fetter the discretion of any decision maker.

(d) Equalities Impact Assessment

5.10 The proposals have a positive impact since they enable an increase in the number of school places across the borough, improving access and choice for all. They specifically increase access to SEN education and increase access to SEN education in a mainstream setting. They also increase community access to sports provision.

(e) Property Implications

5.11 There are several issues relating to vacating of the former Arbour Vale School site:

- a) Private tenants of the West Wing have been issued with notices to quit to secure vacant possession of the West Wing.
- b) The Youth Service will relocate to St Martins Place by the end of April 2015.
- c) The relocation of the Creative Dance Academy will be dependent on completion of the works at the Orchard YCC. The completion time for these works, once the contractor is appointed, is 5 months. This may delay the completion of the lease although exchange of contracts with the EFA and school trust is not dependent on vacant possession.
- d) Irrespective of the outcome of negotiations with the EFA, the combination of a-c above means that the West Wing is no longer viable as a stand alone asset.

- e) There will be a period when there is no public performance space while the Curve is being finalised (June – December 2015). The performance space created in the Curve will be used to stage performances by the Creative Dance Academy. This has affected any scheduled bookings for the performance space.
- f) An Orange telecommunications aerial on the site needs to be relocated before the lease at Arbour Vale can be completed, although exchange of contracts with the EFA and school trust can proceed. This process is ongoing.

## **6 Supporting Information**

- 6.1 A report to Cabinet on 14<sup>th</sup> April 2014 approved delegation of powers to the Chief Executive following consultation with the Leader and the Commissioner for Education and Children, to conclude an agreement with the DfE on the land near Castleview and land at Arbour Vale. A further report to Cabinet dated 15<sup>th</sup> September 2014 approved the agreement of Heads of Terms for both the Castleview and former Arbour Vale sites.
- 6.2 It was agreed that a final paper would be brought back to Cabinet to seek approval to dispose of the sites once the terms of the transaction were finalised. The intention was to present the Cabinet with a comprehensive cost breakdown and contribution requirements for the works at St Joseph's and the Orchard Centre; however it has not been possible to establish the costs in time for this report. This situation is a result of a) the delay in securing formal confirmation from the EFA (as described in section 5) and b) the Council awaiting detailed budget costs from the SRP to undertake the accommodation works and build the new 4 court sports hall.
- 6.3 There is some pressure to exchange contracts as the EFA need to provide sufficient classrooms on the former Arbour Vale School site before September 2015 when Lynch Hill Enterprise Academy will admit further year 7 pupils. In September 2014 Lynch Hill opened additional classrooms on their primary school site to accommodate the first intake of pupils. It would be immensely difficult to install another 3 or 4 secondary school classes on that site for September 2015.
- 6.4 The Assistant Director, Community & Skills will develop and present a business case to the Capital Strategy Board by June 2015 to secure capital to build the planned Community Sports Facility.
- 6.5 A flowchart showing the steps to completion of the Free School leases and completion of the associated works by Slough is attached as Appendix B.

### **Class Consent**

- 6.6 Since the previous report to Members, Slough has submitted a Class Consent to change the playing fields of St Joseph's Catholic High School from 1<sup>st</sup> January 2016 onwards. A Class Consent is permissible where a school will have the same area of playing field after a change as before and where sporting provision will be of at least the same or better quality.
- 6.7 To achieve this on the Arbour Park site and still build a new free school and the Community Sports Facility, the 3G pitch itself will remain as school playing field. The class consent releases the remaining area from protection as school land but not the pitch area. If in future it was deemed necessary to release the 3G pitch from protection as school land then a full Section 77 application would be required.

## **7 Comments of Other Committees**

This report has not been considered by any other committees.

## **8 Conclusion**

- 8.1 Members are requested to approve disposal of the Castlevue and former Arbour Vale sites for new free schools. Members are also requested to agree that in the event that the level of funding approved by the EFA does not meet the actual cost of the planned works at the Orchard Centre and St Joseph's (internal remodelling and 4 court sports hall) that the difference is funded from Basic Need grant; and once contracts are exchanged, that those works can proceed.

## **9 Appendices Attached**

Appendix A – Proposed disposal of land at Castlevue (Part II - contains exempt information)

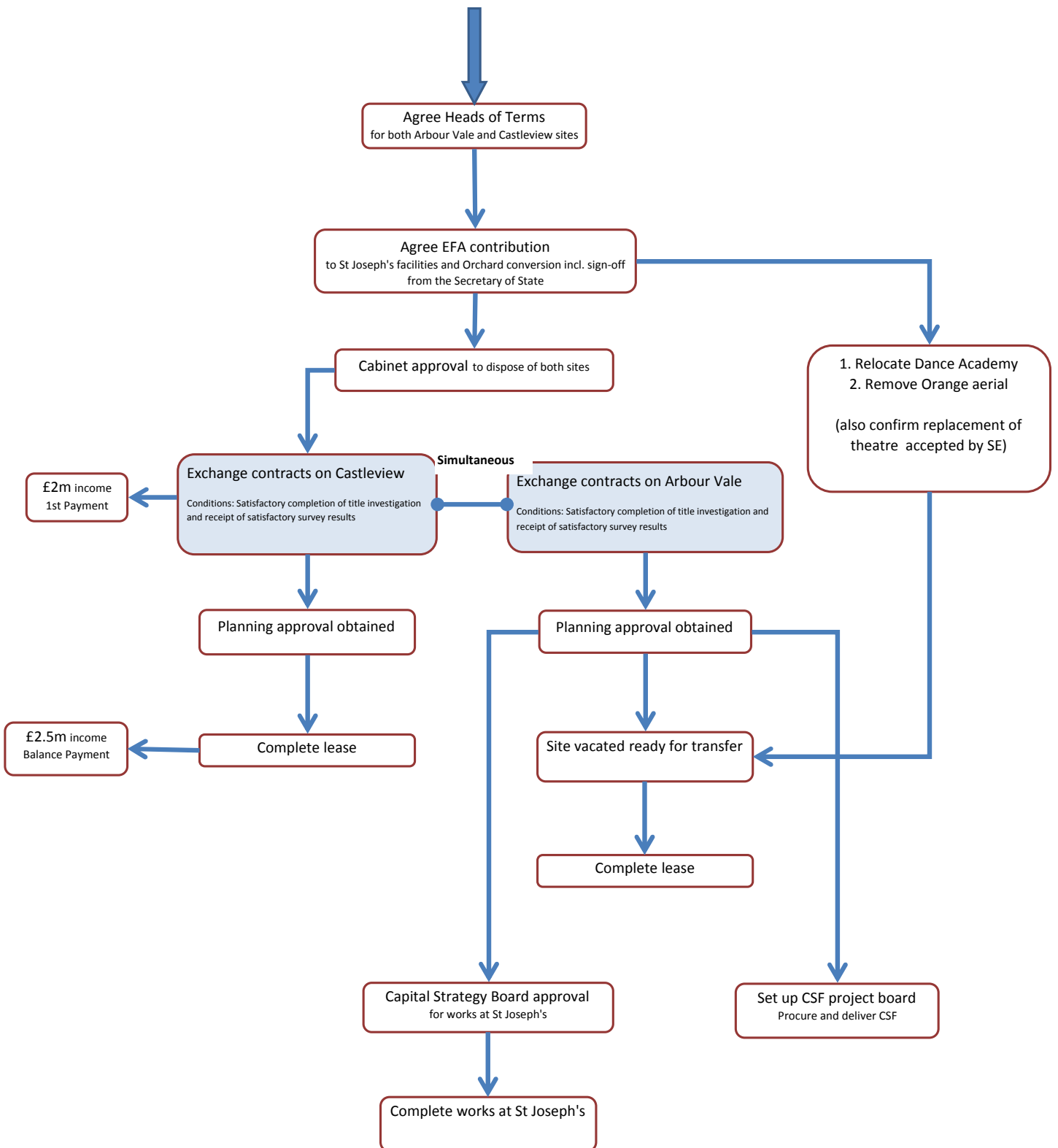
Appendix B - Flowchart showing steps to completion of leases for Arbour Vale and Castlevue

## **10 Background Papers**

- '1' Cabinet report 14<sup>th</sup> April 2014
- '2' Cabinet report 15<sup>th</sup> September 2014 (including Memorandum of Understanding)

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Flowchart showing completion of leases for Castleview and the former Arbour Vale School site



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**SLOUGH BOROUGH COUNCIL**

**REPORT TO** Cabinet **DATE:** 9 March 2015

**CONTACT OFFICER:** Stephen Gibson, Head of Asset Management  
(01753) 875852

**WARD(S):** Chalvey

**PORTFOLIO:** Neighbourhoods & Renewal - Cllr James Swindlehurst  
Cllr Anderson – Leader of the Council

**PART I**  
**KEY DECISION****PROPOSED DISPOSAL OF LAND AT LEDGERS ROAD TO SLOUGH REGENERATION PARTNERSHIP****1 Purpose of Report**

- 1.1 As part of the delivery of the Slough Regeneration Partnership LLP (SRP) objectives, the Cabinet is required to decide upon the disposal of Slough Borough Council land to the SRP. The purpose of this report is to seek approval to dispose of land at Ledgers Road (that was formerly the location of the town hall annexe) to Slough Regeneration Partnership (SRP) to commence a 73 unit housing development.

**2 Recommendation**

Cabinet is requested to resolve:

- (a) That the disposal of land at Ledgers Road to SRP for a sum that represents no less than the best value valuation be authorised.
- (b) That authority to agree the final valuation sum be delegated to the Assistant Director, Assets Infrastructure & Regeneration, following consultation with the Leader and the Council's Section 151 Officer.
- (c) That authority be delegated to the Assistant Director Assets, Infrastructure and Regeneration, following consultation with the Cabinet Member for Neighbourhoods & Renewal, to approve the non-financial terms for disposal.

**3 Slough Joint Wellbeing Strategy**

The plan has the potential to make the following contributions to objectives:

**Housing** – the introduction of new housing would increase quality, improve choice and stimulate the local economy.

**Regeneration & Environment** – The objectives of the plan go beyond housing and aim to create an environment where people want to live, work, shop and do business.

#### 4 Joint Strategic Needs Assessment

The development of land at Ledgers Road for residential use will increase supply in housing and choice across tenures. The generation of a capital receipt would help to deliver the Council’s corporate objectives and invest in key capital projects that, for example, improve infrastructure or community cohesion. At the same time the receipt will reduce new borrowing to fund expenditure. The creation of 23 new Council owned homes for rent would help to meet a key corporate priority.

#### 5 Other Implications

##### (a) Financial

The land value represents the Council’s equity investment into SRP. This equity investment is documented in what is termed a loan note. The loan note put simply is a document which records the fact that the Council has loaned money to SRP which is intended to be repaid on the development’s completion. Because the land value represents the Council’s “equity investment” in SRP, the risk of the development and land value remains for all practical purposes with the Council. As a result the precise level of capital that will be returned to the Council at the end of the development will depend upon whether there are sufficient funds available from the eventual sale of the completed development.

##### (b) Risk Management

<b>Risk</b>	<b>Mitigating action</b>	<b>Opportunities</b>
<b>Finance</b> - The “price” does not realise best value	The Council has obtained independent advice to confirm that the offer reflects the best value valuation for the site.	The indicative price discussed at present is far higher than the original indicative price assumed when the ‘LABV’ was created
<b>Finance</b> – The development does not generate a profit or makes a loss	The Council has taken independent advice on costs and revenue to ensure that the project is viable and will deliver a profit	Should the sales period be shorter than anticipated, costs will reduce, resulting in an increase in the Council’s share of the profit.
<b>Finance</b> – Higher than anticipated construction costs	Once crystallised, a fixed price contract is agreed therefore the risk is with the main contractor acting for SRP.	
<b>Human Rights</b>	None	
<b>Employment</b>	None	
<b>Planning</b> – several pre-planning conditions remain outstanding which could delay the site start.	SRP is working closely with Building Control, Planning and Highways to enable the conditions to be discharged.	



<p><b>Health &amp; Safety</b> - The Council will be a development partner and will share development risks, including ensuring compliance with health &amp; safety legislation in construction</p>	<p>Whilst SRP will commission the works contract it is not a construction company. Consequently, compliance with HSW legislation will be transferred to Lovell.</p>	
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(c) Human Rights Act and Other Legal Implications

Local authorities are generally under a duty to comply with Section 123 (2) of the Local Government Act 1972 which requires that except with the consent of the Secretary of State a Council shall not dispose of land under this section for a consideration less than the best that can reasonably be obtained. Section 123 issues are addressed in Section 6 of this report. The independent valuation will confirm that best value has been achieved.

(d) Equalities Impact Assessment

There are no adverse impacts.

f) Land and Property Implications

This site is included in the option agreement between the Council and SRP. The option agreements sets out the conditions SRP needs to satisfy before the land is transferred from the Council to the joint venture company. As mentioned above, *Section 123 (2) of the Local Government Act 1972* prevents the Council from disposing of land for less than the “*best that can reasonably be obtained*” without the consent of the Secretary of State. In the case of Ledgers Road, the land value represents the “*best that can reasonably be obtained*” on the basis that site now has the benefit of planning permission and the land value has been calculated on what is termed a *residual land value* basis. In other words the land value is the Gross Development Value of the completed development less the costs required to carry out the development (excluding land but including profit).

The costs of undertaking the development have been subject to both a market testing exercise and also in the case of the construction costs, an open book tender exercise has been completed for all of the major sub-contractor packages which has been overseen by an independent Quantity Surveyor appointed by SRP.

Disposals below ‘best value’ will need to come to Cabinet as a separate paper for decision

**6. Supporting Information**

**Site description**

- 6.1 The site at Ledgers Road is approximately 1.32 Ha and was previously the location of the Old Town hall Annexe which was demolished during 2011. The site is currently being used for car parking by Slough Community Transport (arrangements have been made for relocation). To the south east corner of the site are two former residential homes (8 and 10 Ledgers Road) which were previously used by local community groups and are now empty pending demolition.

## Slough Regeneration Partnership

- 6.2 The Council entered into a Limited Liability Partnership with Morgan Sindall Investment Limited and formed Slough Regeneration Partnership (SRP) in March 2013. This followed a competitive process that commenced in 2011 in which the Council sought a private sector partner to help bring forward its regeneration priorities via the Local Asset Backed vehicle (LABV) model.
- 6.3 The role of SRP is to offer a long-term approach to regeneration. Through the joint venture, the Council will receive a higher level of return from the disposal of assets (in this case Ledgers Road) through the Joint venture route than through a straightforward disposal with the benefit of planning. In addition to receiving the full market value for its land the Council (because it is a 50% partner in SRP) will also receive 50% of the residual profit upon completion of the development.
- 6.4 Over the past 2 years joint working has been undertaken between SRP and the Council to develop plans for several sites in order to deliver the pipeline of regeneration. These have been discussed in several reports to Cabinet, including the annual update on the SRP Partnership Business Plan – the most recent version of which was approved by Cabinet on 14 April 2014. Within the Partnership Business Plan it is noted that SRP has an option to purchase the site at Ledgers Road and that construction is intended to commence in 2015.
- 6.5 Morgan Sindall has funded the costs incurred to date on progressing the scheme, including the planning application and the detailed design. These Advance Sums represent Morgan Sindall's initial investment in SRP and are essentially a loan from Morgan Sindall to the SRP. The final land value represents the Council's investment in SRP in a similar way to Morgan Sindall's Advance Sums. Under the terms of the LLP Members Agreement, Morgan Sindall are obligated to provide further sums , so that the sums loaned by Morgan Sindall to SRP matches the final site value. Both these loans (the final land value loan note and Morgan Sindall's loan to SRP will be repaid by SRP at the end of the development. Any surplus will then be distributed to the Council and Morgan Sindall at the discretion of the SRP Board. This is expected to be a 50:50 share of the net profit.
- 6.6 Subject to discharging various conditions, SRP will secure planning permission to build 73 properties, including a mix of flats and houses. Upon completion, it is intended that SBC will acquire 23 properties for affordable rent, as follows:

Schedule of Accommodation					
Unit Type	Sale	Affordable	Shared Ownership	Social Rent	Total
1 bedroom flat	4	0	0	4	8
2 bedroom flat	8	0	0	8	16
2 bedroom house	14	0	0	7	21
3 bedroom house	24	0	0	4	28
<b>Total</b>	<b>50</b>	<b>0</b>	<b>0</b>	<b>23</b>	<b>73</b>

## **The mechanism & process to agree land value**

- 6.7 In accordance with the legal agreements between the Joint venture partners, the value of the land to be transferred from SBC to SRP is defined as *'the Price'* which means the greater of:
- a) The Market Value as agreed between SBC and SRP or determined by an expert; and
  - b) Where specified, a Minimum Land Value (in the case of Ledgers Road being £306,901).
- 6.8 Market Value is defined as a valuation undertaken in accordance with the Royal Institution of Chartered Surveyors ('RICS') Valuation and Standards Manual (generally known as the Red Book) by an independent member of the RICS appointed jointly by SBC and MSIL (each acting in their capacity as Member of SRP) or in the absence of agreement appointed by the President of the RICS
- 6.9 In each case, the valuation must have regard to a number of factors including the satisfaction of the site conditions, the planning permission and related conditions and agreements, the funding terms and development appraisal and the specification of the development.
- 6.10 The "Price" for the land at Ledgers Road will be determined by the independent surveyor appointed by SRP.
- 6.11 Following a series of meetings between SBC and SRP to discuss a number of issues including sales values, construction costs, marketing costs and sales periods the final land value (the "Price") is expected to exceed £2.75m.

## **7 Conclusion**

- 7.1 The original land value for Ledgers Road was set at £306,901 in 2012. This value was based on outdated assumptions about sales values and a non-compliant scheme that was predominantly social rented housing.
- 7.2 The process to agree the final land valuation is ongoing and will be completed before 9 March 2015.
- 7.3 Having liaised with SRP over a period of 12 months, the Council has negotiated a considerable increase that incorporates evidence based information on sales values, marketing periods and construction costs.

## **8 Appendices Attached**

None.

## **9 Background Papers**

None.

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**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 9 March 2015

**CONTACT OFFICER:** Kate Pratt, communications manager

**(For all enquiries)** (01753) 875088

**WARD(S):** All

**PORTFOLIO:** All

**PART I**  
**NON-KEY DECISION****MANIFESTO UPDATE FOR PLEDGES 2014/15****1 Purpose of Report**

To inform cabinet of the council projects undertaken following adoption of the manifesto in June 2014.

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

Cabinet is requested to resolve that the progress made to date on the projects undertaken as part of the commitment to the manifesto pledges adopted in June 2014 be noted.

**3. The Slough Joint Wellbeing Strategy, the JSNA and the Five Year 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).

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

This report and the projects detailed link to the following priorities in the Slough Joint Wellbeing Strategy (SJWS):

- Health
- Regeneration and Environment
- Safer Communities
- Housing

Projects within this work also contribute to the cross cutting themes of the strategy by encouraging civic responsibility and improving the image of the town.

**4 Other Implications****(a) Financial**

The work has been undertaken using existing budgets for 2014/15 and community investment funding

There are no other financial implications from this 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	None	
Timetable for delivery	None	
Project Capacity	None	
Other	None	

(c) Human Rights Act and Other Legal Implications

The report does not have any legal or human rights act implications.

(d) Equalities Impact Assessment

This report does not have any equalities implications and there is no identified need for the completion of an EIA.

5 **Supporting Information**

5.1 The ruling group's manifesto was formally adopted by Cabinet at their meeting of 23 June 2014.

5.2 The manifesto pledges and work on them since their formal adoption follows with each being taken in turn.

5.3 Complete the construction of Slough's new central library, arts and learning space The Curve and advance plans for the remaining Heart of Slough zones to continue revitalising the town centre

The construction of The Curve continues to timetable with the building expected to open to the public late 2015.

Topping off of the building expected to take place on 18 March.

Cabinet is currently considering the future for other zones – form other reports on the agenda.

As part of the Five Year Plan, the town centre forms a key outcome and an internal town centre working group for this outcome has been set up, has begun meeting and has agreed a project plan and time table to undertake and complete the component pieces of work.

- 5.4 Install CCTV to communal areas of council-managed housing blocks where tenants support this  
A pilot project around Tower and Ashbourne House was set up. Unfortunately other issues with the blocks remain and further investigations on all works required and the financial viability of these works is now taking place for a future report. To tackle anti-social behaviour and environmental crime mobile cameras were deployed within Broom House.
- 5.5 Undertake a further 50 gating projects for alleyways and other problem land  
Alleygating remains popular with local residents as a method of tackling anti-social behaviour and environmental crime. In total this year there have been 65 alleygating requests. Of these, 20 are new requests recently received, 10 are consultations in progress, 22 are underway, and 13 projects have been completed. So in total, 45 are done or underway and 20 being begun.
- 5.6 Install CCTV cameras in neighbourhood hotspots and ensure CCTV helps to reduce crime  
This year there has been new CCTV in Colnbrook, 32 new hi-definition cameras in Herschel Car Park, 16 new hi-definition cameras in public areas at St Martins Place and 32 new cameras planned for Hatfield car park this month (March). For the first time the council released CCTV pictures of flytippers as a public appeal for information; directly leading to enforcement action being taken against the offenders. To tackle anti-social behaviour and environmental crime mobile cameras have, this year been deployed to Spitfire Way, Lismore Park, Farm Lane, Long Readings Lane and Broom House. Decommissioned cameras where no longer required have been recycled to new areas and new cameras installed in Chalvey. Two CCTV operators have received awards for work on a local police operation tackling prostitution and in the past year CCTV recorded more than 4,160 incidents and provided police with 513 DVD evidence packs to use in prosecutions.
- 5.7 Clean up and bring back to viable uses council garage courts that are neither useable nor redevelopable – installing new, wider garages, demolishing garages and laying out areas as open parking or cleaning up the land and piloting some key sites as micro allotment plots for residents  
Three pilot projects have been completed; Winvale, Franklin Avenue and Maryside. In each area, old, dilapidated and too small garages have been replaced with double-wide, two door garages. The unique design of the double garage means residents are now able to park their vehicle to one side with still enough space to open their car doors (without cracking the door against the garage wall!) and the other side is still available for either a second car or storage for items that do not fit in the users home. Security was also increased at Winvale with the installation of ornate railing and a key code entry system, the area was retarmacked and numbered parking bays laid out for other residents. New areas for similar work are now being looked at following the success of the pilot projects.
- 5.8 Extend Slough's bicycle hire scheme – installing new cycle hire ranks in Langley St Mary's, Langley Kedermister and Colnbrook wards  
By end of March 2015 there will be new cycle hire ranks at Harrow Market, Trelawney Avenue and the junction of Sutton Lane with the A4 London Road.

5.9 Plan to the delivery phase of a halt railway station in Chalvey and direct western rail access to Heathrow

Western rail link to Heathrow adopted by Network Rail as a project, consultation currently taking place.

As part of Network Rail's electrification programme the Slough-Windsor line will be electrified and four-carriage trains will be operating – effectively doubling the capacity on this line. As part of this, a bid for funding for the feasibility study into the Halt has been submitted to the TVBLEP and we are awaiting the outcome.

5.10 Plan a guided bus scheme for the A4 as well as delivering congestion busting and bus priority measures for major roads including Bath Road, Stoke Road and Farnham

SMART A4 bus project approved by cabinet and work is due to start summer 2015. Major road improvements to A355 and A332 approved and work is due to start summer 2015.

Bus priority measures are now in place on Farnham Road and new variable message signs across the town are helping to improve driver information.

5.11 Make further junction improvements and continue to upgrade traffic signals to tackle rat-running and speeding and to add capacity to the roads in Slough most affected by peak time congestion

Signal improvements have taken place at A4 junctions including: Huntercombe, Tuns Lane, Tesco, Langley Road, Upton Court Road, and High Street Langley and A355 junctions including: Whitby Road, Buckingham Avenue and Sheffield Road. Improvements to traffic signals at A4 junctions Lascelles Road and Twinches fully planned.

SCOOT (intelligent traffic light system) now in place on A355 Farnham Road and B416 Stoke Road.

5.12 Continue introducing safe routes to school and measures to tackle full-pavement and obstructive parking

Following the Central ward pavement parking ban introduced in 2013/14, designs have been drawn up for Wexham, Chalvey, Elliman and parts of the borough now in Central after the boundary changes.

Ward boundary changes have caused some delays but this larger area is expected to be rolled out during the summer and autumn 2015.

5.13 Improve footways with ongoing resurfacing and action to tackle poor works by private utilities and cable companies that erode pavement quality

The new permit scheme approved this year will give council greater control over companies working on the highway and pavements.

The length of footway being resurfaced in the 2014-15 financial year is 7,313.2m (23,993.4 feet or 4.54 miles).

Sampling of reinstatements of pavements by private companies and monitoring of their performance has continued with work focusing on the worst offenders. Inspections are taking place proactively (planned) and reactively (following complaints).

5.14 Bring in higher specification standards for footways around sheltered housing schemes and GP practices

Proactive sampling is now taking place at key points to ensure the surface is always of a high standards at these key locations.



- 5.15 Ensure fully-costed, deliverable plans are in place to meet growing demand for school places locally  
 School places have been expanded this year at both a primary and secondary level including at Lynch Hill Secondary, Langley Academy Primary and Ditton Park.
- 5.16 Ensure more Slough residents with learning disabilities can continue living in Slough to receive the housing care and support they need  
 So far this year 15 people with a learning disability have moved into supported accommodation from traditional residential settings and a further 13 people are planned to move during next financial year.  
 Other people not moving will have their care costs reviewed to ensure these meet industry standard best value pricing tools.  
 This particular initiative will contribute a further £1m of efficiency savings in 2015/16 on top of the £1m already achieved over the past two years.  
 This means that, not only has the council supported people with complex needs to move from institutional care to be living as part of the community, it has also used council funding in a more efficient way.
- 5.17 Extend the chapel at Slough Cemetery and Crematorium to accommodate larger services and meeting the needs of our communities and provide additional capacity at the cemetery with new burial plots  
 500 new burial plots were marked and opened in August 2014 within the existing grounds of the cemetery and plans are in place for an area of land to meet future needs.  
 The extension to the chapel has been modelled and residents have been consulted. Now awaiting cabinet approval for extra spend on the extension project which is contained within the financial reports.
- 5.18 Ensure the borough has a leisure centre and ice arena fit for the next 25 years – with these facilities of a flagship standard and available for use by 2017  
 Full report to implement the borough's leisure strategy and develop the new facilities planned is being tabled at March cabinet.
- 5.19 Make major improvements to Baylis Park and Godolphin Recreation Ground; ensure we do more to develop new habitats for wildlife in our green spaces; step up action against verge parking  
 Work has been undertaken this year to the Long Garden and memorial garden in Baylis Park. Designs for both parks have also been completed following consultation with councillors and the community. The plans include major improvements to the Baylis pond, pathways, planting and improvements to sports facilities and play in Godolphin. Work is being priced and will start during the spring. To help prevent verge parking the following has taken place this year:
- new on-street parking bays on Moreton Way, Cippenham Lane, Ullswater Close, Marecroft Road, Hawthorne Crescent estate and Northborough Road
  - grass-crete protection on grass verges in The Link, Hawthorne Crescent estate and Prestwood
  - verge protection measures on A4 London Road, Trelawney Avenue, Spencer Road, Penine Road, Maryside and Lismore Park
  - parking protection bund on Uxbridge Road from Broadmark Road to traffic lights
- 5.20 Plan works to upgrade and reshape Bowyer Recreation Ground, the canal basin and canal side in SBC ownership  
 The council is working with Slough Regeneration Partnership to develop proposals and a master plan for this area.

- 5.21 Deliver our commitment for a new ground for Slough Town Football Club  
Detailed plans for community sports facility at Arbour Park drawn up and granted planning permission on 17 February with works to be carried out during the spring and summer.
- 5.22 Improve Preston Park in Wexham and Harvey Park in Langley  
Plans for both parks have been drawn up in consultation with local members who are consulting their local residents. Meeting with ward councillors this month (March) to decide exactly what will be taking place.
- 5.23 Deliver a games area in Colnbrook  
Westfield Community Centre play area completely refurbished including games area.
- 5.24 Secure planning approval for hub community centre proposed for Elliman / Central / Wexham and for Langley; move forward plans to upgrade/expand the hub in Manor Park  
A report on the progress of the proposed Langley hub and housing development due to come to cabinet in June 2015.  
A full master plan for redeveloping the canal basin is being prepared by the Slough regeneration partnership with a community building for Elliman / Central included in the plans.  
With the new leisure strategy setting out what facilities will be provided at The Centre, plans to develop and improve the community facilities on the Manor Park site are being prepared – as now can ensure no duplication of provision of sites in close proximity.
- 5.25 Make further exterior improvements and upgrade the communal areas of council-owned blocks of flats; upgrade/redesign poorly-planned past housing schemes to improve local neighbourhoods  
A pilot project has been initiated around Eyre Green in Britwell which has included external insulation on flats, opening up entrances and installing ramps, additional lighting, relocation of bin stores, improvements to pathways, fencing and landscaping.  
All work has been planned and undertaken in consultation with secured by design and Thames Valley Police's architectural design consultant.  
Other areas for similar work are now being considered following the success of the pilot project and feedback from residents.
- 5.26 Further improve local housing supply by bringing 60 empty homes in Slough back into use  
An investigation into empty housing issue found very few empty properties in the borough with Slough well below the national and regional average for empty homes. However, work on illegally sub-let council properties continues with 30 properties returned to the council and relet to households in genuine housing need; a saving to the council of £500,000.
- 5.27 Build or start the construction of 200 new council homes  
77 new council homes have been completed or are under construction in Britwell. At Wentworth Avenue we have provided a mix of two, three and four bedroom family homes, adding to those already built on the site of the old Jolly Londoner public house and Newbeech House.

Further council homes are under construction at Kestrel Place alongside properties for registered social landlords.

23 council homes are forming part of the redevelopment of Ledgers Road which has been granted planning permission with work expected to start on site this spring.

34 council homes also form part of the Slough Regeneration Partnership plans for the Wexham site which received planning permission in February.

We will also be bringing forward a number of infill sites over the coming months which will deliver further council homes.

5.28 Use council investment and our development partnership to commission additional housing for the borough.

Slough Regeneration Partnership is due on the Ledgers Road site in April 2015.

The Wexham housing site received planning permission in February 2015 and plans are advanced.

New homes directly commissioned by the council have been completed in Wentworth Avenue.

6 **Comments of Other Committees**

This report has not been considered by any other committees.

7 **Conclusion**

The work on manifesto pledges adopted by Cabinet in June 2014 has been extensive and has met the aspirations of the pledges wherever possible.

8 **Background Papers**

None.

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**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 9 March 2015

**CONTACT OFFICER:** Kate Pratt, communications manager  
 Kam Bhatti, active communities and participation manager  
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**WARD(S):** All

**PORTFOLIO:** Cllr Rob Anderson, finance and strategy  
 Cllr James Swindlehurst, neighbourhoods and renewal  
 Cllr Sohail Munawar, economic and social inclusion  
 Cllr Martin Carter, community and leisure  
 Cllr Satpal Parmar, environment and open spaces

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

**COMMUNITY INVESTMENT FUND 2014/15 UPDATE AND 2015/16 ALLOCATIONS**

1 **Purpose of Report**

To inform cabinet of the council projects paid for by the community investment fund in 2014/15 and progress to date.

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

Cabinet is requested to resolve that the progress made to date on the community investment fund projects be noted and 2015/16 allocations be considered.

3. **The Slough Joint Wellbeing Strategy, the JSNA and the Five Year 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).

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

This report and the projects detailed link to the following priorities in the Slough Joint Wellbeing Strategy (SJWS):

- Health
- Regeneration and Environment
- Safer Communities

Projects within the community investment fund also contribute to the cross cutting themes of the strategy by encouraging civic responsibility and improving the image of the town.

#### 4 **Other Implications**

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

The community investment fund formed part of the agreed budget for 2014/15.

The amount budgeted for each project is as follows:

<b>Description</b>	<b>Budget (£)</b>
Multi-use games areas	500,000
CCTV movable cameras	50,000
Alley gating	30,000
Street name plate signs – 2 year programme	65,000
Pavement Parking Policy	400,000
Neighbourhood enhancements / walkabouts	141,000
Member bids	65,000

There are no other financial implications from this 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	None	
Timetable for delivery	None	
Project Capacity	None	
Other	None	

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

The report does not have any legal or human rights act implications.

##### (d) **Equalities Impact Assessment**

This report does not have any equalities implications and there is no identified need for the completion of an EIA.

## 5 Supporting Information

5.1 The community investment fund was introduced in 2012 to direct funding to smaller street level projects that benefit the local community and improve neighbourhoods.

5.2 In 2014/15 the council chose the following projects to be part of the community investment fund:

- Multi-use games areas
- CCTV movable cameras
- Alleygating projects
- Street name plate signs – second year of programme
- Pavement parking
- Neighbourhood enhancements / walkabouts
- Member bids

### 5.3 Multi-use games areas

Community investment funding was used to install new multi-use games areas (MUGAs) to parks across the borough.

Existing MUGAs are also being upgraded as part of the project.

MUGAs are designed to accommodate a number of different sports including football, basketball, netball and cricket and are informal and accessible facilities which encourage use by local residents.

The locations of the new and upgraded MUGAs this year are:

- Monksfield Recreation Ground (including skatepark) – new in November 2014 (Britwell)
- Bowyer Recreation Ground – new in May 2014 (Central)
- Maplin Park – new in May 2014 (Langley)
- Chalvey Recreation Ground – new in April 2014 (Chalvey)
- Mercian Recreation Ground – refurbished April 2014 (Cippenham Green)
- Cippenham Recreation Ground (including tennis) – refurbished October 2014 (Haymill)
- Lascelles Park – refurbished April 2014 (Upton)

All have been designed to integrate with each other and existing park infrastructure, conserving the overall qualities of the existing park environment.

### 5.4 CCTV movable cameras

One new redeployable camera has been purchased and placed in Colnbrook to tackle anti-social behaviour and similar camera technology has been installed in police identified crime hotspots in Cippenham Meadows and Wexham.

To tackle anti-social behaviour and environmental crime mobile cameras have, this year been deployed to Spitfire Way, Lismore Park, Farm Lane, Long Readings Lane and Broom House.

The council is investigating wireless technology for future camera connectivity so we have a wide area network (WAN) which will increase the number of places we can put cameras in the future.

### 5.5 Alleygating

Alleygating remains popular with local residents as a method of tackling anti-social behaviour and environmental crime.

In total this year there have been 65 alleygating requests.

Of these, 20 are new requests recently received, 10 are consultations in progress, 22 are underway, and 13 projects have been completed. So in total, 45 are done or underway and 20 being begun.

### 5.6 Street name plate signs

More than 1,100 street name plates have been replaced across Slough as part of the two year project from the community investment fund (this year being the second year).

In each part of the town the following number have been replaced:

- East – 553
- Central – 400
- West – 232
- Total – 1,185

### 5.7 Pavement Parking

To prevent damage to grass verges and pavements, blocking of roads and to leave pavements for pedestrians, last year the council implemented a ward-by-ward approach to tackling pavement parking.

Central Ward was first trial in 2013/14 and a ban was put in place under an experimental traffic regulation order. Further amendments to the trial in Central have been made this year.

Designs have been drawn up for Wexham, Chalvey, Elliman and parts of the borough now in Central after the boundary changes.

Ward boundary changes have caused some delays but this larger area is expected to be rolled out during the summer and autumn 2015.

### 5.8 Neighbourhood enhancements / walkabouts / member bids

Some other smaller projects have also been funded from the community investment fund on the request of members and with the agreement of the assistant director of finance

- new pathways across open land at Common Road to help residents and school children cross safely and without getting muddy
- borough-wide shrub bed improvements – including replanting of 25 sites with more than 6,000 new plants. Sites include the rest gardens on Farnham Road, Cippenham Recreation Ground, Salt Hill Park, housing estates, roadside verges and major gateways.
- improvements to Harvey and Upton Lea Recreation Ground – plans being worked up
- new on-street parking bays in Moreton Way, Cippenham Lane, Ullswater Close, Marecroft Road, Hawthorne Crescent estate, Bowyer Drive and Northborough Road
- new footway on Cippenham Lane near Copthorne roundabout
- grass-crete protection on grass verges in The Link, Hawthorne Crescent estate and Prestwood
- verge protection measures on A4 London Road, Trelawney Avenue, Spencer Road, Penine Road, Maryside, Lismore Park
- footpath extension in Bloom Park
- creation of walking and cycling shared surface in Ullswater Close
- parking protection bund on Uxbridge Road from Broadmark Road to traffic lights
- repainting of hundreds of metres of protection railings
- deep cleans of housing estates including Scafell Road and Foxborough
- target litter bins placed along Colnbrook bypass
- 150 new trees planted
- continuation of roll out for new dual use litter and recycling bins in high-litter areas



6 **Comments of Other Committees**

This report has not been considered by any other committees.

7 **Conclusion**

The community investment fund projects have been very successful this year and have met the aspirations of the fund – to improve the local environment on a neighbourhood level.

8 **Background Papers**

None.

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**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 9<sup>th</sup> March 2015

**CONTACT OFFICER:** Charlotte Lee, National Management Trainee  
Savio DeCruz, Acting Head of Transport

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**WARD(S):** All

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

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

**FIVE YEAR PLAN PROJECTS FUNDED THROUGH THE THAMES VALLEY  
BERKSHIRE LEP (TVBLEP)**

1 **Purpose of Report**

The purpose of this report is to provide members with a full summary of the current and historic projects that have been submitted to the Thames Valley Berkshire Local Enterprise Partnership (TVBLEP) by Slough Borough Council, in order to be considered for Local Growth Fund (LGF) funding.

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

The Cabinet is requested to resolve:

- (a) That the following projects have been submitted to the TVBLEP by Slough Borough Council, in order to be considered for LGF funding;
- (b) That a number of these projects have been accepted for LGF funding, as detailed in section 5 of the report;
- (c) That schemes currently not funded be supported in principle;
- (d) That Cabinet delegate authority to the Acting Head of Transport, to continue dialogue with businesses and internal stakeholders and submit bids to the LEP on behalf of Slough Borough Council.

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

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

The following Slough Joint Wellbeing Strategy Priorities are addressed by the following schemes:

Health

Ensuring better community engagement to improve the wellbeing of our residents.

Improving the strategic 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.

Stoke Road Area Regeneration  
Langley Railway Station Improvements  
Burnham Railway Station Improvements  
A4 Park and Ride  
A355 Phase 2  
Electric Vehicle Club  
Slough – Maidenhead Cycle Link

### Economy and Skills

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 centre of Slough 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.

The proposed schemes will deliver:

- 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

Langley Railway Station Improvements  
Burnham Railway Station Improvements  
A4 Park and Ride  
A355 Phase 2  
Slough – Maidenhead Cycle Link  
Conference Centre/Higher Education Facility  
Town Centre/M4J6 Link

### Regeneration and Environment

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, providing alternative options i.e. MRT, Park and Ride, Cycle infrastructure and Rail will contribute towards regenerating the image of Slough, and will encourage residents and visitors to utilise the amenities in the centre of Slough. The schemes listed below aim to: 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 and 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.

- Stoke Road Area Regeneration
- Langley Railway Station Improvements
- Burnham Railway Station Improvements
- A4 Park and Ride
- A355 Phase 2
- Electric Vehicle Club

- Slough – Maidenhead Cycle Link
- Town Centre/M4J6 Link
- SWiFT/Chalvey Station

### Safer Communities

The major scheme bids will look to enhance community safety in the various locations around the town. 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.

- Langley Railway Station Improvements
- Burnham Railway Station Improvements
- A355 Phase 2
- Slough – Maidenhead Cycle Link
- Town Centre/M4J6 Link

### Housing

Better housing standards, including efficiency and more choice and affordability. The majority of schemes unlock an opportunity for new housing developments, the Stoke Road Corridor amongst others in particular unlocks the opportunity to potentially build new housing in which is currently restricted.

- Stoke Road Corridor Improvements

### Cross-Cutting themes:

#### Civic responsibility

Improving transport and access to Slough's key amenities will encourage business to thrive and residents and visitors to become champions for the area, thus contributing towards the economic growth of the town.

- Langley Railway Station Improvements
- Burnham Railway Station Improvements
- A4 Park and Ride
- Electric Vehicle Club
- Slough – Maidenhead Cycle Link
- SWiFT/Chalvey Station

#### Improving the image of the town

The various LEP schemes are part of the 5 year plan indicating to that Slough is "Open for Business" improving the overall image of the town. Reduced congestion will result in easier access for business users, residents, and visitors, thus encouraging greater use of the town centre and key business locations.

- Stoke Road Area Regeneration
- Langley Railway Station Improvements
- Burnham Railway Station Improvements
- A355 Phase 2

- Conference Centre/Higher Education Facility

### 3b **Five Year Plan Outcomes**

The following schemes help to address a number of outcomes in the Five Year Plan. By improving strategic public transport corridors, providing sustainable transport options, and enhancing links between Slough and its surrounding areas (including Heathrow airport, the M4 and London), Slough is established as an attractive and accessible location for businesses to locate, start, grow, and stay. Improving our stations and preparing for the implementation of Crossrail, as well as developing Higher Education facilities and retaining our most talented young people, also contributes towards consolidating Slough's reputation as an extremely attractive and accessible location for businesses to invest. In addition to businesses, improving our public transport, enhancing our strategic road networks, and providing educational and cultural opportunities in the form of a Higher Education facility, also makes Slough a more attractive and accessible place for our residents to live, learn, and relax. In particular, the provision of a Higher Education facility in Slough will also demonstrate to Slough's young people that educational opportunities and positive life chances are available to them in the town. Not only will this help Slough to retain and grow its own talent, it will also help to encourage and inspire Slough's youth to seize the educational and cultural opportunities which will become readily available to them upon the development and implementation of such facilities. Each of these outputs will also contribute to the regeneration of the town, increased cohesion within the community, and the improvement of Slough's image.

The following Five Year Plan outcomes are addressed by the following schemes:

Outcome One: Slough will be the premier location in the south east for businesses of all sizes to locate, start, grow, and stay

- Langley Railway Station Improvements
- Burnham Railway Station Improvements
- A4 Park and Ride
- Slough – Maidenhead Cycle Link
- Conference Centre/Higher Education Facility
- Town Centre/M4J6 Link

Outcome Three: The centre of Slough will be vibrant, providing business, living, and cultural opportunities

- Langley Railway Station Improvements
- Burnham Railway Station Improvements
- A4 Park and Ride
- Slough – Maidenhead Cycle Link
- Conference Centre/Higher Education Facility
- Town Centre/M4J6 Link
- Stoke Road Area Regeneration

Outcome Five: Children and young people in Slough will be healthy, resilient and have positive life chances

- Conference Centre/Higher Education Facility

#### 4 **Other Implications**

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

Scheme Name	LEP Funding	SBC Funding	Capital Strategy Board
Langley Railway Station Improvements	£2m	£4.05m*	OBC to be submitted
Burnham Railway Station Improvements	£1.5m	£3.5m*	OBC to be submitted
SMaRT Phase 1	£5.6m	£2.415m	Approved
A355/Copthorne Roundabout	£4.4m	£1.4m	Approved
A332 Windsor Road	£2.7m	£2.3m	Approved
Stoke Road Area Regeneration	£4m	£1m	Not Approved
A4 Park and Ride	£3.9m	£950K	Not Approved
A355 Phase 2			
SMaRT Phase 2			
Electric Vehicle Club	£1.58m	0	Not Approved
Slough – Maidenhead Cycle Link	£700K	£465K	Not Approved
Conference Centre/Higher Education Facility	£18m	£12m*	Not Approved
Town Centre/M4J6 Link	£7.68m	£1.92m	Not Approved
SWIFT/ Chalvey Station	£16.5m	£0.5m	Not Approved

\*part funded by SBC and 3<sup>rd</sup> Party

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

<b>Risk</b>	<b>Mitigating action</b>	<b>Opportunities</b>
<b><u>Legal</u></b>		
a) Unexpected land compensation claims.	a) Address any claims in accordance with current legislation.	
b) Delay in acquiring frontage land, negotiations and legal process longer than expected.	b) Programme allows time for CPO process to be carried out and time for land transfer.	
c) Planning permission not being granted for elements that are not Permitted Development.	c) Public consultation and close working with Ward Members, NAGs, Parish Councils and partners. On-going dialogue with planning officers to address likely concerns.	
<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>	No risks identified	Upgrades to pedestrian crossings will provide a safer crossing point for blind and partially sighted residents, thus enhancing social inclusion

<b><u>Community Support</u></b>		
a) Unfavourable response to wider public consultation.	a) Programme allows for detailed design to be modified where necessary to meet specific objections.	
<b><u>Communications</u></b>		
a) Public unaware of proposals	a) Appropriate consultation to be carried out before works are carried out	
<b><u>Community Safety</u></b>	No risks identified	Upgrades to pedestrian crossings will enhance community safety
<b><u>Financial</u></b>		
a) Delays in achieving local contribution towards costs.  b) Higher than expected costs arising post-business case approval.	a) Ensure SBC funding in place and on-going dialogue with partners.  b) Manage scheme costs and benchmark against similar schemes.	
<b><u>Timetable for delivery</u></b>		
a) Unexpected lead in time and duration for Statutory Authority Works.  b) Delays in procurement process.  c) Utilities alterations greater than expected.	a) Discuss and place orders early on and allow adequate lead in time in Project Plan.  b) Programme allows adequate time for procurement.  c) Early consultation with Statutory Authorities	
<b><u>Project Capacity</u></b>	No risks identified	
<b><u>Other</u></b>		
a) Changes to design after commencing construction.	a) Fully complete design prior to commencing construction/ allow for contingency provision.	

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

There are no Human Rights Act Implications for the proposed action.

(d) **Equalities Impact Assessment**

There is no identified need for the completion of an EIA for the proposed action.

(e) **Workforce**

There are no identified workforce implications for the proposed action.

(f) **Property**

There are no identified property implications for the proposed action.



(g) Carbon Emissions and Energy Costs

There are no identified Carbon Emission and Energy Cost implications for the proposed action.

5 **Supporting Information**

5.1 Please see below for full details of each of the current and historic projects that have been submitted by Slough Borough Council for consideration by the TVBLEP.

5.2 These schemes have been grouped below into those which have already been funded by the LEP and those which are currently unfunded, but have been evaluated and remain on the LEP's priority list. Those schemes which are as yet unfunded were submitted either as part of the SEP, or in the call for additional bids. The type of scheme is indicated in brackets following the scheme's title below.

5.3 Most of the currently funded scheme bids were submitted in 2014 as part of the LEP's Strategic Economic Plan (SEP.) However, a call for additional bids late in 2014 saw the Burnham and Langley station improvements added to the funding list. The majority of the currently funded schemes scored highly during the LEP prioritisation process, with the exception of the Burnham and Langley station improvements. However, despite an initial low score in the LEP's prioritisation process, ministers decided that the two station improvement schemes were strategically important and required prioritisation, and they have thus been awarded funding.

5.4 Officers from Slough Borough Council have also been liaising with representatives from BIS and the DfT regarding these schemes, in particular with regard to the Burnham and Langley station improvements. Both schemes gained strong support from BIS and the DfT, and officers were therefore encouraged to submit the schemes when a call for additional bids was released.

5.5 The LEP process for prioritising schemes is to evaluate them against the agreed criteria set by the partner organisations, the DfT and the LEP members. This criteria is split into various areas covering Economic Growth, Regeneration, Housing and Transport and is scored to determine whether it is a worthwhile scheme to be considered for Programme Entry. If accepted the points score will then reflect in the programme where the scheme sits. Though this is a priority list Slough has seen low scoring projects such as the Burnham and Langley station schemes being funded due to their importance with regard to growth from Crossrail.

5.6 Langley Railway Station Improvements - (Rail, FUNDED)

The purpose of this scheme is to carry out improvement works to Langley railway station, enhancing the north and south entrances, the station car park and pedestrian, cycling, and bus facilities. Better information and signage will be provided and measures to enhance the safety and security of the station. The improvements will be implemented in conjunction with Network Rail, First Great Western and Rail for London (RfL).

5.7 Burnham Railway Station Improvements (Rail, FUNDED)

This scheme focuses on Burnham Station and the area surrounding. There are two elements: firstly to improve station facilities; and second to enhance access to the

station from the western part of the Borough, including Slough Trading Estate, and neighbouring areas of South Buckinghamshire.

A new station building will be constructed with access lifts, additional parking, enhanced information, security systems and CCTV. The approach to the entrance will be upgraded with extra lighting and landscaping to increase personal safety and make the station more welcoming. Replacement cycle parking will be provided.

Access will be improved by reconfiguring the local highway network to reduce conflicts between pedestrians, cyclists and vehicles, make bus stops more accessible and achieve better links to Slough Trading Estate and to existing and planned schools, training and educational facilities. These highway works will complement junction improvements planned further north along Burnham Lane. To the south the substandard Station Road bridge will be remodelled to provide an extra traffic lane and better provision for pedestrians and cyclists. This will have the added benefit of obviating future bridge strikes which currently create major disruption on the Great Western Main and Relief Lines and consequent high costs for the national and local economy.

#### 5.8 SMaRT Phase 1 (Bus, FUNDED)

The A4 forms the spine of a 12km strategic public transport corridor that links Maidenhead, Slough and Heathrow and plays an important role in providing surface access to the airport. The western section of the Slough Mass Rapid Transit (SMaRT) project will provide segregated bus lanes fronting Slough Trading Estate. Bus lanes and other priority measures will be provided in the central section between the estate, Slough town centre and eastwards to Junction 5 of the M4.

#### 5.9 A355/Copthorne Roundabout (Strategic road corridor, FUNDED)

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, 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. 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.

#### 5.10 A332 Windsor Road (Strategic Road corridor FUNDED)

The scheme would provide bus priorities and facilities for pedestrians and cyclists in critical locations in support of the Government's wider objective of encouraging sustainable travel, especially for short local journeys, and reducing carbon emissions. Regeneration of the Windsor Road and reduction in congestion will also be met by the scheme.

#### 5.11 Stoke Road Area Regeneration (Regeneration, Rail)

The purpose of this scheme is to support the regeneration of the Stoke Road area focusing on the Grand Union Canal basin and land to the north of Slough railway station. This scheme involves; the enhancement of infrastructure for pedestrians, cyclists and bus services along the B416 Stoke Road/ William Street; undergrounding of electricity transmission lines; canalside infrastructure improvements; upgrading of northern approach to the station.

- 5.12 A4 Park and Ride (Bus, environment, sustainable transport)  
The purpose of this scheme is to construct a park and ride site on the western fringe of Slough to provide approximately 500 car parking spaces. It will be linked to the town centres of Slough, Maidenhead and Windsor by bus services along the A4 Bath Road. Bus priorities will be provided along the A4 eastwards to supplement infrastructure works being carried out as part of the Slough Mass Rapid Transit (SMaRT) scheme.
- 5.13 A355 Phase 2 (Strategic road corridor)  
The purpose of this scheme is to carry out a second phase of the A355 Route Enhancement scheme, focusing on the route north of the Three Tuns A4/ A355 intersection. It includes widening the carriageway on the Farnham Road railway bridge, a new bridge to accommodate pedestrians and cyclists and additional bus priority measures.
- 5.14 SMaRT Phase 2 (Bus)  
Phase 1 of SMaRT is programmed to be completed in Summer/Autumn 2016 and will provide segregated bus lanes and other priority measures between Slough Trading Estate, Slough town centre and Junction 5 of the M4. The purpose of this phase is to deliver the extension of SMaRT eastwards to Heathrow providing options for those who are east of the town centre.
- 5.15 Electric Vehicle Club (Environment, sustainable transport, electric and hybrid vehicles)  
The EV Car Club would deliver a fleet of 30 electric and hybrid vehicles available to Slough residents and business users giving them a low carbon transport alternative to connect their places of work, home and leisure.
- 5.16 Slough – Maidenhead Cycle Link (Cycle)  
This is a scheme to provide a safe and convenient cycle route between Slough and Maidenhead via South Buckinghamshire, partly shared path and partly cycle track. It would follow the A4 corridor and link with a scheme being promoted by the Thames Valley Buckinghamshire LEP. The scheme would connect the two urban centres of Slough and Maidenhead and give access to Slough Trading Estate to Burnham and Taplow stations and to adjacent residential areas for commuting and other utilitarian cycle trips as well as for leisure and other purposes.
- 5.17 Conference Centre/Higher Education Facility (Higher Education)  
This is a scheme to create a conference and exhibition centre in Slough. The centre will possess conference and exhibition facilities, which will attract custom from the plethora of UK based businesses and exhibitors, as well as undoubtedly attracting international custom due to its proximity to Heathrow Airport. The conference centre also has the potential to be utilised as a higher education facility due to its on-site accommodation and lecture theatre capacities.
- 5.18 Town Centre/M4J6 Link (Strategic road corridor)  
This project aims to create a link road between Slough town centre and M4 Junction 6 via A332 Windsor Road to relieve congestion on A4 Bath Road and A355 Tuns Lane.
- 5.19 SWiFT/ Chalvey Station (Rail)  
This scheme began as a proposed conversion of the Slough to Windsor branch rail line from heavy to light rail including a new halt stop to serve Chalvey. It has since evolved, in part following discussions with First Group, to a proposed “Chalvey halt

station” on the Slough to Windsor branch line, served by two 5-car trains, running on conventional heavy rail.

5.20 These projects have also been informed by strategic working groups such as the Strategic Infrastructure Group (SIG). Two additional working groups (a Town Centre Workshop, and an LGF Workshop) have also been facilitated by Shared Intelligence, in order to allow officers an opportunity to discuss and develop ideas about potential LGF funding bids, and ways to meet the Council’s Five Year Plan and targets for the centre of town.

5.21 Whilst a vast majority of these schemes are transport-related, Slough Borough Council are continuing to develop bids for schemes, such as the Conference Centre/Higher Education facility, which will help to address issues such as regeneration and higher education. Slough Borough Council will continue to pursue the Smart Cities agenda by submitting bids for non-transport schemes, including a higher education facility and digital infrastructure, which will contribute towards the delivery of Outcome 8 of the Five Year Plan (“The council will be a leading digital transformation organisation.”)

## 6 **Comments of Other Committees**

None

## 7 **Conclusion**

In conclusion, these are the projects which have been submitted by Slough Borough Council to the TVBLEP.

## 8 **Appendices Attached**

None

## 9 **Background Papers**

‘1’ - Thames Valley Berkshire LEP, Strategic Economic Plan, 2015/16 -2020/21, Strategy Document, accessible at:  
[http://thamesvalleyberkshire.co.uk/Strategic\\_Economic\\_Plan](http://thamesvalleyberkshire.co.uk/Strategic_Economic_Plan)

‘2’ - Thames Valley Berkshire LEP, Strategic Economic Plan, 2015/16 -2020/21, Implementation Plan, accessible at:  
[http://thamesvalleyberkshire.co.uk/Strategic\\_Economic\\_Plan](http://thamesvalleyberkshire.co.uk/Strategic_Economic_Plan)

‘3’ - Thames Valley Berkshire LEP, Strategic Economic Plan, 2015/16 -2020/21, Annexes to Implementation Plan, accessible at:  
[http://thamesvalleyberkshire.co.uk/Strategic\\_Economic\\_Plan](http://thamesvalleyberkshire.co.uk/Strategic_Economic_Plan)

**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 9<sup>th</sup> March 2015  
**CONTACT OFFICER:** Alan Sinclair Acting Director Adult Social Care  
**(For all enquiries)** (01753) 875 752  
**WARD(S):** All  
**PORTFOLIO:** Health and Wellbeing – Cllr Sabia Hussain

**PART I**  
**KEY DECISION****BETTER CARE FUND POOLED BUDGET AGREEMENT 2015/2016****1 Purpose of Report**

The report presents the proposed Pooled Budget agreement for the Better Care Fund (BCF) for Slough which brings together health and local authority funding into a single budget for use in commissioning and delivering integrated health and social care services. The creation of a Pooled Budget is part of the national conditions for the Better Care Fund 2015/16 and is permitted in legislation through section 75 of the NHS Act 2006.

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

The Cabinet is requested to resolve:

- (a) That the Council enter into a pooled arrangement under S75 of the NHS Act 2006 with Slough Clinical Commissioning Group (CCG).
- (b) That the Council be the host of the Pooled Budget.
- (c) That the Council's financial contribution to the budget together with the proposed arrangements for governance and management of the plan be approved.
- (d) That the Director of Wellbeing, following consultation with the Leader and Commissioner for Finance & Strategy, be given delegated authority to finalise the Section 75 agreement subject to approval by the Slough CCG Governing Body.

The BCF spend plan for 2015/16 was agreed by the Health and Wellbeing Board in September 2014 and subsequently assured and approved by NHS England through a national assurance review programme of BCF plan submissions in December 2014. The fund is made available to local areas subject to it being used in accordance with the final approved plan and through a section 75 pooled fund agreement.

**3 The Slough Joint Wellbeing Strategy, the JSNA and the Five Year 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).

### 3.1 **Slough Joint Wellbeing Strategy Priorities**

The actions the local authority and CCG will take to address the requirements of the BCF, will aim to both improve, directly and indirectly, the wellbeing outcomes of the people of Slough against all the priorities as set out below:

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

It will do this by promoting people's wellbeing, enabling people and families to prevent and postpone the need for care and support, and putting people in control of their lives so they can pursue opportunities underpinned by the theme of civic responsibility. The longer term impact of improved wellbeing will be visible, thus contributing positively in improving the image of the town.

The BCF plan addresses a range of activities which focus on diversion from A&E and increasing community based support services. These services improve health and wellbeing outcomes for people in Slough. The plan seeks to address key cross cutting themes such as prevention, early intervention and management of conditions which limit inclusion.

- 3.2 The BCF plan has been produced in alignment with the key needs assessment data in the Slough JSNA so as to develop areas of prevention, through integration of commissioning and in delivery of care to bring about improvements in the management and support of people with health and social care needs in the community and reduce hospital admissions where possible.

### 3.3 **Five Year Plan Outcomes**

The BCF Plan will in its delivery contribute to the Council's 5 year plan outcomes of:

- More people will take responsibility and manage their own health, care and support needs.

The plan has within it a focus on supporting people and communities to maintain or regain independence where possible and support a culture of greater self-care and shared responsibility.

- Children and young people in Slough will be healthy, resilient and have positive life chances.

The plan has in part a focus on the proactive identification and support of children and young people with health conditions that put them at risk of admission to hospital which will enable them to be better supported at home and in their community.

## 4 **Other Implications**

### (a) **Financial**

The creation of a Pooled Budget for the BCF will bring financial benefits to the health and social care system for Slough. It will do this in a variety of ways including:

- Joint planning and joint prioritising of investment

- A proactive approach to intervention of support or treatment so as to prevent or delay a decline in health and reduce likelihood of an admission to hospital
- Improved efficiencies from working better across the system both in the sharing of information and in bringing together services
- Flexibility in the way that health and social care funds can be used to meet population needs
- Transparency over use of funds.

The development of the BCF has other financial implications for both the Council and the CCG for the following reasons:

- the ongoing financial and demographic pressures facing Councils and the NHS
- the creation of a formal pooled budget agreement requires changes to governance and management of risks related to the identified funds
- there are financial implications for elements of the Care Act arising from new health and social care responsibilities
- The release of funding from the acute hospital to further support the implementation of the BCF
- The risk the fund carries from the performance payment if agreed outcomes measures are not delivered
- Costs arising from the escalation of non-elective admissions into the acute sector hospitals

Financial risks will be managed within the risk and issues log and project plan of the BCF Joint Commissioning Board with escalation to the Wellbeing Board, CCG Governing Body and SBC Cabinet as appropriate.

#### (b) Risk Management

Within the pooled budget agreement schedule 1 is an outline of planned expenditure for 2015/16 and the corresponding risk share arrangement in respect of the commissioning arrangements of each scheme within the pool and whether funded in full or part from the pooled budget. Governance of the programme is directed through the Joint Commissioning Board with equal voting members from the Council and CCG (this is described in schedule 2 of the agreement).

To help prepare and manage financial risk the BCF Plan has identified £1.158m contingency monies within the pooled budget to cover possible areas of risk including failing to achieve the target of 3.5% reduction of non-elective admissions (the 'Payment for Performance' element within the BCF) together with a further £483,000 for additional protection of social care services.

The following specific risks have been highlighted within the programme plan and outline the high level risks currently identified in relation to delivery of our BCF plans and strategy. The programme is part of a dynamic and fast evolving environment with many interdependencies and a proactive approach to risk mitigation and management is required.

We are committed to maintaining a risk register and regularly reviewing this jointly within the fortnightly BCF Delivery Group meetings and at the quarterly BCF Joint

Commissioning Board meetings. The following high level risks are included in the plan together with how they are to be managed and mitigated:

1. Improvements in the quality of care do not translate in to the required reductions in acute and social care activity impacting on the funding available to invest in further preventative capacity
2. Changes to acute patterns of activity exacerbate the instability of the main Provider and plans to address this prove difficult to realise, leading to prolonged uncertainty within the local provider market with an impact on the quality and financial health of the local economy
3. The financial outlook for the health and care economy continues to be uncertain and challenging with a knock on effect on the ability to invest on a sustained basis to alter patterns of care
4. The introduction of the Care Act and wider social care reform will result in unanticipated consequences including additional unforeseen costs.
5. The changes to Slough's population and unexpected patterns of demand (e.g. transient and or migrant populations) exceed JSNA projections resulting in greater demand for health and care services which in turn outstrip the ability of the local economy to manage them
6. The culture change and change management associated with moving to new ways of working take longer to achieve due to operational pressures on staff, delaying the take up of new services and impacting on required activity reductions
7. Information Governance: local arrangements contingent upon national agreement. There are difficulties in sharing patient / service user information between health and social care professionals.

The following risks and mitigating actions also apply under these categories:

<b>Risk</b>	<b>Mitigating action</b>	<b>Opportunities</b>
Legal	The pooled budget agreement to be in place by 1 April 2015.  <i>*(This date will not now met as is pending agreement from the CCG Governing Body)</i>	Improved joint working and better value for money.
Property	None	None
Human Rights	Engage residents and service users in BCF development.	Improved wellbeing for residents and positive experience of services.
Health and Safety	None	None
Employment Issues	Consultations will be carried out with staff if necessary.	Improved joint working and better value for money.
Equalities Issues	EIA to be carried out on proposed changes.	Improved wellbeing for all residents.
Community Support	Engage community services in BCF development.	Improved joint working and better value for money.
Communications	Utilise communication functions to keep stakeholders up to date.	Better understanding of BCF and health and wellbeing in Slough.



Community Safety	Engage community safety services in BCF development.	Improved joint working and better value for money.
Financial	Robust risk and project management in place.	Improved joint working and better value for money.
Timetable for delivery	Timetable agreed with SWB, CCG and SBC. Programme managed to deliver on agreed milestones on time.	Improved joint working.
Project Capacity	BCF Programme Manager for Slough in post	Improved joint working and better value for money.
Acute Sector.	Ensure that Acute Health Sector is part of planning and delivery of BCF priorities.	Improved joint working and better value for money.

(c) Human Rights Act and Other Legal Implications

No Human Rights implications arise.

There are legal implications arising from the establishment of this Pooled Budget arrangement. The Slough legal team have provided support to the development of the agreement and will give approval to the agreement before it is signed.

(d) Equalities Impact Assessment

The BCF aims to improve outcomes and wellbeing for the people of Slough through effective protection of social care and integrated activity to reduce emergency and urgent health demand. Impact assessments will be undertaken within project planning to ensure that there is a clear understanding of how various groups are affected.

(e) Workforce

There will be workforce implications for SBC staff but these are not known yet as all developments are in the early stages of scoping and planning. Any changes to workforce will follow due process for formal consultation as and when required. It is likely that this will be a step approach and that changes will be incremental focusing on bringing together of access points across services initially.

## 5 Supporting Information

### **National context**

In the 2013 Chancellor's Spending Round a £3.8 billion fund was announced for 2015-16 for integrating health and social care services. This fund is known as the 'Better Care Fund' (BCF).

The purpose of the BCF is to create a health and social care pooled budget which brings together services for adults in order to improve integrated and holistic working and improve outcomes for service users.

The funding of parts of the implementation of the Care Act 2014 will also form part of the responsibilities of the BCF. It was announced as part of the Spending Round that the BCF would include funding for some of the costs to councils resulting from care and support reform.

#### 5.1 Key outcome measures for the BCF are:

- Reducing emergency admissions;
- Reducing delayed transfers of care;
- Increasing the effectiveness of re-ablement;
- Reducing admissions to residential and nursing care;

- Improving patient and service user experience;
- And one further locally agreed outcome measure from a pick list provided by NHS England. Slough's chosen measure is *improving the health-related quality of life for people with long-term conditions*.

5.2 Key conditions to be met as part of the BCF plan are:

- A jointly agreed local plan approved by each areas Health and Wellbeing Board
- Protection for social care services (not spending);
- 7-day working in health and social care to support patient discharge and prevent unnecessary admissions at weekends;
- Improved data sharing between health and social care, using the NHS patient number;
- Joint assessments and care planning;
- One point of contact (an accountable professional) for integrated packages of care;
- Risk-sharing principles and contingency plans in place if targets are not met – including redeployment of the funding if local agreement is not reached; and
- Agreement on the consequential impact of changes in the acute sector.

## 6 Local Context

6.1 In the final BCF plan Slough has agreed on a pooled budget of £8.762 million for 2015/16. This is the minimum amount required for 2015/16 by NHS England.

Organisation	Contribution 2015/16 (£000's)
Slough Borough Council	£694
Slough CCG This includes: - funds to social care £5.122m - other CCG commitments of £2.946m	£8,068
TOTAL	£8,762

6.2 The SBC contribution of £694,000 is made up of:  
Disabled Facilities Grant (DFG) - £407,000  
Social Care Capital Grant - £282,000

The DFG funding will be pass-ported to SBC housing to fund adaptations in people's homes to support and retain independence.

The social care capital grant will be used to support the capital expenditure within the implementation of the care act.

There is also a significant element of the CCG contribution to the pool that is delivering social care services and supports to the value of £5.122m.

Both of these areas of the pool will be commissioned by the Council.

The remainder of the funding in the pool will be either NHS spend, where the CCG will be the commissioner, or joint projects where either the Council or the CCG will be the commissioner.

6.3 The Section 75 agreement is made up of a standard legal agreement and a series of schedules that cover agreed schemes to be funded, governance, risk share and over/underspends, joint working obligations and performance.

6.4 It is recommended that the Council will be the host for the pool as the majority of the spend of the pool will be by social care and the agreement will be initially for one year with agreement for a further year to be undertaken after a review of year one.

6.5 **Governance**

The contributions to the pool will be made annually before the start of each financial year by each parties governing body and changes in year can be made with the agreement of both partners.

The management of the pooled budget will be by the Joint Commissioning Board that will have four voting members:

CCG: Chief Finance Officer and Director of Strategy and Development

SBC: Corporate Finance Partner and Assistant Director Adult Social Care.

This board will meet quarterly.

The board will be supported by a BCF delivery group that meets fortnightly and is made up of key officers from CCG and SBC.

6.6 The pooled budget will be audited by the hosts external auditors and the Councils S151 Officer will have to produce a signed statement about the year-end expenditure and how it has been spent.

6.7 **Risk Sharing Agreement**

Schedule 3 of the agreement covers risk share and overspends. It identifies the ways in which the pooled budget will not overspend and actions that will be taken to achieve this – including:

- agreeing an action plan to reduce expenditure in one or all schemes
- identifying underspend in schemes where funding can be vired to other schemes
- agreeing additional contributions where possible
- decommissioning of services and reducing activity
- use of the contingency built into the BCF

Risk share will be on a scheme by scheme basis and related to the responsible commissioner. This is necessary at this stage because of the pay for performance element of the BCF that is related to reducing admission rates to hospitals. The BCF plan has identified a contingency fund to manage this that is made up of CCG contributions.

6.8 The pooled budget will deliver the Slough BCF vision of:

*“My health, My care: Slough health and social care services will join together to provide consistent, high quality personalised support for me and the people who support me when I’m ill, keeping me well and acting early to enable me to stay happy and healthy at home.”*

6.9 Slough's BCF Plan centres on the following priority areas:

### **Proactive Care**

Identifying those people in our community who are the most vulnerable and supporting them through care planning and providing access to an accountable professional. Also will include the targeting of effective intervention and support to those who most benefit and most at risk of ill health.

### **A Single Point of Access into Integrated Care Services**

Establishing and running a single contact point (with a single phone number) for accessing a range of short term health and social care services that will support those in crisis and direct them into the right services in a co-ordinated and timely way. Through this there will be greater co-ordination of the range of services locally that support people in crisis or short term need. This will lead into the integration of local care teams and services where appropriate and will bring greater benefit.

### **Strengthening Community Capacity**

Greater utilisation and development of the voluntary and community sector through a more co-ordinated and integrated commissioning approach under a potential prospectus based approach to help deliver better outcomes for vulnerable people by supporting them within the community. This will encourage contribution from the community and voluntary sector to integrated care services locally and improving and maintaining the health of Slough residents.

## **7 Comments of Other Committees**

The Pooled Budget is a joint agreement between Slough Borough Council and the Slough Clinical Commissioning Group. As such the agreement also has to have sign off from the CCG Governing Body as well as the Cabinet. This was due to take place at the meeting on 9 March 2015 but has been put back to 7 April 2015. This means that the Pooled Budget will not be in place from 1 April but will come into effect when agreed by both partner organisations.

## **8 Conclusion**

The creation of a Pooled Budget under a section 75 agreement is part of the conditions of the Better Care Fund plan. It aims to enhance and progress local integration through a shared commitment to managing a budget in partnership to address shared priorities and better outcomes for people using services.

The Cabinet is asked to:

- a) Approve entering into a pooled arrangement under S75 of the NHS Act 2006 with Slough CCG
- b) Agree to the Council being the host of the Pooled Budget
- c) Agree to the Council's financial contribution to the budget together with the proposed arrangements for governance and management of the plan
- d) Delegate to the Director of Wellbeing, following consultation with the Commissioner of Finance and Strategy, the final Section 75 agreement, subject to approval by the CCG Governing Body.

## **9. Background Papers**

'1' [Better Care Fund Plan submission September 2014](#)

'2' [Better Care Fund Planning Guidance, Templates and Allocations](#)

**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 9<sup>th</sup> March 2015

**CONTACT OFFICER:** Alan Sinclair – Acting Director Adult Social Care,  
Commissioning and Partnerships

**(For all enquiries)** (01753) 87 5752

**WARD(S):** All

**PORTFOLIO:** Health and Wellbeing – Cllr Sabia Hussain

**PART I**  
**NON-KEY DECISION****CARE ACT 2014 – IMPLICATIONS FOR CHARGING POLICY****1 Purpose of Report**

To present to Cabinet for their review and ratification changes to Slough's charging policy for Adult Social Care in order to comply with the requirements of the Care Act 2014.

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

The Cabinet is requested to resolve:

- (a) That Slough's policy on charging for care in care homes will continue unchanged.
- (b) That Slough will continue not to charge for carers' support, though this would be reviewed by autumn 2016 when a considered view can be taken following implementation of the revised Carers' Strategy during 2015.
- (c) That Slough will review the option to charge self-funders who ask it to arrange their non-residential care by autumn 2015 following changes to social care processes and pathways.
- (d) That Slough adopts the policies on Deferred Payment Agreements and Top-ups in Care Homes (Appendices A and B).

**3. The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan****3a. Slough Joint Wellbeing Strategy Priorities**

The recommendations in this report are required to comply with the Care Act.

By ensuring that further development of the charging policy for Adult Social Care will be undertaken in the context of developing and implementing the Carers' Strategy, and of changes to social care processes and pathways, they support the priorities of the Slough Joint Wellbeing Strategy (SJWS).

### 3b Five Year Plan Outcomes

The recommendations in this report support the development and implementation of the Carers' Strategy and of changes to social care processes and pathways, which contribute to the Five Year Plan's outcomes:

- More people will take responsibility and manage their own health, care and support needs.

### 4 Other Implications

#### (a) Financial

The proposals are expected to be cost neutral.

The policies on Deferred Payment Agreements and Top-up in Care Homes mean that the Council's financial interests in those arrangements will be more secure.

#### (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	Information on Deferred Payment agreements and Top-ups is being prepared. Consultation is not required because these policies have already been consulted on nationally. The managed approach to charging policy for carers and self-funders limits the reputational risk to the council. Consultation may be necessary on final proposals.	
Community Safety	None	
Financial	Contained within this report	
Timetable for delivery	Contained within this report	
Project Capacity	None	
Other	None	

(c) Human Rights Act and Other Legal Implications

There are new legal responsibilities in the Care Act that will need to be met from April 2015. The Care Act Programme Board is working to ensure Slough has compliance with these new legal responsibilities.

There are no Human Rights Act implications arising from the recommendations contained in this report.

(d) Equalities Impact Assessment

The Care Act will principally benefit older age groups, who predominantly require both domiciliary and residential care, though disabled adults aged 18-65 will also benefit as a result of the Act.

An Equalities Impact Assessment has been prepared, which shows that the recommendations contained in this report in respect of Deferred Payment Agreements will have a positive impact on those entering residential care (predominantly people aged 65 or over). No negative impacts have been identified in respect of the current proposals.

**5 Supporting Information**

**5.1 The Care Act 2014 Overview**

The Care Act received Royal Assent on 14 May 2014. The aim of the Act is to reform and consolidate the law relating to care and support for adults dating back to the National Assistance Act 1948.

The main aspects of the Act are:

- brings care and support law into one statute
- re-focuses care and support by promoting wellbeing and preventing and delaying needs to reduce dependency instead of only intervening at crisis point
- puts carers on the same legal footing as the person they are caring for
- extends financial support to those who need it most, and protects people from excessive care costs through a cap on care costs
- aims to ensure that people do not have to sell their homes in their lifetime to pay for residential care, by providing for a new deferred payments scheme
- provides for a single national threshold for eligibility to care and support
- supports people with information, advice and advocacy to understand their rights and responsibilities, enabling them to access care when they need it, and plan for their future needs
- guarantees continuity of care when people move between areas
- includes new protections to ensure that no one goes without care if their provider fails, regardless of who pays for their care
- is built around people and outcomes that matter to them and promoting personal budgets
- clarifies entitlements to care and support and gives new options in relation to charging
- puts safeguarding adults on a statutory footing

- simplifies the care and support system and processes to provide local authorities and care professionals the freedom and flexibility to integrate with other local services.

## 5.2 Implications for Charging Policy

The Act contains provisions that will require Slough to consider changes to its charging policy for adult social care. Specifically, the Act:

1. Gives councils discretion to decide circumstances where they will not charge for care provided in a care home
2. Allows councils to charge carers for support they receive
3. Allows councils to charge for arranging services for people who fund their own care ('self-funders') in non-residential settings
4. Introduces a universal Deferred Payment Agreements scheme, and allows councils to charge interest and administration fees for operating the scheme
5. Introduces a legal entitlement to choice of accommodation in residential settings, and formalises the right in certain circumstances to pay a 'top-up' fee for accommodation that is more expensive than the council would fund.

## 5.3 Charging for Care in a Care Home

At present, Slough must financially assess people it places in a care home, and where indicated charge them in accordance with the national Charging for Residential Accommodation Guide (CRAG). Debts that arise are considered on an individual basis.

The Care Act gives councils discretion to decide circumstances where they will not charge for this type of care.

Slough has the option either:

1. To pre-determine circumstances in which no charge will be made, or
2. To continue with current policy and practice

It is **recommended** to continue with current policy and practice (option 2). Slough cannot afford to reduce income, and would be open to challenge by pre-determining exceptions. We will continue to consider any potential future debts on an individual basis.

## 5.4 Charging for Carers Support

The Care Act gives carers the same rights as those they care for, to have their needs assessed and where they meet eligibility criteria to receive some publicly-funded support. Slough is proposing to put in place interim arrangements from April 2015, which will enable us to take a more strategic view about meeting carers' needs of carers going forward as the scale of demand for this support is not clear at present.

Under the Act, councils will be able to charge for support they provide to carers. However, it is anticipated that in most cases, the financial cost of support will be relatively modest, and the Care Act Statutory Guidance gives a fairly strong steer against charging.

The options are:



1. To decide now on charging policy for carers' support, or
2. To make no charge at present, develop the carers' strategy, and review carers' charging policy within 18 months of the Act coming into force.

Option 2 is **recommended**. Carers are central to the prevention agenda, and Slough needs time to develop and implement its revised carers' strategy as part of that agenda. 'Loss' of income through not charging could be more than offset by the financial consequences if people decide they can no longer provide informal care. Current policy will be not to charge, though this would be reviewed by autumn 2016 when a considered view can be taken.

## 5.5 Charging Self-funders for Arranging Non-Residential Care

The Act gives the council the power to charge self-funders who ask it to arrange their care. For technical reasons, from April 2015 this applies only to non-residential settings. It is anticipated this will be extended to residential settings from April 2016.

Slough is currently arranging non-residential care for 34 people. The introduction of the Care Account and Cap from April 2016 may provide an incentive for more people to ask the council to do this. We have identified approximately 150 people currently arranging their own non-residential care, plus approximately 70 arranging care in a care home: a total of 220, about half of whom are likely to be eligible for some publicly-funded support under the Dilnot-related reforms from April 2016. Slough will begin early assessments of self-funders for the Care Account in autumn 2015.

Slough is also changing the social care processes and pathways in line with the Care Act and some of these changes will not be implemented until part way through 2015/16. Work is also underway to both improve the offer from the voluntary and community sector and deliver improved information, advice and advocacy services and all these changes will occur during 2015/16.

The options are:

1. Introduce a charge now, in anticipation of changes to social work processes, or
2. Develop social work processes, and review charging policy for autumn 2015 when early assessments are due to begin; there will probably be a need to consult on any proposed charges.

Option 2 is **recommended**. Charging policy can be developed in a managed way alongside service developments, without diverting resources needed for April 2015 implementation and also allows us time to undertake consultation in a timely manner if this is required. There is a small risk that more people than anticipated would approach the council to arrange their care.

## 5.6 Universal Deferred Payment Agreements

The Care Act introduces a universal Direct Payment Agreements (DPA) scheme to reduce the risk that someone entering a care home will have to sell their home during their lifetime to pay for their care. Slough, like other councils, already offers DPAs. But the Act establishes clear and consistent criteria for who is entitled to a DPA, and how the scheme must operate.

The draft policy attached as Appendix A sets out Slough's proposed approach going forward. Because we are awaiting some technical guidance from DoH it may be necessary to make some technical amendment to the policy as currently drafted.

A DPA is a mortgage, normally secured by a legal charge against the person's property. It enables a person to defer their care home fees until a later date. This can delay the need to sell their home as they make the transition into care. The council recovers the amount owed when the property is sold.

The only form of security that Slough is required to accept under the Act is a first charge on the person's home registered with the Land Registry. But councils are encouraged to consider other appropriate forms of security. The draft policy lists certain recognised forms of security that Slough will consider, such as a secured third-party guarantee or assignment of a life assurance policy. Other forms of security, such as a second charge where there is a pre-existing shared equity arrangement, may be considered case by case.

Because a DPA is secured the financial risk is very low. Currently, Slough has 14 open DPAs and typically agrees around 8 new ones each year, which are administered on behalf of the council by Arvato. The duration of a DPA can vary from a few months to several years, with an average between 2 and 3 years. The average annual deferral is approximately £28,000. Under the new provisions in the Act, it is anticipated that the annual number of DPAs might more or less double.

Slough's current DPA agreement provides for a £250 set-up charge. This has not always been collected, but will be followed up for all existing agreements. Under the Act, Slough will be able to charge the full cost of putting the agreement in place as well as reasonable costs incurred during the life of the arrangement, such as revaluation fees. From April 2015, it is proposed to charge a fixed fee of £595 plus disbursements (typically the cost of registering a charge on the Land Register and property valuation fees). The fee will be reviewed annually in line with inflation.

## **5.7 Policy on 'Top-up' Fees in Care Homes**

The Act establishes a right for people in care homes to choose where they wish to live. Councils must ensure that a person has genuine choice and that at least one option is available and affordable within their personal budget. However, the person must also be able to choose alternative options, including a more expensive setting where a third party is willing and able to pay a 'top-up'. (In certain limited circumstances people are able to pay their own 'top-up'.) The council also has discretion to agree a DPA to fund a 'top-up', subject to the proposed arrangement being sustainable.

The draft policy attached as Appendix B formalises these arrangements.

The main risk is that, if the party paying the 'top-up' ceases to make payments, the council is responsible for the full cost of the placement. It is then faced with a decision whether or not it is appropriate to move the person to an alternative, less expensive placement that can meet their needs. It can also pursue any outstanding debt, if necessary through the courts.

At present, Slough, like most other councils, contracts with the care home only for the council's normal fee, leaving the third party to pay the 'top-up' direct to the provider. The Care Act Statutory guidance recognises that this increases the council's risk and

that councils need to have oversight of the entire arrangement. The guidance states that councils should contract with the provider for the full cost of the placement, and either:

1. Include the 'top-up' as part of the person's income in their financial assessment, or
2. Require the third party to sign an agreement to pay the 'top-up' direct to the council.

Option 2 is **recommended** on the basis that this is the national guidance and will give the Council full oversight of costs especially with the introduction of the care cap.

## 6 **Comments of Other Committees**

Not applicable

## 7 **Conclusion**

The Cabinet is requested to approve the recommendations contained in the report.

## 8 **Appendices Attached**

A – Policy on Deferred Payment Agreements

B – Policy on Top-ups in Care Homes

## 9 **Background Papers**

None

## APPENDIX A

### **SLOUGH BOROUGH COUNCIL: POLICY ON DEFERRED PAYMENT AGREEMENTS April 2015**

#### The purpose of DPAs

The universal DPA scheme has been introduced with the aim that people should not be forced to sell their home in their lifetime to pay for their care. A DPA is a loan secured by a legal charge against the property, through which a person can defer paying the costs of their care until a later date. This can delay the need to sell their home as they make the transition into care.

#### Who is entitled to a DPA?

Subject to adequate security (see below) and acceptance of terms and conditions, Slough will offer a DPA where a person meets all three of the following criteria at the point of applying for a DPA:

- The care planning process has determined that they have eligible needs that are best met in a care home, or in supported living accommodation (including extra care housing)
- The value of their assets, excluding their home, is below the upper threshold set in regulations by the Department of Health (for 2014-15 £23,250, but reviewed annually)
- Their home is not disregarded for purposes of financial assessment, eg because a spouse or dependent relative as defined in the regulations is living there.

Entitlement to a DPA applies equally to people whose care is wholly or partly council-funded and to people who fund the costs of their own care.

Slough may, at its discretion, offer a **discretionary** DPA, subject to adequate security (see below on security) and acceptance of terms and conditions, where:

- A person is marginally above the upper threshold, or
- Paying for care would leave them with limited realisable assets, or
- A person wishes to use the equity in their home to pay for 'top-ups' as set out in the council's policy on choice of accommodation and additional payments, subject to evidence that the top-up arrangement is sustainable (see below on sustainability).

#### What can the DPA be used to pay for?

DPAs are intended to pay for the costs of care and cannot be used for any other purpose. The costs of care include:

- Care home fees
- Support and rental costs in supported living accommodation
- Any administration fees and other disbursements Slough may add to the amount deferred (see below on interest and charges)

A DPA cannot be used to pay for additional services that a care home may offer residents. Nor can it be used to pay for mortgage payments in respect of supported living accommodation.

### How much can be deferred?

The maximum amount that can be deferred is the '**equity limit**'. This will be calculated using the following formula:

Value of property  
less 10%  
less the lower threshold set in regulations by the Department of Health (currently £14,250)  
less any other charges.

To determine the value of the property, Slough will obtain a valuation, the cost of which will be added to the deferred amount unless the person has agreed to pay this separately. The person who has applied for the DPA may, if they wish, obtain an independent valuation. If an independent assessment finds a value substantially different to the council's valuation, an appropriate valuation will be agreed before proceeding with the DPA.

Normally, a person will be able to defer up to the full amount they are paying for their care. They are not obliged to defer the full amount, and may choose to defer less than this if they wish to pay some of the costs from their income or savings.

However, where a person intends to use a DPA to pay for a 'top-up', Slough reserves the right to limit the amount that can be deferred, if it deems that is necessary to ensure that the DPA is sustainable (see below). In these circumstances, the amount a person can defer would not be less than the 'core' cost of care, ie without the 'top-up'.

### Sustainability

In considering a request for a discretionary DPA, Slough will consider with the person the sustainability of the proposed arrangement. Among the factors that will be considered are:

- the likely period the person would want the DPA for
- the equity available
- the period of time they would be able to defer their care costs for - when they would reach the 'equity limit'
- when they might reach the threshold for help with their care costs
- the sustainability of their contributions from other sources
- the flexibility to meet future care needs - how their needs and possibly the costs of care might change, and how increased costs would be funded.

### Effect of DPA on financial assessment

While a DPA is in effect the maximum 'disposable income allowance' used in a person's financial assessment will be £144 per week. They may, however, choose to keep a lower amount.

Slough will have regard to reasonable costs such as insurance and property maintenance when carrying out a financial assessment.

## Security

Slough will accept the following forms of security:

- A first legal charge on the property on the Land Register

Slough may at its discretion accept other forms of security, including:

- A third-party guarantor, subject to the guarantor providing an appropriate form of security
- Assignment of life assurance policy

In considering other forms of security, Slough will consider each case on its merits. Where an asset offered as security is jointly-owned, both owners' consent to the charge will be required. Both owners will be signatories to the charge agreement and must agree not to object to the sale of the property for the purpose of repaying the debt due to the council. Where another party has a beneficial interest in the asset offered as security, similar consent will be required.

Slough will arrange for the security to be revalued when deferral reaches 50% of its most recent valuation, and the cost of this will be added to the deferred amount unless the person has agreed to pay this separately.

## Interest and charges

Compound interest will be charged on the deferred amount including administration fees and other charges that have been added to the deferred amount until the debt is repaid. Interest will continue to accrue even when the 'equity limit' has been reached.

Interest will be charged at a variable rate in line with the 'national maximum interest, which is normally reviewed 6-monthly. Slough will set out in writing the initial rate of interest and will also inform the person in writing if the rate of interest changes.

If Slough pursues outstanding debts through the County Court, interest will accrue on debts at the County Court rate.

Slough will charge an administration fee for setting up the loan. This will be at a flat rate, which will be reviewed annually and published along with all other fees and charges. It will also charge other reasonable one-time fees during the course of the agreement, including but not limited to:

- Valuation and re-valuation fees
- Land Registry charges and associated costs
- Removal of charges

Slough also reserves the right to recover costs associated with pursuing debt through the Court.

## Making the DPA

Once an agreement in principle has been reached, Slough will issue a hard copy of a contract. The person requesting the DPA will have 30 days to consider and raise any questions about the terms of the contract.

## Mental Capacity

Slough will assure itself that the person requesting the DPA has the requisite mental capacity to enter into such an agreement.

Where a person who lacks capacity has either a Finance and Property Attorney or a Deputy, evidence of this will be required before the representative can sign the DPA on the person's behalf.

Where the person who lacks capacity is unrepresented, an application must be made to the Court of Protection:

- A family member willing to take up the role may make a Deputyship
- In the absence of such a candidate an application may be made for a Panel Deputy to be appointed
- Slough may take the view that it will apply for Deputyship, depending on the Council's resources and the composition and value of the person's assets

## While the DPA is in place

Slough will:

- Provide statements 6-monthly or on 28 days' notice
- Include any interest or fees to be deferred when calculating progress towards the equity limit
- Reassess the value of security when 50% is reached
- Review the arrangement with the individual if the amount deferred reaches 70% of the value of the security.

The person who has agreed to the DPA must:

- If contributing to the costs of care, tell the council of changes in income or savings
- Tell the council about relevant changes in care and support needs
- If there is a disregard in their financial assessment, tell the council of a change in circumstances that would affect this
- Ensure appropriate maintenance and insurance arrangements, and provide the council with details of these
- Obtain the council's consent for anyone to move into the property
- Tell the council if they intend to sell the property and when it is sold
- Tell the council if they, or someone acting on their behalf, intends to repay the full amount due.

## Cessation of deferrals

In the event that:

- The person becomes eligible for council-funded care, either because of depletion of assets or because of a property disregard
- No longer needs to be in a care home or supported living
- They breach predefined terms and conditions

Slough reserves the right to stop deferring costs. Slough will give 30 days' notice of its intention to stop deferring costs, but will not demand repayment.

Slough will stop deferring costs, but interest and administration charges can still be deferred:

- When the person reaches the equity limit, or
- Is no longer in a care home or supported living.

### Termination of the DPA

A DPA may be terminated in three ways:

- When the property (or form of security) is sold and the council is repaid
- At any time by the individual, or someone acting on their behalf, by repaying the full amount due (this can happen during a person's lifetime or when the agreement is terminated through the DPA holder's death)
- When the person dies and the amount is repaid to the LA from their estate.

On termination, the full amount due (including care costs, any interest accrued and any administration fees and other disbursements) must be paid to the council. Responsibility for arranging for repayment of the amount due (in the case of payment from the estate) falls to the executor of the will.

If the person decides to sell their home, they must tell the council in writing of their intention, and when the property is sold. They will be required to pay the amount due to the council from the proceeds of the sale, and Slough will relinquish the charge on their property.

If the person, or someone acting on their behalf, decides to repay the full amount due, they must tell the council of their intention in writing. Slough will relinquish the charge on the property on receipt of the full amount due.

If the deferred payment is terminated due to the person's death, the amount due to the council must be either paid out of the estate or paid by a third party. If the person's executor, family, or a third party wish to settle the debt by other means Slough will accept an alternative means of payment provided this payment covers the full amount due. Slough will wait 2 weeks from death before requesting repayment. After 90 days, when repayment falls due, Slough reserves the right to take active steps to recover. Interest will continue to accrue on the amount owed to the local authority after the individual's death and until the amount due to the local authority is repaid in full.



## APPENDIX B

### **SLOUGH BOROUGH COUNCIL: POLICY ON TOP-UPS IN CARE HOMES April 2015**

#### Introduction

Where the care planning process determines that a person's needs are best met in a care home, the Care and Support and After-care (Choice of Accommodation) Regulations 2014 require the council to provide for the person's preferred choice of accommodation, subject to certain conditions.

Slough will ensure that a person has genuine choice and that at least one option is available and affordable within their personal budget. However, they must also be able to choose alternative options, including a more expensive setting, where a third party (or in certain limited circumstances the person themselves) is willing and able to pay a top-up' for the additional cost.

#### Additional Costs ('Top-up' Payments)

If an individual chooses a setting that is more expensive than the personal budget, a statement will be issued setting out how the difference between the personal budget and the actual cost will be met.

In most cases, a **third party** will need to agree to pay the additional cost (**'top-up' payment**). A person may pay their own 'top-up' only in the following circumstances:

- where their home is subject to a twelve-week property disregard
- where they have entered into a Deferred Payment Agreement with Slough (NB: there is not a legal entitlement to a DPA for 'top-up' payments, but Slough will endeavour to agree such arrangements subject to adequate security)
- where the accommodation being offered is funded under section 117 of the Mental Health Act 1983 but not to their liking and they can find accommodation they prefer and pay the difference in cost.

In these cases, having made sure that the individual understands the full implications of this choice, that the person paying the 'top-up' is willing and able to meet the additional cost for the likely duration of the arrangement, Slough will contract with the provider for the full cost of the arrangement.

Slough will require the person paying the 'top-up' to enter into a legally-binding agreement to pay the top-up to the council at the frequency set out in the agreement. The agreement will cover:

- the additional amount to be paid
- the amount specified for the accommodation in the personal budget
- the frequency of the payments
- the payments are to be made to Slough Borough Council
- the provisions for reviewing the agreement
- the consequences of ceasing to make payments
- how any increases in the charges the provider may make will be dealt with
- how any changes in the financial circumstances of the person paying the 'top-up' will be dealt with.

### The Amount to be Paid

The amount of the 'top-up' will be the difference between the actual costs of the chosen provision and the amount set in the personal budget (see above).

### Frequency of Payment

Payments will normally need to be made on a monthly basis.

### Reviewing the Agreement

'Top-up' agreements will normally be reviewed on an annual basis. However, other events may arise, eg as part of the care planning process, that would prompt a review of the 'top-up' arrangements.

### Consequences of Ceasing to Make Payments

If the person who has agreed to pay the 'top-up' ceases to make payments, Slough will take appropriate steps to recover the payments due wherever possible. If agreement cannot be reached, Slough will pursue outstanding debts through the County Court, and reserves the right to recover costs associated with pursuing debt through the Court. Interest will accrue on debts at the ***national maximum interest rate***. If County Court proceedings ensue, interest will then accrue at the County Court rate.

If payments are not maintained, the individual for whose care the 'top-up' is due may be moved to an alternative accommodation that would be suitable to meet their needs and affordable within the personal limit.

### Changes in Provider Charges

Slough will negotiate price changes with the provider as part of its normal contract management process, and will seek to keep any increase in charges to the lowest appropriate level.

However, there is no guarantee that cost increases will automatically be shared evenly should the provider's costs rise more quickly than the amount Slough would have increased the personal budget. Cases will be considered on an individual basis.

### Changes in Financial Circumstances

Slough will consider sympathetically genuine unforeseen changes in financial circumstances. The person who has agreed to pay the 'top-up' must contact Slough in writing as soon as their circumstances change, or they become aware that their circumstances will change (eg by notice of redundancy).

**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet                      **DATE:** 9<sup>th</sup> March 2015

**CONTACT OFFICER:** Joseph Holmes; Assistant Director, Finance & Audit; s151 officer

**(For all enquiries)** (01753) 875358

**WARD(S):** All

**PORTFOLIO:** Councillor Anderson; Commissioner for Finance & Strategy

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

**WELFARE POLICIES****1 Purpose of Report**

To provide revised Council policies in respect of welfare payments.

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

The Cabinet is requested to resolve:

- (a) That the respective policies for Local Welfare Provision, Discretionary Housing Payments and Council Tax Hardship as set out in Appendices A to C be approved.
- (b) That a further paper is brought to Cabinet to consider the future of Local Welfare Provision scheme once the Government Grant is nearing its end.

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

This report supports the 5 Year Plan through support to housing outcome and adults outcome through the use of the Discretionary Housing Payments and Local Welfare Provision funding streams.

**4 Other Implications****(a) Financial**

The Council proposes to maintain spend within the respective budgets and levels set for these budgets so as not to put any additional pressure on the Council's general fund budget. As part of the final Local Government Finance Settlement, the Council received an additional £197k from Government in respect of the LWP consultation, though this amount is un-ringfenced. The Council also received an allocation for DHP that was £243k less than the

current financial year. The Council has proposed to hold the £197k against potential pressures from the various welfare reforms.

(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		
Timetable for delivery		
Project Capacity		
Other		

(c) Human Rights Act and Other Legal Implications

There are no direct legal implications.

(d) Equalities Impact Assessment

A completed EIA is attached at Appendix D.

**5 Supporting Information**

5.1 Attached to this report are three separate policies that members are requested to approved:

- Local Welfare Provision
- Discretionary Housing Payments
- Council Tax Hardship

5.2 The Local Welfare Provision sets out the policy in respect of crisis awards and community care awards. This policy does not alter significantly from the Council's previous policy. However, this policy will only exist whilst underspent funds from previous years are available. The Government has cut specific funding to this scheme and the Council is proposing to spend any funds rolled over from previous years.

5.3 The Discretionary Hardship Fund is included in appendix B. The original intention by Government was for this to assist in respect of the welfare reforms such as the under-occupation (also known as bedroom tax), housing benefit

cap etc. The allocation for this has however been reduced from £672k to £429k, though the pressure on this fund remains, and the Government policy driving costs e.g. under-occupation, remains in place. The Council is investigating a specific request to the DCLG to allow the Housing Revenue Account (HRA) to top up the DHP. **The Council is not proposing to fund rent in advance.**

- 5.4 The Council Tax Hardship fund is detailed in appendix C and does not change significantly from the previous version the Council has. The intent of the policy is to assist with Council Tax payments in case of hardship. Expenditure on this scheme in the past two years has been lower than anticipated.

6 **Comments of Other Committees**

n/a

7 **Conclusion**

That members are requested to review and approve these policies

8 **Appendices Attached**

- 'A' - LWP policy
- 'B' - DHP policy
- 'C' - CTX Hardship policy
- 'D' - Equality Impact Assessments

9 **Background Papers**

None

## Local Welfare Provision

### 1. Background

Local Welfare Provision (LWP) Funding transferred from the Department of Work and Pensions (DWP) to Local Authorities (LAs) on 1 April 2013, to provide locally-administered assistance to vulnerable people. The transfer was made under existing powers and LAs can decide for themselves how to use these funds. The DWP is keen that LAs do not replicate the DWP scheme but instead uses the funding in a way that more closely meets the needs of the community.

There is no statutory duty requiring LAs to deliver a specific scheme for administering this funding but Slough Borough Council (the Council) considered that it was in the best interests of the community to run a scheme for two years to provide the Council with an opportunity to understand and measure local demand. This scheme will be known as the Local Welfare Provision (LWP) scheme.

The LWP scheme has been in operation for two years and the demand has increased over this two year period. Central Government provided funding for two years.

The council has funds available to continue the scheme for another year and then wishes to again review the scheme, the scheme will be run on the same principals as the last two years.

The scheme will be cash-limited to the amount of funding provided by the Government. It will not replace the support mechanisms and budgets that exist elsewhere in the Council.

Slough Borough Council is committed to working with the local voluntary sector, who are key partners in working with our communities, and landlords who are an important asset in providing homes in Slough.

The purpose of this policy is to detail the Council's high level objectives in respect of Local Welfare Provision and detail how the Council will operate the scheme, including the factors that will be taken into account when considering if an LWP award can be made. Each case will be treated strictly on its merits and all applicants will be treated equally and fairly when the scheme is administered.

In principle, this scheme will consider two categories of need:

- Crisis Awards
- Community Care Awards

By the fact that both of the above awards are determined on a similar discretionary basis, an application for a Crisis Award may be treated as an application for a Community Care Award, vice versa.

Further, if an applicant is entitled to Housing Benefit and is suffering from exceptional hardship as a direct result for housing costs (eg. Contractual rent.), an application may be treated in accordance with the Council's Discretionary Housing Payment Policy.

## **2. Statement of Objectives**

The Council will consider making an LWP award to applicants who meet the qualifying criteria, as specified in this policy, providing sufficient funding from the Government grant for this purpose is available at the time of the Council's decision. We will treat all applications on their individual merits. An LWP award will normally be an urgent, one off provision used as a short term fix to prevent a long term problem, and we will seek to:

- prevent serious risk to the health, well being or safety of the area's most vulnerable and financially excluded residents;
- ease severe financial pressure on families in certain situations;
- help those, without the necessary means, to either establish themselves in the community as a transition from care or prison or to remain in their community;
- give flexible financial help to those in genuine need.

## **3. Policy**

### **3.1. Main Features of the Scheme**

The main features of the Slough LWP scheme are that:

- it is discretionary;
- an applicant does not have a statutory right to a payment;
- the total expenditure in any one year resulting from awards under this scheme will not exceed the value of the funding received from the DWP;
- the payment may be treated as a loan with repayment required, e.g. interim payment whilst awaiting Job Seekers Allowance;
- the operation of the scheme is for the Council to determine;
- the Council may choose to vary the way in which funds are allocated according to community needs and available funds;
- other than the normal appeal against the application of a discretionary function by Judicial review, there is no right to a statutory appeal of any application decision. In the interests of fairness the Council will operate an internal review procedure for appeals.

### **3.2. LWP award applications**

1. An application for an LWP award must be made in a way that is acceptable to the

Council. The application must be made by the person to whom the application relates (the applicant) but the applicant can ask a council officer or another person to complete the application.

2. We may determine such other bodies, as we decide are appropriate, to be authorised to decide applications and they will be granted secure access to the necessary Council systems for this purpose.
3. Applications from people not meeting the minimum eligibility criteria will not be considered.
4. We may request any reasonable evidence in support of an application for an LWP award. The applicant will be asked to provide the evidence and it must be provided within one month of the request although this will be extended in appropriate circumstances.
5. We reserve the right to verify any information or evidence that the applicant supplies, in appropriate circumstances, with other council departments, government agencies and external organisations or individuals. We may also use the information for the detection/prevention of fraud.
6. If the applicant is unable to or does not provide the required evidence, in the agreed time, we may treat the application as withdrawn by the applicant and we will not be under an obligation to decide it.
7. We are under no duty to make an LWP award. Where funds are available from another source we will signpost the applicant to those sources rather than make an LWP award.
8. We will aim to decide applications for emergency assistance within 1 working day and all other applications within 10 working days, excluding any days that it takes for an applicant to provide any evidence.

### **3.3. Eligibility Criteria**

An application will only be considered where the applicant satisfies each of the following 9 criteria and at least criterion A or B. References to Slough mean the area within Slough Borough Council's boundary. The applicant must:

1. be aged 16 or over;
2. be able to demonstrate that they have a settled residence in Slough, or have been placed outside of the borough by the council, in the case of someone leaving prison or care, be about to move into Slough;
3. not have savings that can be relied upon to meet the need to which they are presenting;
4. Have a reduction in income, for example the transition period of earning and claiming welfare benefits, or a reduction in working hours
5. Have not received, or be able eligible to receive help from other public funds for the same category.
6. not be excluded from applying for public funds on the basis of immigration status;
7. not have received an LWP award in the past 6 months, unless they can demonstrate significant exceptional need;
8. not have been refused an LWP award for the same need in the past 6 months, unless



- they can demonstrate exceptional/changed circumstances;
9. be without sufficient resources which would in turn cause serious risk to their own, or their family's health or safety or well being;

**AND**

- A.** must require essential assistance to establish, or to remain, in the community;  
or
- B.** must require essential assistance with an emergency (eg: illness/emergency travel costs).

### **3.4 Awarding an LWP**

In deciding whether to make an LWP award we will have regard to the applicant's circumstances including:

- any sources of credit such as cash cards, store cards, credit cards, cheque cards, cheque accounts, overdraft facilities, loan arrangements;
- any help which is likely to be available from other funds, such as Short Term Advances and Budgeting Advances issued by the Department for Work and Pensions to out of work benefit claimants; [This facility is appropriate for applicants that have lost or spent money, or are in need of money while they wait for their first payment.]
- the financial circumstances of the applicant, any partner, their dependants and other occupiers of their household;
- the income and expenditure of the applicant, any partner, their dependants and other occupiers of their household;
- the level of indebtedness of the applicant and their family;
- any medical issues, or other exceptional needs, of the applicant, partner or dependants, or other members of their household;
- whether the circumstances of the applicant are such that an LWP award would alleviate the problems of the applicant;
- being mindful of the amount available in the LWP budget;
- the possible impact on the Council of not making such an award, e.g. the applicant becoming homeless and the costs associated with this;
- any other special circumstance of which we are aware;
- We will decide how much to award based on all of the applicant's circumstances and the LWP funds available and we will be mindful of the likely total calls on the LWP fund.
- The Council may treat the award as a loan rather than a benefit and will then in conjunction with the Customer agree repayment arrangements.

The main items that an LWP payments will be awarded for are :

- Food and Utilities
- Furniture, household equipment and connection charges
- In some case removal expenses

The council will consider any items or emergency expenses as necessary depending on the customers circumstances which could include expenses to attend an interview if they have not been made available by the Job Centre Plus.

### **3.5. Payment of an LWP award**

We will decide the most appropriate method of payment based on the circumstances of each case. The methods may include:

- vouchers;
- provision of goods or services by the Council or third party provider;
- bank account credit to the applicant or some other person as appropriate;
- credit directly to a landlord, rent account
- cash or similar method of payment NB: in exceptional cases only

### **3.6. Notification**

We will notify the applicant of the outcome of their request on the day the decision is made. This may be by letter, email, SMS (text) or a combination of these methods.

Where the application is successful, we will tell the applicant:

- the amount of the award;
- the purpose for which the award should be used;
- the method of payment and, where applicable, of repayment.

The applicant will then need to decide whether to accept the award.

Where the request for an LWP award is unsuccessful or not met in full we will explain the reasons why the decision was made, and explain the applicant's right of appeal.

We may, with the applicant's permission, also inform a support worker or advice agency of a decision.

### **3.7. The Right to Appeal**

LWP awards are not subject to a statutory appeals process. Appeals will therefore be decided by the Council.

We will operate the following policy for dealing with appeals about either the decision not to make an award or the amount of an award:

- An applicant (or their representative) who wants an explanation of an LWP application decision may request one in writing within one calendar month of notification of the decision.
- An applicant (or their representative) who disagrees with a decision may appeal the decision.
- Any appeal must be made in writing or electronically, but must be made within one calendar month of the LWP decision being notified to the applicant.
- Where possible we will try to resolve the matter by explaining the reasons for the decision to the applicant or their representative either verbally or in writing.
- Where agreement cannot be reached, we will review the decision. The officer reviewing the decision will not have been involved in the making of the original decision. The review will be suspended if more information is needed from the applicant.
- The applicant will have one month to respond to the request for further information, thereafter the review will be undertaken on the information held.
- If we decide that that the original decision should not be revised, we will provide full written reasons to the applicant.

### **3.8. Overpayments**

If the Council becomes aware that the information contained in an application for an LWP award was incorrect or that relevant information was not declared, either intentionally or otherwise we will seek to recover the value of any LWP award made as a result of that application.

### **3.9. Fraud**

The Council is committed to the fight against fraud in all its forms. Any applicant who tries to fraudulently claim an LWP award might have committed an offence under the Fraud Act 2006.

If we suspect that fraud may have occurred, the matter will be investigated as appropriate and this could lead to criminal proceedings.

### **3.10. Publicity**

We will publicise the scheme by providing information to relevant agencies, stakeholders and other Council services.

## **4. Monitoring/ Audit of the Scheme**

To ensure transparency and consistency, there will be regular monitoring of applications made against the scheme. Such monitoring will be undertaken with due regard to the Council's responsibilities under all relevant legislation. The Council is subject to the general equality duty which requires that it has due regard to the need to:

- Remove or minimise disadvantages suffered by persons who have a relevant protected characteristic specified in the equalities act and other relevant legislation.

- Take steps to meet the needs of persons who share relevant protected characteristics that are different from the needs of persons who do not share it.
- Foster good relations.

If an applicant wishes to make a complaint about the nature in which their enquiry or application was dealt with. We will adhere to our corporate complaints procedure. Please note, there is a separate review / appeals process for applicants unhappy with their decision (see 3.7 above).

## Slough's Discretionary Housing Payments Policy 2015-16

### 1. Introduction

- 1.1 Discretionary Housing Payments (DHPs), are awarded by the Council to provide financial assistance (outside of the Housing Benefit and Universal Credit regulations) to help customers meet their housing costs.
- 1.2 The regulations covering DHP's are the Discretionary Financial Assistance Regulations 2001, and amendments included in the Council Tax Benefit abolition (consequential amendments) regulations 2013 and the Universal Credit consequential amendments regulations 2013.
- 1.3 In addition the Secretary of State has also released a Guidance Manual and Good Practice Manual in April 2014
- 1.4 SBC has taken into consideration the above when developing the DHP policy.
- 1.5 DHPs can play an important role in sustaining tenancies, preventing homelessness and, where needed, enabling customers to move to more affordable accommodation.
- 1.6 DHPs may cover all or part of a shortfall in a customer's eligible rent or provide the damage deposit or other assistance a tenant may need in order to secure a tenancy. DHPs may be awarded as a one-off payment and/or as a series of payments.
- 1.7 To qualify for a DHP, the customer must have a rent liability, require further financial assistance with their housing costs and have been receiving Housing Benefit or Universal Credit throughout the period for which they are claiming assistance.

### 2. Amount of funding available

- 2.1 The Department for Work and Pensions (DWP) makes grants available to local authorities for DHP purposes. In 2015/16, the total DHP grant budget (shared between all local authorities in England, Scotland and Wales) is £125 million
- 2.2 The £125 million consists of a core amount of £15 million, a Benefit Cap allocation of £25 million, a Social Rented Sector Size Criteria ('bedroom tax') allocation of £60 million and a Local Housing Allowance Reforms allocation of £25 million.
- 2.3 Slough's share of this £125 million grant is **£429,112**,
- 2.4 The Council needs to consider how to allocate this limited DHP resource in a way that is not only fair but also supports those that are in most need of assistance.

### 3 Slough's DHP scheme

- 3.1 Welfare reform is aimed at encouraging people to move into work, increase their

hours and/or move to more affordable accommodation.

3.2 Although it is hoped that many people will be able to address and resolve their difficulties without the need for a DHP, the Council recognises that DHPs have an important role to play in providing customers with short term assistance to ease transitions and allow households time to find a way to resolve their difficulties.

3.3 The overriding principles of Slough's DHP scheme are as follows:

- All customers will be treated fairly;
- All DHP applications will be assessed on their individual merits (which includes, where relevant, considerations of equality);
- All of the options available to the customer (including, for example, reducing household expenditure, maximising income, securing employment and/or moving to alternative, less expensive accommodation) will be taken into account when the Council assesses the merits of each application; and
- In order to be awarded a DHP, customers must be able to show that their circumstances are exceptional.

#### **3.4 Examples of the shortfalls that DHPs may cover**

3.5 The Council is not required to spend its overall grant allocation in any particular way, it is a matter for its discretion.

3.6 The types of shortfall that a DHP may cover include the following:

- Reductions in Housing Benefit or Universal Credit, resulting from the application of the Benefit Cap;
- Reductions in Housing Benefit or Universal Credit, resulting from the under-occupation of social rented housing;
- Reductions in Housing Benefit or Universal Credit, resulting from Local Housing Allowance restrictions, including the Shared Accommodation Rate;
- Reductions in Housing Benefit or Universal Credit, resulting from non-dependant deductions and the use of income tapers;

#### **3.7 What DHP cannot cover**

3.8 For the purposes of a DHP, the following elements of a customer's rent cannot be included in their claim for housing costs because the regulations exclude them:

- Ineligible service charges
- Increases in rent that are due to outstanding rent arrears; and
- Certain sanctions and reductions in Benefit

### **3.9 Objectives of this DHP policy**

3.10 The Council will consider making a DHP award to applicants who meet the qualifying criteria. Assessing all applications on their individual merits, it will consider the extent to which the financial assistance requested will meet the Council's objectives of:

- Encouraging and sustaining people in employment;
- Sustaining tenancies and preventing homelessness;
- Safeguarding Slough residents in their own homes;
- Helping people who are trying to help themselves;
- Keeping families together;
- Supporting victims of domestic violence to move to a place of safety
- Supporting the vulnerable and elderly in the local community;
- Helping customers through personal and difficult events;
- Supporting young people in the transition to adult life; and
- Promoting good educational outcomes for children and young people.
- Avoidance of unlawful discrimination

### **3.11 Support for households affected by welfare reform**

3.12 DHPs are not generally intended to be used as a long term solution to the customer's financial difficulties. Instead, they should be used to provide short term assistance to ease transitions and allow households time to find a way of resolving their difficulties.

3.13 All applications will be assessed on their individual merits. However, when considering applications, the Council will take into account not just the cash limitations of what remains in the DHP budget but also the extent to which a DHP can help the customer to overcome temporary difficulties and, if possible, enable them to secure paid employment and/or move to alternative accommodation that they can afford.

3.14 The expectation is that DHPs will be awarded in unusual or extreme circumstances where additional help with the current rent will have a significant effect in alleviating hardship, reducing the risk of homelessness or alleviating difficulties that may be experienced in the transition from long term benefit dependence into work.

3.15 At the discretion of the Council, conditions may be attached to a DHP award.

### **3.16 Households affected by the Benefit Cap**

3.17 The purpose of the DHP funding is to provide short-term, temporary relief to mitigate the most severe effects of the Benefit Cap until a more sustainable solution is found.

- 3.18 Examples of the groups that are likely to be particularly affected by the Benefit Cap include (but are not limited to) the following:
- Families living in private rented accommodation
  - Families living in temporary accommodation;
  - Individuals or families fleeing domestic violence;
  - Those with kinship responsibilities;
  - Individuals or families who cannot move immediately for reasons of health, education or child protection; and
  - Households that are moving to or are having difficulty moving to more appropriate accommodation.
- 3.19 The intention of the DWP is that the majority of these customers affected by the benefits cap will move into work and therefore become exempt from the cap. Some may choose to move whilst others may consider other means by which they might be able to meet any shortfall such as trying to negotiate a reduction in their rent or meeting the shortfall from other sources.
- 3.20 Given the limitations of the DHP budget, it is necessary that priority is given to customers in order to assist them achieve the above aims.
- 3.21 The Council is unable to provide a prioritised list as it will treat each claim on its own merits and take into consideration the individual circumstances of the customer – the following are the areas where the Council will consider a priority, but other cases depending on the circumstances will not be excluded.
- Households that need to move to alternative, lower cost accommodation but are unable to do so immediately (for reasons of health, education or child protection) and the provision of short-term financial assistance will contribute to the achievement of one or more of the Council's DHP policy objectives
  - Households that need to move to alternative, lower cost accommodation but are working proactively to resolve their situation and the short-term award of a DHP will, prevent the household from becoming homeless or delay homelessness for long enough to enable them to complete a planned move to more affordable accommodation;
  - Households are, working proactively with Jobcentre Plus and advice / support providers to secure paid employment, claim Working Tax Credit and become exempt from the Benefit Cap.
  - Homeless households that are residing in temporary accommodation (provided by, or on behalf of, Slough Council) and have been assessed, by the Council, as being particularly vulnerable, and needing to remain in the area or they are awaiting an offer of alternative temporary accommodation, procured at a lower cost; or are awaiting a decision on their Homeless application
- 3.22 All DHP applications will be assessed on their individual merits.



### **3.23 Households affected by the Benefit Cap that will not be entitled to DHP**

3.24 Any household that has taken on a new tenancy who does not fulfil the vulnerable criteria outlined above will not be considered eligible for DHP as the Council expects households to consider their income and expenditure when sourcing new accommodation.

### **3.25 Households affected by the Social Rented Sector Size Criteria**

3.26 The purpose of the DHP funding is to help those customers who are unlikely to be able to meet the shortfall in the rent payments and for whom moving to a smaller property may be inappropriate or avoidable.

3.27 For customers living in significantly adapted accommodation, it will sometimes be more cost-effective to allow them to live in their current accommodation rather than moving them into smaller accommodation which then needs to be adapted.

3.28 Given the limitations of the DHP budget – and on the understanding that the Council and its housing association partners will do everything they can to support customers and prevent them from becoming homeless – the Council will give priority to DHP applications received from the following households:

- Households that contain a person with a disability and are living in ‘significantly adapted’ accommodation;
- Households that contain a disabled child who is unable to share a bedroom because of their severe disabilities, where regulations do not allow for the extra bedroom;
- Households that contain a disabled child and are living in accommodation that has been adapted to meet the child’s needs, where regulations do not allow for the extra bedroom; and
- Households containing someone who has a severe and persisting disability which means that they are dependent on the care and support of relatives and friends who are living in the local community and there is no suitable accommodation available, within the local area, to which they are able to transfer.
- Households where an additional room is needed because of a person or persons disability, which precludes a couple sharing a room or where an additional room is needed to store equipment essential because of a persons disability.
- Households who have been approved as adopters or prospective foster parents within the last 52 weeks or are going through the approval process and need a spare room(s) in order to qualify.

3.29 Depending on the level of demand for DHPs, the Council may also give priority (albeit slightly less priority than is given to the households affected by the Size Criteria listed above) to DHP applications from the following households:

- Households whose Housing Benefit is restricted by the Size Criteria but that restriction will soon be lifted because the customer (and their partner, if they have one) will reach the age at which they will be able to claim Pension Credit;

- Households whose Housing Benefit is restricted by the Size Criteria but that restriction will soon be lifted because one or more of their children will soon reach an age when they are not expected to share a bedroom;
- Single people who are pregnant (and childless couples containing a pregnancy) who are living in a two-bedroom home but whose Housing Benefit is restricted by the Size Criteria to a one-bedroom home but that restriction will soon be lifted when the baby is born; and
- Households with exceptional need, which are actively and consistently engaging in seeking to downsize to accommodation that matches their need.

**3.30 Households affected by the Social Rented Sector Size Criteria that will not be entitled to DHP**

3.31 Any household that has taken on a new tenancy who does not fulfil the vulnerable criteria outlined above will not be considered eligible for DHP as the Council expects households to consider their rental liability, income and expenditure when sourcing new accommodation.

**3.32 Other households requesting a DHP, including those that are affected by the Local Housing Allowance Reforms**

3.33 The purpose of the DHP funding is to provide short-term, temporary relief to families and vulnerable people whose Housing Benefit or Universal Credit has been reduced, due to Local Housing Allowance restrictions (including the LHA Caps, the Shared Accommodation Rate and changes to the way in which LHA is calculated), income tapers and non-dependant deductions.

3.34 DHPs cannot assist with the council tax liabilities that residents incur under the 2013 Council Tax Reduction scheme.

3.35 All DHP applications will be considered on their individual merits. However, the Council will give priority to applications from households that have children and need to move to alternative, lower cost accommodation but are unable to do so immediately (for reasons of health, education or child protection).

**3.36 Rent-in-advance, damage deposits and removals**

3.37 The DHP budget is insufficient to meet the rent shortfalls of the thousands of customers whose Housing Benefit and Universal Credit will no longer cover their full rent.

3.38 In order to provide long term solutions, the Council will help and encourage customers to move to alternative accommodation that they can afford.

3.39 Instead of providing customers with short term assistance to enable them to maintain the rent payments on a home that they will never be able to afford without a DHP, the Council may decide that it would be better to help those customers to move to somewhere they can afford, at a much earlier stage, by providing them with the help they require to pay the damage deposit. LHA rates will be used in all cases as the ceiling for damage deposits.

3.40 When considering DHP requests for such a purpose, the Council will take into account any damage deposit that is due to be returned to the customers. The Council will also check that the customer's new home will be affordable

- 3.41 The Council will not normally pay rent-in-advance or removal costs.
- 3.42 Customer may make an application for Local Welfare Provision, where assistance with removal costs is required.
- 3.43 Rent in advance payments will not generally be paid as Housing Benefit is available for any period of rent liability, though in line with the Housing Benefits' regulations it is paid in arrears. Customers may make an application for Housing Benefit where assistance with rental liability is required.
- 3.44 The Council will consider rent in advance only in exceptional circumstances such as where it is necessary to make such a payment to comply with the authority's legal obligations (e.g. avoiding unlawful discrimination).
- 3.45 The guidance from the Secretary of State's Guidance issued in April 2014 by the DWP has been taken into considered.

#### **4 Assessment of applications**

- 4.1 When deciding whether or not to award a DHP, the Council will assess each application on its merits (including considerations of equality) and take into account its objectives and such things as:
- The size of any shortfall that exists between what the customer is receiving in housing costs (from Housing Benefit or Universal Credit) and the eligible housing costs for which they are liable, together with the reasons for this shortfall;
  - The financial circumstances (income and expenditure, savings, capital and indebtedness) of the customer, their partner and anyone else living in their home;
  - Any special needs or health and social problems that the customer and/or their family have, and what impact these have on their housing and financial situation;
  - The impact that moving home and/or changing schools is likely to have on the family and the educational outcomes of any young people in the household;
  - The reasons why, compared to other people, the circumstances of the customer and their family should be considered 'exceptional';
  - The impact that not awarding a DHP is likely to have on the Council's finances and services, especially homelessness, social care, family support and health;
  - The length of time for which a DHP is being sought;
  - Any steps the customer has taken to reduce their rental liability;
  - The amount of money remaining in the DHP budget; and
  - Any other factors that the Council and/or customer consider appropriate.

- 4.2 The Council will not normally make allowance for any financial loss resulting from the customer's failure to claim any benefits in a timely manner. No allowance will be made, either, for any debt relating to an overpayment of Housing Benefit.
- 4.3 When the Council has considered the customer's needs and circumstances, it will decide how much to award. This may be any amount below the difference between the rental liability and payment for Housing Benefit / Universal Credit. The DHP award cannot exceed the weekly eligible rent for the customer's home.
- 4.4 The award of a DHP does not guarantee that a further award will be made at a later date, even if the customer's circumstances remain unchanged.

## **5 Claiming a DHP**

- 5.1 The regulations require a DHP to be claimed.
- 5.2 In most cases, the person who claims a DHP will be the person who is receiving Housing Benefit or Universal Credit, or their partner. However, the Council may also accept a claim from someone who is acting on behalf of that person (such as an appointee or advocate) if the person is vulnerable and requires support.
- 5.3 The Council accepts DHP claims in writing and provides an application form for this purpose.
- 5.4 A claim for a DHP will be considered from the date a DHP is requested, but on condition that all supporting information and documentation is received by the Council within one month of that request.
- 5.5 If the Council requires additional information and evidence to assess the claim, it will request this from the customer in writing, electronically or verbally (over the telephone, face to face or by visit). The customer must provide this information and documentation within one month of the date of the request.
- 5.6 If the customer fails to provide the information and documentation on time, the Council will make a decision based on any information it already holds, including the information held on its Housing Benefit computer system. More time may be allowed for some individuals, however, if the Council thinks it is reasonable to do so.

## **6 Period of award**

- 6.1 The Council will decide on the length of time for which a DHP is to be awarded.
- 6.2 The start date for an award will normally be the Monday following receipt of the claim. However, the Council does have the discretion to backdate an award for DHP if it considers that the applicant's circumstances merit this.
- 6.3 DHPs will normally be paid for a minimum of one week. The length of each award will be based on the individual circumstances of each customer; no award will be made past the end date of the tenancy agreement.
- 6.4 As an award can only be made for the current financial year, any award that is made for the remainder of 2015/16 will have to be followed by a new application for the next

financial year even if the customer's circumstances remain unchanged.

- 6.5 Although all customers are entitled to make a fresh claim (for a further DHP) when their existing award comes to an end, the Council will not automatically invite customers to apply for another DHP.
- 6.6 As DHPs will not usually be regarded as offering a long term solution to a customer's financial situation, the maximum length of a DHP award (or a series of consecutive awards) will not normally exceed 12 months. Exceptions may be made, in particular for certain customers affected by the Social Rented Sector Size Criteria and where the Council continues to regard it as inappropriate for the customer to have to move.
- 6.7 Failure to meet the conditions stated in the award notification may lead to an initial reduction or the complete withdrawal of the award.

## **7 Request for backdating**

- 7.1 The Council will consider any reasonable request for backdating a DHP award. However, these will be limited to the period in which the customer has been receiving Housing Benefit or Universal Credit they will be limited to the current financial year, unless exceptional reasons for a late claim are accepted.

## **8 Making a claim in advance**

- 8.1 A DHP can only be considered for a period when the customer is entitled to Housing Benefit or Universal Credit.
- 8.2 However, claims can be made in advance, where the customer is anticipating a change in their situation, such as the forthcoming imposition of the Benefit Cap and the Social Rented Housing Size Criteria.

## **9 Notification of decisions**

- 9.1 The customer will be notified, in writing, of the outcome of the DHP claim within 14 days of receipt of the claim and all supporting documentation, or as soon as possible after that.
- 9.2 If a claim is unsuccessful, the Council's decision letter will include an explanation of how the decision has been reached and details of the right of review.
- 9.3 If the claim is successful, the Council's decision letter will include the following:
- The reason for the award;
  - The amount awarded;
  - The period of the award;
  - To whom the DHP will be paid;
  - The customer's duty to report any changes in circumstances and

- Any conditions associated with the award

## **10. Changes in circumstances**

- 10.1 The customer must tell the Council if their circumstances change after a DHP is awarded. This is made clear to customers in the award letter and application form.
- 10.2 The Council may revise a DHP award if the customer's circumstances have changed.

## **11. Payment arrangements**

- 11.1 The Council will decide whether the DHP should be paid to the tenant, the landlord or a third party.

## **12. Right to request a review**

- 12.1 As a DHP is not a payment of Housing Benefit or Universal Credit, it is not subject to the appeals mechanism that operates under those schemes.
- 12.2 Customers can request a review of a decision to refuse to award a DHP, a decision to award a reduced amount, a decision not to backdate an award for DHP or a decision to seek recovery of an overpayment of a DHP as follows:
- A customer (or their representative) who disagrees with a DHP decision may request a review. This request must be made in writing, within one month of when the notification was issued, and set out the reasons for requesting a review. (The time limit for requesting a review may be extended if the Council considers it reasonable to do so).
  - The appeal will be reviewed by an independent officer(s) to those that made the original decision.
  - The customer will be notified in writing once the decision has been reviewed, including the outcome of the review and a new decision notification if appropriate.
- 12.3 This decision will be final. In cases of alleged maladministration by the Council, the customer should follow the Council's complaints process. If a customer is still unhappy, they have a right to contact the Local Government Ombudsman.

## **13. Overpayments**

- 13.1 The Council will make every effort to minimise overpayments of DHP.
- 13.2 If an overpayment does occur, the Council will decide whether or not it is appropriate to recover it. If recovery action is appropriate, the Council will send an invoice to the customer (or the person to whom the DHP was made) and a written explanation of how the overpayment occurred and the periods and amounts to which it relates.
- 13.3 Where the overpayment is a result of an error made by the Council, recovery will not normally be sought, unless the customer or person who received the payment could have reasonably known they were being overpaid.

- 13.4 DHP overpayments will not be recovered from payments of Housing Benefit and Universal Credit that are due to the customer, but may be recovered from any future awards of DHP.

## **14 Fraud**

- 14.1 The Council is committed to tackling and preventing fraud in all its forms.
- 14.2 If a customer, Landlord or Agent attempts to claim a DHP by making a false declaration or providing false evidence or statements, they may have committed an offence under the Theft Act 1968. Where the Council suspects that fraud may have occurred, it will investigate the matter as appropriate and this may lead to criminal proceedings.

## **15 Publicity**

- 15.1 The Council has a responsibility to ensure that it does not limit the legal discretions it may apply, and it is committed to applying this policy fairly and consistently.
- 15.2 It will take steps to maximise take up to make sure that the funds are targeted towards those who are most in need. This policy will be made available on request and via the Council's website: [www.slough.gov.uk](http://www.slough.gov.uk)

## **16 Debt advice**

- 16.1 Anyone experiencing debt problems will be signposted to local debt advice agencies (including the Citizens Advice Bureau) for free, confidential, impartial advice.

## **17 Policy review**

- 17.1 This policy will be reviewed on a regular basis and in light of any legislative changes, trends or other factors that impact on its effectiveness.
- 17.2 The Council may also, during the course of any year, review and reconsider whether it should allocate any of its own resources towards the overall DHP budget.

## **Council Tax Relief on the Grounds of Hardship**



## **1. Introduction**

- 1.1 The Local Government Finance Act 1992 section 13a has always allowed for a discretionary relief of Council Tax in exceptional circumstances including hardship.
- 1.2 From 1 April 2013 the Council Tax Benefits scheme was replaced with the Council Tax Support scheme
- 1.3 Slough Borough Council further specified the Council Tax Hardship scheme for 2013 -2015 and has chosen to review the scheme and to ensure that the criteria is clear for 2015-16 and beyond.
- 1.4 The Council Tax Hardship scheme is developed to support residents who are suffering hardship and need assistance for a specified period of time to pay their Council Tax.
- 1.5 The scheme will only be used for the payment of Council Tax and all payments will be credited to the Council Tax account, no payments will be paid direct to the Customer.

## **2.0 Legal Background**

The following legislation and regulations are relevant to this document:

- 2.1 The Local Government Finance Act 2012
- 2.2 The Local Government Finance Act 1992 Section 13A(1)(c)
- 2.3 The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012
- 2.4 Slough Borough Council Local Council Tax Support Scheme 2012
- 2.5 Child Poverty Act 2010
- 2.6 Equality Act 2010 (incorporating the Disabled Persons Act 1986)
- 2.7 Housing Act 1996
- 2.8 Armed Forces Covenant
- 2.9 Social Security Act 1992

### **3 Costs to the Council**

- 3.1 There is a cost to the Council of the full amount of hardship relief awarded for Council Tax which must be met by the Councils collection fund.

#### **Council Tax**

- 4.1 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. Applications will be accepted on the basis that the applicant or household would suffer exceptional financial hardship if financial assistance were not given.
- 4.2 Exceptional circumstances for hardship under the Council Tax regulations will usually be circumstances that are outside the control of the household and beyond normal risks faced by a household. The household must demonstrate that it has done all it can to mitigate those risks and is taking action to minimise them.
- 4.3 To get help with Council Tax payments you need to apply for Council Tax Support. The Council recognises that where the Council Tax Support is less than 100% of the Council Tax due there may be cases of exceptional financial hardship where additional support is sought.
- 4.4 The Council also recognises that there are circumstances where a Council Tax Payer may be experiencing exceptional hardship but may not be eligible for Council Tax Support; the policy does not preclude applications from any Council Tax Payer as long as they meet the criteria set out.
- 4.5 Council Tax hardship relief will not be awarded for any reason other than to reduce Council Tax liability
- 4.6 Only one Council Tax hardship application can be made in a financial year by the household.
- 4.7 Council Tax hardship relief will only be awarded for the financial year in which the application is made.
- 4.8 An application can be made for backdated hardship relief but this will only be considered where the householder was incapacitated and unable to make a claim in the previous year.
- 4.9 Council Tax hardship payment cannot be made to cover previous year's arrears.
- 4.10 Individuals in this group will not be defined but need to be able to demonstrate their circumstances and have exhausted other sources of income that are available to them.

### **5.0 The scheme**

- 5.1 This scheme exists for those experiencing exceptional financial hardship which is defined as the total weekly amount of uncontrolled outgoings being 65% or more of weekly income.
- 5.2 Individuals in this group will not be defined but need to be able to demonstrate their circumstances and have exhausted other sources of income that are available to them.
- 5.3 Each case will be considered on its own merits.
- 5.4. Where there is a Joint and Several liability for Council Tax, each liable person must be party to the application and both/all provide the information required to support the claim (see section 6).
- 5.5 Applications for Hardship Relief should be one of last resort. Applicants will be expected to have explored and secured any lawful entitlement to other benefits, incomes and reductions in preference to claiming Hardship Relief
- 5.6 Applicants will need to ensure they are able to satisfy the Council that they have taken all reasonable steps to resolve their own situation prior to award.
- 5.7 Awards may be made if the above applies and:
- There is evidence of exceptional financial hardship that justifies an award
  - The applicant or household has supplied all evidence requested by the Local Authority in respect of their claim for CTS
  - The applicant or household must have applied for any appropriate discount or exemption and supplied any evidence requested by the Local Authority in respect of that application
  - The applicant or household does not have access to any other financial assets that could be realised to pay the Council Tax
  - The applicant or household must not be avoiding outstanding Council Tax due to wilful refusal or culpable neglect
  - The Council's finances must allow for an award to be made
  - The applicant has applied for any welfare benefits they may be entitled to.

## **6 Applications**

- 6.1 Applications must be made in writing using the approved claim form together with supporting evidence as required.
- 6.2 The applicant must be the person or persons liable to pay the Council Tax, or be their representative with authority to act on their behalf i.e. Power of Attorney
- 6.3 If an applicant or household needs advice and support to complete a claim form, they will be signposted to an appropriate service that offers support relevant to their needs.

6.4 The applicant must set out the reasons for applying including explaining any special circumstances or hardship being experienced.

6.5 Applicants must provide the following to support their application

- Evidence of hardship or personal circumstances that justifies a reduction in Council Tax Liability.
- Evidence that the Council Tax Payer has taken reasonable steps to resolve their situation prior to application.
- The Council Tax Payer can demonstrate that they do not have access to other assets that could be realised and used to pay Council Tax
- The Council Tax payer must provide evidence of their income and outgoings, where a Housing Benefit or Council Tax Support claim is in payment this can be used for income purposes
- All other eligible discounts/reliefs have been awarded to the council tax payer
- All eligible benefits must have been claimed, where a benefit is suspended this will be treated as in payment for the purposes of the above calculation.
- The liable person for a long term unoccupied domestic property has made their best efforts to sell or let the property and to levy a council tax charge would cause them exceptional financial hardship.

6.6 The Council may require further information e.g.

- Evidence may be requested that is relevant to the nature of the claim e.g. evidence of illness. It should be noted that no costs will be borne by the Council with regard to obtaining the evidence.
- Failure to provide supporting information and evidence that is requested will lead to a refusal, unless the applicant can show good cause for the failure.
- All information and evidence provided will be treated in confidence and in accordance with the Data Protection Act 1998.
- Where the Council requires additional information or evidence it will write to the applicant requesting that the information is supplied within one calendar month.
- The applicant is required to report any changes in their circumstances or the circumstances of household members immediately in writing to the Council. A failure to report changes will lead to a loss of Council Tax Hardship Payment and may lead to prosecution where appropriate.

## **7.0 Authority to award relief**

- 7.1 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.
- 7.2 All applications for awards of Local Council Tax discount in cases of hardship will be determined by the Council's S151 Officer.
- 7.3 Hardship Relief will only be awarded where it is reasonable to do so in light of the impact on other council tax payers
- 7.4 All applications for awards of Hardship Relief will be subject to a maximum award of the equivalent of 6 months Council Tax Payable
- 7.5 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.
- 7.5 The decision will be notified to the applicant in writing
- 7.6 Appeals against awards to be finally determined by a Member Appeals Panel.
- 7.7 Details of the recipients and the amount of awards will be reported to the Cabinet annually.

## **8.0 Interests of Officers and Members**

- 8.1 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.
- 8.2 Examples of interests include those in the following list. However, the list is not intended to be exhaustive.
  - A close relative of the applicant
  - An interest in the property for which the relief is being sought

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, Monitoring Officer and Head of Paid Service, & 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).

## **9.0 Appeals**

- 9.1 There is no statutory right of appeal against a decision regarding a hardship relief made by the Council. However, the Council recognises that chargepayers should be entitled to have a decision reviewed objectively if they are dissatisfied with the outcome.
- 9.2 The Council agrees to abide by the following appeals process and aggrieved chargepayers should make an appeal in accordance with the process.
- 9.3 Chargepayers 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.
- 9.4 This appeals process does not affect a chargepayers legal rights.

## **10.0 Appeals Process**

- 10.1 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.
- 10.2 Appeals against decisions will be considered by the Members Appeal Panel. Decisions on appeals made by the Members Appeal Panel will be final.
- 10.3 Applicants must make an appeal within four weeks of the issue of the letter notifying them of the Council's decision.
- 10.4 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.
- 10.5 Applicants may appeal against the decision to award or not award relief, or against the level of relief awarded.
- 10.6 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.
- 10.7 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.
- 10.8 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.

- 10.9 Each application will be considered individually on its merit.
- 10.10 The appeal decision may be adjourned if further information is required from either party.
- 10.11 The applicant will be informed of the final decision, and the reasons for the decision within four weeks of the hearing.
- 10.12 Submitting an appeal does not affect the appellant's legal rights to challenge a decision made by the Council through the Judicial Review process.

### **11.0 Discontinuation of Applications or Appeals**

- 11.1 If the Council has requested further evidence from the chargepayer and this has not been received within four weeks the application or appeal will be deemed to have been discontinued.
- 11.2 Chargepayers will be notified in writing in these circumstances

### **12.0 Notifications and payment of award**

- 12.1 The Council will consider applications within six weeks of the application and all supporting information being received or as soon as practicable thereafter.
- 12.2 Notification of the outcome of the decision will be made in writing within fourteen days of the decision being considered.
- 12.3 If your application is successful, the balance on your Council Tax. The maximum amount of help combined with Council Tax Support is 100% of your Council Tax. Any hardship payment will be made by way of reduction to your Council Tax charge.

### **13.0 Action to recover unpaid Council Tax**

- 13.1 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.
- 13.2 In the event of an application or appeal being discontinued recovery action may be commenced seven days after the chargepayer has been notified of the discontinuation.

### **14.0 Promotion of Hardship Relief**

- 14.1 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 chargepayers 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.

## **15.0 Recovery of a Hardship Relief award**

- 15.1 If an amount of hardship relief awarded is subsequently cancelled the amount will be removed from the applicant's Council Tax account and will be payable as Council Tax due under Council Tax regulations.

## **16.0 Fraud**

- 16.1 The Council may always correct any award made under this scheme where fraud or error has occurred.
- 16.2. Where a customer has failed to provide information or has knowingly supplied false or misleading information the Council reserves the right to withdraw any award made under this scheme.
- 16.3. Furthermore, the Council reserves the right to investigate any alleged offences, to levy penalties in accordance with the law and to prosecute anyone who has committed a criminal offence

## **17.0 Data Sharing and Fair Processing**

- 17.1 The Council may use any evidence and information supplied to it in respect of hardship relief to check the eligibility of the applicant in respect of this scheme or any other welfare benefit, discounts or exemptions.
- 17.2 Slough Borough Council is required by law to protect the public funds it administers. It may share information provided to it with other bodies responsible for auditing or administering public funds, in order to prevent and detect fraud. Data will only be shared if the law permits it.

## **18.0 Budget Restrictions**

- 18.1 The Council Tax Hardship Relief will have a budget set each financial year.
- 18.2 The allocated budget will be taken into account when making a decision on the award of relief but the availability of the budget will not preclude the award of relief.





## Application Form

### About you

Please note that fields marked \* are required.

In order that we can deal with your enquiry quickly and fully, please provide as much information as you can. Failure to provide all of the information requested may result in a delay and we may need to contact you again for more information.

#### **Council Tax account number (8 digits beginning with a 5)**

#### **Title and full name**

#### **Address and postcode**

#### **Daytime telephone number**

#### **Email address**

Address to which this claim relates (only if different from the address given above)

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#### **Tell us why you need this extra help**

Is there anyone who may help you with your Council Tax payments, like other adults who live with you or family/friends?

Yes  No

If yes, please give details of how they may help

Is there likely to be a change in your income, capital or family circumstances compared to that shown in your Council Tax Support claim?

Yes  No

If yes, please give details of the likely change - what it is, when it is likely to happen and how it will affect your circumstances

Please state the steps you have taken to address your exceptional financial hardship. (Please be specific as this could materially affect the outcome of this application).

How long would you expect to be experiencing exceptional financial hardship? If this period exceeds six months, also please outline why you think this is likely.

Please confirm your current income below (including that of any partner living with you): \*

	Amount £	How often do you receive this?
State Benefits	<input type="text"/>	<input type="text"/>
Income from Employment	<input type="text"/>	<input type="text"/>
Other Income	<input type="text"/>	<input type="text"/>

Tell us about your uncontrollable outgoings: \*

	Amount £	How often is this paid?	Any debt you owe?
) Mortgage or Rent (amount not covered)	<input type="text"/>	<input type="text"/>	<input type="text"/>

by Housing Benefit  
or DHP)

) Water Charges			
(Gas/Electricity/other fuel costs (e.g. oil)			
) TV License			
) Travel costs to place of employment			
Social Fund repayments			
) Court Order fines			
) Loan repayments			

	Company /person providing loan to you	Balance owing £	Repayment offer (if any)
1.			
2.			
3.			

We normally decide claims based upon uncontrollable outgoings and income but you may bring to our attention any other expense or issue that you wish to be considered in the space below.

**Declaration**

Please read this declaration carefully before signing:

- -I confirm that as far as I know, the information given on this form is correct and complete.
- -I give you permission to make any necessary enquiries to check the information on this form with other departments of the Council and other Government agencies
- -I understand that I will have to pay back any overpayment of Council Tax Hardship payment caused by my failure or delay in telling you about a change in my, or my partner's, circumstances.

Signed ..... Date .....

**What to do now**

- -Make sure you have filled in this form correctly and fully

- -Include any supporting evidence you have to show you are experiencing exceptional financial hardship
- -Check you have read and signed the declaration
- -Complete the Equalities monitoring form (which we use to monitor take-up of this scheme)

### **Equalities Monitoring**

We help people according to their needs. We keep records to show that we treat everyone fairly. Your answers will help us to do this. In each section, please tick the box that best describes you.

#### **Ethnic Origin:**

Please tick the box that best describes your ethnic group

# 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: 15.01.2015</b>	
<b>Name of service/function or policy being assessed: Council Tax Hardship Policy 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 Council Tax Hardship Policy was part of the Revenues hardship policy and incorporated Business Rates, however the number of application has increased considerably and from less than 5 per annum or nearly 1000 because of changes to Council Tax Support and the Welfare Reform changes and it was felt that having a separate clear policy for Council Tax Hardship was now required.</p> <p>The principals of the policy to support Customers in their Council Tax payment and to offer additional financial help in paying their Council Tax in exceptional circumstances remains the same.</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 is delivered in the first instance by our partner arvato, whose role it is to accept all applications, analysis them, request such supporting information as they see fit and assess how much local Council Tax Hardship award a person will be entitled to within the bounds of the scheme. Once avarto have carried out this assessment they will pass the paperwork to SBC with a recommendation of vteh payment amount and period of payment, the Section 151 officer will make the final approval. If the Customer disagrees with the assessment they have the right to ask for a member panel to review this decision, though there is no right of appeal, in the interests of natural justice a panel review has been inserted in the policy</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>All those who live in the borough and pay Council Tax could potentially be affected by this proposal, the only people entitled to a payment under the policy will be those whose total amount of uncontrolled outgoings is more than 65% of their income.</p> <p>The scheme is a discretionary scheme set up to assist those people who are affected by the Welfare Reform changes, the changes to</p>

	<p>Council Tax Support, those finding it difficult to pay their council tax in the current economic climate and those suffering financial hardship where additional help over and above their Council Tax Support can be given to assist with their Council Tax costs for a limited period of time – the budget is cash limited as well.</p> <ul style="list-style-type: none"> <li>o Age – the policy is generic and will help people of all ages, though certain aspects of the welfare reform legislation does not affect people over the age of 60, so they will not be disadvantaged and therefore will not need to take advantage of this scheme.</li> <li>o Disability – there are a number of changes under Welfare reform that affects people with a disability, the Council when setting up its Council Tax Support scheme aimed to protect those families that were living with a disability in order that they retained full Council Tax Support it is therefore unlikely that they will need to take advantage of the scheme but it is available for all</li> <li>o Pregnancy and maternity - it may be that someone who is pregnant may have chosen to obtain a slightly larger home in expectation of the pregnancy and may be unable to afford it at this particular time – hardship relief can assist those people whose benefit will change on the birth of the baby, also potential foster carers and those approved for adoption who may have to source a larger home to be approved.</li> </ul> <p>There is no specific changes to the following under Council Tax Support, the changes are generic and affect all groups, the policy is therefore generic in the need to able to provide support to all parts of the community affected by a reduction in income there is therefore cash limited help which will be available to all groups and they will be treated based on their circumstances as defined in the policy</p> <ul style="list-style-type: none"> <li>o Race</li> <li>o Religion and Belief</li> <li>o Sex</li> <li>o Sexual orientation</li> <li>o Gender Reassignment</li> <li>o Marriage and Civil Partnership</li> <li>o Other</li> </ul> <p>This policy aims to assist some of the most vulnerable people in the community and needs to be simple and easily implemented and understood. This is why each claim is considered individually and customers are given all of the support they need to access the scheme. Officers in Revenues, Customers Service, and Housing are fully aware of Council Tax Hardship Policy and the process of claiming. It is intended that the claim form at the back of this policy will be put on the Council's website once the policy is approved.</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 updating of 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 updating of 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>n/a</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 scheme has been developed in conjunction the Finance Service and our partners arvato, in order to ensure that we are treating Customers fairly and providing support to those who need it the most. As the budget is cash limited and the call on the hardship fund during 2014-15 is higher than ever in SBC, regular liaison has been maintained and agreement with the above parties where we needed to limit payments in order that those most in need received the payments and that customers maintained their home. It is intended that this liaison continues as required during 2015-16.</p> <p>We note that there may come a time when the Hardship fund may have to be reduced or suspended if the grant is spent, we have worked to avoid this in 2014-15 and will continue to do the same in 2015-16 by reducing payments if necessary rather than stopping payments so those in need receive some assistance</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 spend is currently monitored on a monthly basis to ensure that the spend remains within budget, the details of the customers that receive Council Tax Hardship available to the Partnership Development and Client Monitoring Team who regularly monitor the payments made.</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.

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

<b>Name:</b> <b>Signed:</b> .....Jackie Adams .....(Person completing the EIA)
<b>Name:</b> .....Joseph Holmes ..... <b>Signed:</b> .....( Policy Lead if not same as above)
<b>Date:</b> 15 <sup>th</sup> January 2015

# 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: 07.02.2015</b>	
<b>Name of service/function or policy being assessed: Discretionary Housing Payments 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 Discretionary Housing Payment scheme for 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>The policy is delivered in the first instance by our partner arvato, whose role it is to accept all applications, analysis them, request such supporting information as they see fit and assess how much local Discretionary Housing Payment a person will be entitled to within the bounds of the scheme. If the Customer disagrees with the assessment they have the right to ask arvato as our partner in conjunction with representatives from Slough Borough Council Client Team to review their decision at a panel meeting and if the decision stands the Customer has a right to appeal to the ombudsman as the next stage as this is a discretionary scheme and does not have another independent review body</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>All those who live in the borough and pay rent to a Private or Social Landlord could potentially be affected by this proposal, the only people entitled to a payment under the legislation will be those in receipt of Housing Benefit, though Housing Benefit is open to anyone on a low income who pays rent.</p> <p>The scheme is a discretionary scheme set up to assist those people who are affected by the Welfare Reform changes and those suffering financial hardship where additional help over and above their Housing benefit can be given to assist with their rent costs for a limited period of time – the budget is cash limited as well.</p> <p>o Age – the policy is generic and will help people of all ages, though certain aspects of the welfare reform legislation does not affect people over the age of 60, so they will not be disadvantaged and therefore will not need to take advantage of this scheme.</p>

	<p>o Disability – there are a number of changes under Welfare reform that affects people with a disability, the DHP policy aims where possible to protect people with a disability and to protect their homes especially if they have been adapted for disabled living.</p> <p>Pregnancy and maternity - where a household who has an additional bedroom and may be subject to the spare room subsidy but is expecting a child and the spare room subsidy will be removed or reduced on the birth of the child the DHP policy aims to protect these households until the birth of the child.</p> <p>There is no specific changes to the following under the Welfare Reform Act, the changes are generic and affect all groups, the policy is therefore generic in the need to able to provide support to all parts of the community affected by Welfare Reform and to asst them into work or to fund cheaper alternative accommodation if appropriate therefore cash limited help will be available to all groups and they will be treated based on their circumstances as defined in the policy</p> <ul style="list-style-type: none"> <li>o Race</li> <li>o Religion and Belief</li> <li>o Sex</li> <li>o Sexual orientation</li> <li>o Gender Reassignment</li> <li>o Marriage and Civil Partnership</li> <li>o Other</li> </ul> <p>This policy aims to assist some of the most vulnerable people in the community and needs to be simple and easily implemented and understood. This is why each claim is considered individually and customers are given all of the support they need to access the scheme. Officers in Revenues, Customers Service, and Housing are fully aware of DHP's and the process of claiming.</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 indentified in (4) and (5) above been assessed using up to date and reliable evidence and data? Please state evidence</p>

	sources and conclusions drawn (e.g. survey results, customer complaints, monitoring data etc). n/a
7.	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? n/a
8.	Have you considered the impact the policy might have on local community relations? n/a
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 scheme has been developed in conjunction with the our partners arvato and other interested parties, in order to ensure that we are treating Customers fairly and providing support to those who need it the most. As the budget is cash limited and the call on the DHP's during 2014-15 is higher than ever in SBC, regular liaison has been maintained and agreement with the above parties where we needed to limit payments in order that those most in need received the payments and that customers maintained their home. It is intended that this liaison continues as required during 2015-16.</p> <p>We note that there may come a time where DHP's have to be reduced or suspended if the grant is spent, we have worked to avoid this in 2014-15 and will continue to do the same in 2015-16 by reducing payments if necessary rather than stopping payments so those in need receive some assistance</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 DHP spend is currently monitored on a weekly basis to ensure that the spend remains within budget, the details of the customers that receive DHP are available to the Partnership Development and Client Monitoring Team who regularly monitor the payments made.</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.

Page 145	<b>Action</b>	<b>Target Groups</b>	<b>Lead Responsibility</b>	<b>Outcomes/Success Criteria</b>	<b>Monitoring &amp; Evaluation</b>	<b>Target Date</b>	<b>Progress to Date</b>

**Name:**  
**Signed:** .....Jackie Adams .....(Person completing the EIA)

**Name:** .....Joseph Holmes .....  
**Signed:** .....( Policy Lead if not same as above)

**Date:** 7<sup>th</sup> January 2015

# 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: 26.02.2015</b>	
<b>Name of service/function or policy being assessed: Local Welfare Provision Scheme 2015-16</b>	
11.	<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 Local Welfare Provision Scheme 2015-16 and future years</p>
12.	<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 is delivered in the first instance by our partner arvato, whose role it is to accept all applications, analysis them, request such supporting information as they see fit and assess how much Local Welfare Provision Payment a person will be entitled to within the bounds of the scheme. If the Customer disagrees with the assessment they have the right to ask arvato as our partner to review their decision and if the decision stands the Customer has a right to appeal to the ombudsman as the next stage as this is a discretionary scheme and does not have another independent review body.</p>
13.	<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>All those who live in the borough and are experiencing hardship can apply for Local Welfare Provision.</p> <p>The scheme is a discretionary scheme set up to assist those people who are facing hardship for any number of reasons including those affected by the Welfare Reform changes, those who would in the past have been given a crisis loan from the DWP those who may have been given a budgeting loan from the DWP and those suffering financial hardship where additional help can be given – the budget is cash limited.</p> <p>The policy is generic to help all groups to provide support to all parts of the community affected and to asst them when they are experiencing hardship, though some groups are highlighted in the policy it does not preclude any one group</p>

o Age – the policy provides assistance to young adults leaving care children aged 16 and 17 and young adults by helping them purchase white goods and furniture to set up a home of their own, it also assist people feeling domestic violence to set up a new home as well as those leaving prison

o Disability - Under the previous national scheme disabled people were a significant beneficiary population of social fund provision. They accounted for 32.4% of Community Care Grants expenditure and 18.5% of Crisis Loans in 2012-13. People with disabilities, long term health and mental health conditions remain over-represented amongst local welfare provision applicants

o Pregnancy and maternity – while the policy is generic priority for assistance will be given to pregnant mothers and those with young children to assist them in keeping their homes warm and to provide food.

o Race - While no data appears to be available on the ethnicity of local welfare provision recipients as a whole it is logical to assume that minority groups are over-represented in the beneficiary profile. Local welfare provision is designed to help those on very low incomes, and black and minority ethnic-headed households are at a higher risk of poverty than non- black and minority ethnic -headed households. The latest data shows, for example that the poverty risk for minority-headed households ranges from 25-44 percent compared to 15 percent for non- black and minority ethnic -headed households.

o Other - Applications from women and especially women fleeing domestic violence is a critical group which allows them to set up a new home.

With regard to the following there is no specific impact though the policy is open to all

- o Religion and Belief
- o Sex
- o Sexual orientation
- o Gender Reassignment
- o Marriage and Civil Partnership

This policy aims to assist some of the most vulnerable people in the community and needs to be simple and easily implemented and understood. This is why each claim is considered individually and customers are given all of the support they need to access the scheme. Officers in Revenues, Customers Service, and Housing are fully aware of Local Welfare provision and the process of claiming.

14.	<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 for 2015-16</p>
15.	<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 for 2015-16, however the budget is cash limited and the original intention was that it would be funded from central government for 2 years this has now been extended to a third year. The budget does not have to be spent on Local Welfare provision but SBC has spent that last two years budget on LWP, there is currently an underspend which will be used to fund the scheme for year three.</p> <p>The LWP scheme provides assistance in the main for people who have the need to purchase white goods and can get funding from no other organisation, for example those fleeing domestic violence and need to set up home again, those leaving prison , those leaving care etc it also provides assistance to those in immediate help of financial assistance for example if someone loses their benefit money and needs to keep their home warm if they have a small child assistance will be provided in the form of a voucher to pay for heating costs. It also has the ability to refer customers to the foodbanks when they are experiencing hardship for example where they have been sanctioned by the DWP.</p>
16.	<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>This is based on an evaluation of the payments made over the last two years and the reason for the payments. It has also taken into consideration a survey carried out by the DWP and the outcomes of that survey.</p>
17.	<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>No</p>
18.	<p>Have you considered the impact the policy might have on local community relations?</p> <p>Yes</p>



19.	<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>In 2015-16 the policy will remain as now and there will be no negative impacts</p>
20.	<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 current spend is monitored on a monthly basis to ensure that the spend remains within budget, the details of the customers that receive LWP are available to the Partnership Development and Client Monitoring Team who regularly monitor the payments made, and ensuring that the payments made are in line with the policy, they also monitor the refusals made.</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

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**Name:**  
**Signed:** .....Jackie Adams .....(Person completing the EIA)

**Name:** .....Joseph Holmes .....  
**Signed:** .....( Policy Lead if not same as above)

**Date:** 26<sup>th</sup> February 015

**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 9<sup>th</sup> March 2015

**CONTACT OFFICER:** Joseph Holmes Assistant Director of Finance and Audit S151  
 officer  
 (For all enquiries) (01753) 875358

**WARD(S):** All

**PORTFOLIO:** Councillor Anderson; Commissioner for Finance & Strategy

**PART I**  
**KEY DECISION****BUSINESS RATES TRANSITIONAL RELIEF DISCRETIONARY POLICIES**  
**2015-16 AND 2016-17****1 Purpose of Report**

The purpose of the report is to seek approval for one new policy in relation to Business Rates collection.

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

The Cabinet is requested to resolve that the 'Business Rates Relief – Extension of Transitional Relief for 2015-16 and 2016-17' policies, as detailed in Appendix A, be approved.

**3 Slough Joint Wellbeing Strategy Priorities and Five Year Plan**

The awarding of relief businesses in line with government guidance is a the key priority of the Council

This policy supports the Five Year Plan through the Business outcome, and ensuring that the administration of the Business Rate scheme continues in line with national policies

**4 Other Implications****(a) Financial**

There are no direct financial implications to the Council, the Council will award the relief as outlined and will then claim the costs of the relief back from central government via a grant claim later in the financial year

**(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	None	
Timetable for delivery	None	
Project Capacity	None	
Other	None	

(c) Human Rights Act and Other Legal Implications

There are no human rights or other legal implications arising from this report.

(d) Equalities Impact Assessment

No EIA is required for this report

**5 Supporting Information**

- 5.1 Business properties are generally re-valued every five years and given a new rateable value in a new rating list. As this may lead to large increases or decreases for some businesses the Government introduces, at the start of a list, a transitional relief scheme that limits the amount by which a business' rates can be increased or decreased by.
- 5.2 The current Transitional Relief scheme was introduced in 2010, with the introduction of the 2010 rating list.
- 5.3 As the Government has decided not to revalue business rate properties from 01/04/15 (when it was originally due) the transitional scheme they put in place when rateable values were last generally amended (01/04/10) ends on 31/03/15 as it was legislated for a 5 year period.
- 5.4 This means some businesses who were receiving relief under the transitional scheme (because their rateable values increased by a large amount in 2010) are left facing large increases as their transitional relief is taken from them with effect from 1/04/15.
- 5.5 The Chancellor announced in the autumn statement on 3<sup>rd</sup> December 2014 that this was not the intention of the government and therefore that the government would extend Transitional Relief for small and medium size businesses for 2015-16 and 2016-17.
- 5.6 Small and medium size businesses are those with a rateable value of up to £50,000.

- 5.7 The government has announced that it is not able to extend the existing transitional relief scheme into 2015-16 and 2016-17 as was its intention but to ensure that business rate payers are not unfairly penalised, have announced a scheme for Council's to use their powers under section 47 of the Local Government Finance Act 1988 to award discretionary relief in these cases of an amount in line to that which would have been awarded if the scheme had been extended. The amount of relief awarded in this way would then be paid as a section 31 grant to councils.
- 5.8 As the legislation has been amended to introduce this change under the discretionary powers, this means that each Local Authority needs to develop a policy to deal with the operation and delivery of the relief up to State Aid De Minimis limits.
- 5.9 A copy of the draft policy is attached at Appendix A
- 5.10 The guidance issued by the Department of Communities and Local Government changes the way the calculation is carried out from the existing Transitional Relief scheme for 2015-16 and 2016-17, an explanation of the calculation is within the policy document.
- 5.11 It has been established that there are currently 6 accounts that would be affected by this change, though as Business Rate appeals are settled by the Valuation Office Agency (VOA) this figure may change throughout the year and a number of manual calculation will need to be carried out to establish if these accounts qualify for the amended transitional relief.

## **6 Comments of Other Committees**

This report and documents have not been considered by any other Committees.

## **7 Conclusion**

The Cabinet is requested to consider and agree the following policies

- (a) Business Rates Relief – Extension of Transitional Relief for 2015-16 and 2016-17

In order to comply with current Business Rates legislation and guidance issued by the Department for Communities and Local Government

## **8 Appendices Attached**

- 'A' Policy for Business Rates - Extension of Transitional Relief for 2015-16 and 2016-17

## **9 Background Papers**

- '1' Local Government Finance Act 1992 as amended
- '2' Local Government Finance Act 1988 as amended
- '3' Business Rates - Extension of Transitional Relief for small and medium properties - Guidance issued 15<sup>th</sup> January 2015.

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# **Business Rates Policy 2015-16 and 2016-17**

Business Rates –  
Extension of Transitional Relief

## **1 Introduction**

- 1.1 The Chancellor in the Autumn Statement on 3<sup>rd</sup> December 2014 announced that the government would extend Transitional Relief for small and medium size businesses for 2015-16 and 2016-17.
- 1.2 Small and medium size businesses are those with a rateable value of up to £50,000
- 1.3 The current Transitional Relief scheme was introduced in 2010, with the introduction of the 2010 rating list.
- 1.4 Business properties are generally re-valued every five years and given a new rateable value in a new rating list. As this may lead to large increases or decreases for some businesses the Government introduces, at the start of a list, a transitional relief scheme that limits the amount by which a business' rates can be increased or decreased by.
- 1.5 As the Government has decided not to revalue business rate properties from 01/04/15 (when it was originally due) the transitional scheme they put in place when rateable values were last generally amended (01/04/10) ends on 31/03/15 as it was legislated for a 5 year period.
- 1.6 This means some businesses who were receiving relief under the transitional scheme (because their rateable values increased by a large amount in 2010) are left facing large increases as their transitional relief is taken from them wef 01/04/15.
- 1.7 The Chancellor announced in the autumn statement that this was not the intention of the government and therefore needed to extend the transitional relief scheme.
- 1.8 The government has announced that it is not able to extend the existing transitional relief scheme into 2015-16 and 2016-17 as was its intention but to ensure that business rate payers are not unfairly penalised, so have announced a scheme for Council's to use their powers under section 47 of the Local Government Finance Act 1988 to award discretionary relief in these cases of an amount in line to that which would have been awarded if the scheme had been extended. The amount of relief awarded in this way would then be paid as a section 31 grant to councils.
- 1.9 As the legislation has been amended to introduce this change under the discretionary powers, this means that each Local Authority needs to develop a policy to deal with the operation and delivery of the relief up to State Aid De Minimis limits.

## **2. How the relief will be provided?**

- 2.1 As this is a temporary measure for 2015-16 and 2016-17, the government is not changing the legislation around transitional relief. Instead the government will reimburse local authorities that use their discretionary relief powers, under



section 47 of the Local Government Finance Act 1988, as amended, to grant relief.

- 2.2 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.
- 2.3 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.

### **3. Who will be eligible for Relief**

- 3.1 Properties that will benefit are those with a rateable value up to and including £50,000 who would have received transitional relief in 2015/16 or 2016/17 had the existing transitional relief scheme continued in its current format. In line with the existing thresholds in the transitional relief scheme, the £50,000 rateable value threshold should be based on the rateable value shown for 1/4/10 or the substituted day in the cases of splits and mergers.
- 3.2 This policy applies to transitional relief only (i.e. those moving to higher bills).
- 3.3 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.
- 3.4 Enterprise Zones

Where an eligible property is also eligible for Enterprise Zone relief, then Enterprise Zone relief will 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, the extension of transitional relief may be granted in the normal way, and this would be reimbursed by grant under section 31 of the Local Government Act 2003.

### **4. How much relief will be available?**

- 4.1 Relief will be available for up to two years (2015-16 and 2016-17) from 1<sup>st</sup> April 2015
- 4.2 The government has stated that it will fund Localism Act discounts to ensure eligible properties receive the similar level of protection they would have received had the transitional relief scheme extended into 2015/16 and 2016/17.
- 4.3 The policy will therefore follow the guidance issued by Department of Communities and Local Government in January 2015.

4.4 The transitional relief scheme should be assumed to remain as it is in the current statutory scheme except that

a. cap on increases for small properties (with a rateable value of less than £18,000) in both 2015/16 & 2016/17 should be assumed to be 15% (before the increase for the change in the multiplier)<sup>3</sup>,

and

b. the cap on increases for other properties (up to and including £50,000 rateable value) in both 2015/16 and 2016/17 should be assumed to be 25% (before the increase for the change in the multiplier)

4.5 The scheme applies only to properties up to and including £50,000 rateable value based on the value shown for 1/4/10 or the substituted day in the cases of splits and mergers. Changes in rateable value which take effect from a later date should be calculated using the normal rules in the transitional relief scheme. For the avoidance of doubt, properties whose rateable value is £50,000 or less on 1 April 2010 (or the day of merger) but increase above £50,000 from a later date will still be eligible for the relief. Where necessary the Valuation Office Agency will continue to issue certificates for the value at 31 March 2010 or 1 April 2010. The relief should be calculated on a daily basis.

4.6 A detailed explanation and illustration of how the relief (and the associated section 31 grant) will be calculated is at Annex A.

4.7 Recalculations of Relief

The amount of relief awarded will be recalculated in the event of a change of circumstances. This could include, for example, a backdated change to the rateable value or the hereditament. This change of circumstances could arise during the year in question or during a later year.

4.8 The Non-Domestic Rating (Discretionary Relief) Regulations 1989 (S.I. 1989/1059) require authorities to provide ratepayers with at least one year's notice in writing before any decision to revoke or vary a decision so as to increase the amount the ratepayer has to pay takes effect. Such a revocation or variation of a decision can only take effect at the end of a financial year. But within these regulations, local authorities may still make decisions which are conditional upon eligibility criteria or rules for calculating relief which allow the amount of relief to be amended within the year to reflect changing circumstances.

4.9 When making an award for the extension of transitional relief, Slough Borough Council will ensure in the conditions of the award that the relief can be recalculated in the event of a change to the rating list for the property concerned (retrospective or otherwise). This is so that the relief can be recalculated if the rateable value changes.

## **5 State Aid**

- 5.1 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)
- 5.2 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).
- 5.3 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.
- 5.4 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.
- 5.5 All applicants will be required to complete a declaration form (Appendix 2) to confirm that they have not received more than the De Minimis amount of State Aid.
- 5.6 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>

## **6 Administration**

- 6.1 Slough Borough Council will administer the scheme under the guidelines set out by the Department for Communities and Local Government dated 1 January 2015
- 6.2 It will provide relief as outlined above to all premises as entitled to Transitional Relief based on the calculation in Appendix 1
- 6.3 The scheme is fully funded by central Government.
- 6.4 The reliefs awarded will be administered by the Business Rates team who will provide an annual report to the Section 151 officer for approval, and monthly reports for information.

### Calculation for the extension of transitional relief

#### Calculating the extension of transitional relief where other reliefs apply

Under the existing statutory transition scheme which ends on 31 March 2015, transitional relief is measured before all other reliefs. But the extension of transitional relief into 2015/16 and 2016/17 will be delivered via section 47 of the Local Government Finance Act 1988 (as amended by the Localism Act) which is measured after other reliefs (including other Localism Act delivered reliefs such as retail relief).

Therefore, for the purposes of awarding relief and claiming section 31 grant, authorities should measure the extension of transitional relief after all other reliefs. To do this authorities will need to:

Step 1: identify those eligible properties which would have qualified for transitional relief in 2015/16,

Step 2: calculate the actual rates bill for those properties in 2015/16 after all other reliefs assuming transitional relief has ended,

Step 3: calculate the rates bill for those properties in 2015/16 after all other reliefs assuming transitional relief continued (in line with the assumptions in this guidance), and

Step 4: calculate the difference between stage 2 and 3 and award a Localism Act discount to that value.

Authorities will be asked to report the cost of extending the transitional relief scheme using this methodology from which the associated section 31 grant will be calculated (using the appropriate local share).

#### Example

If a ratepayer would have been eligible for transitional relief of 25% caps in 2015/16 then their bill is calculated as follows (ignoring inflation):

	Step 1	Step 2	Step 3	Step 4
	2014/15	2015/16	2015/16	2015/16
Bill before any reliefs	10,000	10,000	10,000	10,000
Transitional relief (had the original scheme continued)	-4,000	n/a	-2,500	n/a
Net bill before Localism Act discount	6,000	10,000	7,500	10,000
Localism Act discount (to give effect to transitional)	n/a	n/a	n/a	-2,500

relief)				
Net rates bill	6,000	10,000	7,500	7,500
For illustration we have assumed the multiplier does not change between years.				

This is the simple case. The value of the transitional relief had the scheme continued is £2,500. In practice extending transitional relief will be achieved by awarding a Localism Act discount which is calculated at the end of the bill. But because there are no other reliefs the value of the discount to ensure in practice transitional relief continues is also £2,500.

But if, for example, the same ratepayer would otherwise have fallen out of transitional relief in 2015/16 also receives 80% charitable mandatory relief then their bill is calculated as follows (ignoring inflation):

	Step 1	Step 2	Step 3	Step 4
	2014/15	2015/16	2015/16	2015/16
Bill before any reliefs	10,000	10,000	10,000	10,000
Transitional relief (had the original scheme continued)	-4,000	n/a	-2,500	n/a
Net bill before Charitable relief or Localism Act discount	6,000	n/a	7,500	10,000
Charitable Relief	-4,800	-8,000	-6,000	-8,000
Localism Act discount (to give effect to transitional relief)	0	0	0	-500
Net rates bill	1,200	2,000	1,500	1,500
For illustration we have assumed the multiplier does not change between years.				

In the above example, whilst the reported cost of transitional relief in 2015/16 would still have been £2,500 had the scheme continued in its current form, this is measured before all other reliefs. In practice extending transitional relief will be achieved by awarding a Localism Act discount which is calculated after all other reliefs. So the value of the discount to ensure in practice transitional relief continues is £500.

## Appendix 2

### 'De minimis' declaration

Dear [ ]

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

The value of the business rates Transitional 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:

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with the Audit Commission and other bodies responsible for auditing or administering public funds for these purposes. Individuals can find more information on data processing at [www.slough.gov.uk/council/data-protection-and-foi/privacy-notices.aspx](http://www.slough.gov.uk/council/data-protection-and-foi/privacy-notices.aspx)

**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 9<sup>th</sup> March 2015

**CONTACT OFFICER:** Neil Aves – A.D Housing & Environment  
Andy Grant – Recommissioning Project Manager

**(For all enquiries)** (01753) 875527 or (01753) 476793

**WARD(S):** All

**PORTFOLIO:** Neighbourhoods & Renewal – Cllr Swindlehurst

**PART I**  
**KEY DECISION****RE-COMMISSIONING AND PROCUREMENT OF A RESPONSIVE REPAIR & MAINTENANCE SERVICE FOR HOUSING PROPERTIES****1 Purpose of Report**

This report advises members of the progress made in re-commissioning a future service provision to include responsive repairs and programmed maintenance for housing related properties, to succeed the current contract.

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

That Cabinet is requested to note the progress made in evaluating options to re-procure an alternative service provision (including in the accompanying Part II report) and the resulting proposed changes to the implementation plan and is requested to resolve:

- a) That in order to alleviate the time constraints and provide sufficient time for the re-procurement project to achieve its full aims, that officers be empowered to explore and evaluate options to procure an interim provision of services from April 1<sup>st</sup> 2016 for a period of between 12 and 20 months.
- b) That following completion of an options appraisal, the decision to pursue the best option for interim service provision be delegated to the Strategic Director, Regeneration, Housing and Resources, following consultation with the Leader of the Council, to decide on the interim provision solution.
- c) That following an exercise to determine the scope of the project and subsequently which vehicle should be used to deliver the objectives therein, to be carried out by the project team and agreed by the commissioning and procurement board, the Cabinet resolve to delegate to the Strategic Director, Regeneration, Housing and Resources, following consultation with the Leader of the Council, the choice of option for the final business case to be based upon.

**3. The Slough Joint Wellbeing Strategy, the JSNA and the Five-Year Plan**

The provision and maintenance of good quality and affordable family housing can reduce housing need for local households and contribute to the identified priorities of the JSNA by increasing the availability of good quality accommodation. The

Corporate Plan has a target of achieving value for money and if this initiative contributes to that by maximising value for money through the purchasing power of the council the council will be better placed to respond to the wider needs of the community.

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

As this report outlines, investigation to date has identified that broadening the current service provision will assist in meeting the aspirations of tenants, leaseholders, elected members and the council as a whole. As the report outlines, if successful the project could contribute to all five of the wellbeing priorities.

Priorities:

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

Cross-Cutting themes:

Commissioning a good quality, responsive repairs, maintenance and asset management service will ensure the quality of homes and the environment are improved across the borough and this will contribute to the cross cutting theme of **Improving the image of the town**

### 3b **Five Year Plan Outcomes**

This report outlines the approach being adopted to re-commission a comprehensive service for responsive repairs and programmed maintenance to over 7,000 council owned homes across the borough. These homes represent around 14% of the total stock of homes in Slough and ensuring that they are fit for purpose, warm and safe makes a positive contribution to the targets within the 5 year plan. The options appraisal is looking at widening the scope of the current contract where it is deemed to deliver sound financial benefits. Improving value for money, reducing expenditure and increasing income all contribute to the 5 year plan.

The specific targets are

- There will more homes in the borough, with quality improving across all tenures to support our ambition for Slough
- The Council's income and the value of its assets will be maximised

## 4 **Other Implications**

### (a) **Financial**

This report does not recommend expenditure or commit budgets over and beyond those already adopted. However subsequent reports which recommend final decisions upon future service provision will commit the council to significant sums of capital and revenue expenditure potentially over an extended period of many years and these will be considered in light of the value for money offered through the future service route.



(b) Risk Management

<b>Risk</b>	<b>Mitigating action</b>	<b>Opportunities</b>
Legal Risk of challenge to procurement process	Early engagement of legal expertise and mitigating actions	
Property Strategic and statutory failure of maintenance provision to housing stock	Engaging in full options appraisal considering scope, vehicles and specifications	To provide an enhance service, designed to promote inward investment (Slough £)
Human Rights	None identified	
Health and Safety Statutory non-compliance of repairs service	As above	As above
Employment Issues TUPE implications for retained and transferrable staff	Included within project scope and legal framework for re-provision	
Equalities Issues Compliance with Equality Act 2010	EIA within project plan	
Community Support None		
Communications Stakeholders do not feel engaged in the process	Full communications strategy, stakeholder engagement plan	
Community Safety	None identified at this stage	
Financial Failure to acquire data to inform specification leading to unrealistic bid documents	Significant period of time in project plan to gather and analyse data	Greater understanding of current contract performance
Timetable for delivery Decisions not being taken at key points	Project manager and full project plan in place	Develop a model for recommissioning to be used for future projects
Project Capacity Delays during planning Stage  Delays in procurement process.	Employ experienced team to run the project.  Use same team to ensure end-to-end service	
Other		

(c) Human Rights Act and Other Legal Implications

This report has been discussed and shared with the council's external legal advisors on re-procurement and their comments are integral to the report.

There are no Human Rights Act Implications at this stage.

(d) Equalities Impact Assessment

There are no equalities impact implications at this stage of options appraisal however an EIA will be undertaken once the current workstream reports and recommends a preferred course of action and delivery route.

(e) Workforce

There are no workforce implications within this report and any which occur as options are developed and evaluated will be made explicit to members

(f) Property

Currently the contract covers repairs to both council homes and corporate buildings, as options are evaluated implications for both will be made explicit in the reports

## 5 Supporting Information

The Council has embarked on a project to re-commission and procure replacement service provision for the period post March 2016 when the existing contract for the Housing 'Repairs and Maintenance' ('R&M') service expires.

Work undertaken since December has demonstrated that the aspirations of elected members, tenants & leaseholders, and officers for future provision as well as a desire to align with the emerging 5 year plan mean that the re-commissioning exercise will inevitably recommend a solution which is vastly different to the current contract and almost unrecognisable in terms of scope, delivery, performance and outcomes.

Earlier decisions taken within the council had always left the timetable for re-commissioning and re-procurement tight however on further investigation the time available was only ever going to be sufficient for a straight re-procurement of the 'Interserve' contract on a like-for-like basis; a proposal which was never going to be acceptable to any of the stakeholders.

Therefore in order to achieve an outcome that properly reflects the Council's future aspirations and objectives a report to March Cabinet will be necessary recommending that two parallel but inter-related work streams be initiated as follows.

Upcoming changes in the new regulations around procurement also place more emphasis on having a fully worked up solution to present to market via OJEU.

### Background

This is an interim report, it provides an update on the progress made since December 2014.

The early part of 2015 has seen concentration on three key aspects of the re-commissioning programme, namely:

- definition of the 'scopes of services' that may be included within a new contract and consideration of potential combinations of services to meet the Council's requirements;
- identification of potential delivery models and the criteria against which an evaluation of the models may be conducted;
- consultation with relevant stakeholders.

The Council's overarching brief is that the services commissioned must respond clearly to the objectives within its 5 year plan with emphasis placed on achieving improved financial and performance outcomes, improved cohesion and transparency, greater flexibility, improved customer care, opportunities to generate income and the development of the Slough £.

## **Stakeholders**

The work undertaken with various stakeholder groups has included:

- review of feedback from tenant and leaseholder customer surveys;
- an initial staff and contractor workshop (14 January 2015)
- an initial Member workshop (28 January 2015)
- staff and contractor 'one-to-one' interviews (on-going)

Key messages recorded from these early consultations are:

- A strong tendency towards 'silo' working with insufficient sharing and co-ordination of information across departments, (e.g. housing, property services);
- Unclear lines of responsibility and accountability between departments;
- Inadequate ICT platforms, reporting tools and processes;
- Insufficient flexibility when dealing with customer 'repairs & maintenance' enquiries and responses;
- A contract that does not focus on outcomes and is too rigid in practice;
- A specification and contract that is dated and ill-suited to the Council's needs today;
- Insufficient weight given to the management and recovery of recharges and fines;
- A lack of additional services on offer to tenants;
- A lack of transparency on the make-up of service charges;
- A lack of understanding of compliance issues within the Housing team
- An absence of 'asset intelligence'; the evaluation of repairs data to inform pro-active maintenance, capitalisation of repairs and identification of stock obsolescence.

During these early consultations assistance has been provided by external advisers Sharpe Pritchard (legal and procurement) and Bellrock (experts in property and facilities management).

## **Scope of Services**

To take full advantage of this window of 're-commissioning opportunity' we have been considering the scope of services in its broadest sense in order to gain maximum stakeholder 'buy-in' and with the ultimate aim of developing a solution that is practical while at the same time provides a good strategic fit with the Council's future plans.

The potential scope of services is wide and, at this stage, consists primarily of a 'menu' of services (see below) that fall both within and outside the remit of the Housing 'repairs & maintenance' service as it exists today. The 'scope of services' is subject to further stakeholder consultation and definition.

An initial assessment of potential options for the combinations of services to be included within a new contract is included in Annex 1.

<b>Services under Consideration</b>	
<b>Housing Repair &amp; Maintenance</b>	<b>Housing Asset Management</b>
Helpdesk rationalisation/reconfiguration	Stock condition surveying/reporting & advisory (tenants & leaseholders)
Planned Programmed Maintenance (routine)	Stock options appraisals & advisory
Responsive Maintenance	Business cases (acquisitions & disposals)
Cleansing (communal areas and estate grounds)	Capital investment business cases
Graffiti removal	Forward maintenance & whole life cycle
Statutory compliance work	Small capital works management (< £50K)
Pest control (logically for both Housing and Corporate premises as well as the 'paid for' service to the public.	Voids management
Emergency and 'Out of Hours' services and works in default	Large capital works management (> £50K)
Ground maintenance (Housing areas)	
Waste (housing)	
Security	
Caretakers	
Garage repair & maintenance	
Asbestos and water management	
Advisory/professional services (e.g. energy, project management, legal, environmental, etc.)	
<b>Tenant / Leaseholder Services</b>	<b>Corporate Services</b>
Rent administration (excluding collection)	Asset management services (corporate estate)
Tenant Enquires & Allocation (e.g. 'Right to Buy')	Facilities management (TFM) – Corporate estate only
Leasehold(er) management including discretionary 'opt in' management services	Highways (i.e. services included within existing Amey contract such as street-lighting and power,
Recharges and Fines administration	
Full Housing Estates management	
Full Internal budgeting (housing)	
Formal internal links to Housing Management teams establishing single point of contact and ownership of the landlord tenant relationship.	

## Models for Delivery

In parallel with development of the 'scope of services' we have undertaken an initial 'high-level' evaluation of the following potential 'models' that could be used to deliver the services. They are:

1. 'Stay-as-you-Are' with no significant change to the current 'Repairs and Maintenance' service model. This is a traditional Client/Contractor relationship similar to that that exists today for the R&M' service. Some small risk transfer possibilities exist. The solution requires periodic internal and external audit and a strong skilled Council management team;
2. A 'strategic partnership' model. This involves the management and delivery of the 'R&M' services by a private sector partner that may also undertake a leading role in the management and/or delivery of a realistic combination of the 'asset management services', 'tenants' services' and 'corporate services'. There is scope for strong risk-sharing with the partner. A small internal ICF (Intelligent Client Function) team is required to monitor the 'partnership' and periodic internal and external audits will be required.
3. A joint-venture model. The Council forms a separate joint venture (SPV) with a private sector organisation for the management and delivery of the services. The Council will invest in the venture and share all delivery risks. The Council retains an in-house management team while periodic internal and external audits will be required.
4. An in-house (ALMO – arms length management operation) model. This involves creating a full in–house, directly employed team to manage and deliver all services. The Council will accept all risks for delivery. Periodic internal/external audits will be required.

In addition to an analysis of the relative strengths and weaknesses of each of these models, some key overarching criteria have been proposed to allow an objective evaluation of each model. These key criteria are:

- Social Value (Slough £)
- Deliverability
- Corporate Direction
- Value for Money
- Customers
- Added value.

The evaluation of each of the delivery models will be scored and weighted against these key criteria and agreed with stakeholders and the Council's senior management team. These key criteria will also aim to respond to the three key themes used within the Council's 5 year plan, namely:

- Changing, Retaining & Growing
- Using Resources Wisely
- Enabling & Prevent

## **Interim Recommendation**

It is acknowledged that further detailed work on a business case is required in order to establish the best combination of services to be included within a new contract and the most appropriate route to market for the Council. Given that a re-procurement exercise will take at least nine and more probably twelve months and due to earlier legal advice that prohibited further exploration of the scope of the contract, this work was not undertaken.

There are a number of options for establishing an interim provision but their relative merits are dependent upon the ultimate duration of that period which in turn is informed by the consultation process with stakeholders and the full evaluation of delivery options which is to be completed over the next three months in conjunction with the Council's senior management team.

Further and immediate exploration of these options is being considered by the project team and the council's senior management team and details are contained in the accompanying part 2 report for consideration alongside this report.

Options for an interim provision might include:

- 1, An extension of the existing arrangements with Interserve.
- 2, Procure a short term repair and maintenance contract (up to 2 years)
- 3, Call off of a short term contract under a suitable framework agreement
- 4, Take the service back in house (in source, DLO)
- 5, Shared service with an appropriately located Local Authority
- 6, Shared Service with a nearby Registered Provider
- 7, A series of small short term contracts covering statutory and essential repair works (multiple small contracts)

Both workstreams will converge at a point just post elections in May 2015 and a report will be brought to cabinet in June or at the latest July recommending a course of action to approve the business case for final option to be prepared for market.

## 6 **Comments of Other Committees**

None

## 7 **Conclusion**

In conclusion, this report highlights the significant, detailed progress made since last year in defining the scope and exploring the sort of provision that is fit for purpose for the next 10 years. These assumptions have been drawn from evidence gathered after consultation with tenants, leaseholders, members, staff and partners and is the most detailed and holistic summary of the services and what they should look like in the future.

Cabinet are asked to agree the extension of time for officers to full explore the options available to meet the newly established demand and requirements.

## 8 **Appendices Attached**

'A' - Scope of Services – Combinations Matrix

<b>Potential 'Scope of Services' Combinations</b>				
<b>Housing 'Repairs &amp; Maintenance' - As Existing Service</b>	<b>Expanded Housing 'Repairs &amp; Maintenance' Service + Advisory + Asset Management Services</b>	<b>Expanded Housing 'Repairs &amp; Maintenance' Service + Advisory + Asset Management + Tenant Services</b>	<b>Expanded Housing 'Repairs &amp; Maintenance' Service + Advisory + Asset Management + Tenant Services + Corporate TFM</b>	<b>Expanded Housing 'Repairs &amp; Maintenance' Service + Advisory + Asset Management + Tenant Services + Corporate TFM + Highways</b>
<b>Option 1</b>	<b>Option 2</b>	<b>Option 3</b>	<b>Option 4</b>	<b>Option 5</b>
<b>Housing Repair &amp; Maintenance</b>	<b>Housing Repair &amp; Maintenance</b>	<b>Housing Repair &amp; Maintenance</b>	<b>Housing Repair &amp; Maintenance</b>	<b>Housing Repair &amp; Maintenance</b>
Helpdesk (dedicated to 'R&M' services) - minimal interface with Council systems	Helpdesk (dedicated to 'R&M' services with improved and relevant interfaces with Council systems)	Helpdesk (rationalised and re-aligned for all services) with relevant interfaces with Council systems	All Helpdesks (rationalised and re- aligned for all services) with relevant interfaces with Council systems	All Helpdesks (rationalised and re- aligned for all services) with relevant interfaces with Council systems
PPM (routine)	PPM (routine)	PPM (routine)	PPM (routine)	PPM (routine)
Responsive maintenance	Responsive maintenance	Responsive maintenance	Responsive maintenance	Responsive maintenance
Cleaning (communal areas) & graffiti	Cleaning (communal areas) & graffiti	Cleaning (communal areas) & graffiti	Cleaning (communal areas) & graffiti	Cleaning (communal areas) & graffiti
Statutory Compliance work	Statutory Compliance work	Statutory Compliance work	Statutory Compliance work	Statutory Compliance work
Pest control	Pest control	Pest control	Pest control	Pest control
Emergency & Out of Hours Services	Emergency & Out of Hours Services	Emergency & Out of Hours Services	Emergency & Out of Hours Services	Emergency & Out of Hours Services
	Grounds (housing areas)	Grounds (housing areas)	Grounds (housing areas)	Grounds (housing areas)
	Waste (housing only)	Waste (housing only)	Waste (housing only)	Waste (housing only)
	Security	Security	Security	Security
	Caretakers	Caretakers	Caretakers	Caretakers
	Garages 'Repair & Maintenance'	Garages 'Repair & Maintenance'	Garages 'Repair & Maintenance'	Garages 'Repair & Maintenance'
	Advisory/Professional Services (e.g. energy management, project management, legal, environmental, etc)	Advisory/Professional Services (e.g. energy management, project management, legal, environmental, etc)	Advisory/Professional Services (e.g. energy management, project management, legal, environmental, etc)	Advisory/Professional Services (e.g. energy management, project management, legal, environmental, etc)
	Asbestos & Water Management	Asbestos & Water Management	Asbestos & Water Management	Asbestos & Water Management
	<b>Housing Asset Management</b>	<b>Housing Asset Management</b>	<b>Housing Asset Management</b>	<b>Housing Asset Management</b>
	Stock condition surveying/reporting and advisory	Stock condition surveying/reporting and advisory	Stock condition surveying/reporting and advisory	Stock condition surveying/reporting and advisory
	Stock options appraisals & advisory	Stock options appraisals & advisory	Stock options appraisals & advisory	Stock options appraisals & advisory
	Acquisitions/disposals management	Acquisitions/disposals management	Acquisitions/disposals management	Acquisitions/disposals management
	Capital investment business cases	Capital investment business cases	Capital investment business cases	Capital investment business cases
	Forward maintenance plan & (WLC)	Forward maintenance plan & (WLC)	Forward maintenance plan & (WLC)	Forward maintenance plan & (WLC)

Housing 'Repairs & Maintenance' - As Existing Service	Expanded Housing 'Repairs & Maintenance' Service + Advisory + Asset Management Services	Expanded Housing 'Repairs & Maintenance' Service + Advisory + Asset Management + Tenant Services	Expanded Housing 'Repairs & Maintenance' Service + Advisory + Asset Management + Tenant Services + Corporate TFM	Expanded Housing 'Repairs & Maintenance' Service + Advisory + Asset Management + Tenant Services + Corporate TFM + Highways
Option 1	Option 2	Option 3	Option 4	Option 5
	Small capital works (<£50K)	Small capital works (<£50K)	Small capital works (<£50K)	Small capital works (<£50K)
	Voids management	Voids management	Voids management	Voids management
		Large capital works management (>£50K)	Large capital works management (>£50K)	Large capital works management (>£50K)
		<b>Tenant/Leaseholder Services</b>	<b>Tenant/Leaseholder Services</b>	<b>Tenant/Leaseholder Services</b>
		Rent Administration (excl collection)	Rent Administration (excl collection)	Rent Administration (excl collection)
		Tenant Enquiries & Allocations	Tenant Enquiries & Allocations	Tenant Enquiries & Allocations
		Leasehold(er) management	Leasehold(er) management	Leasehold(er) management
		Recharges/Fines administration	Recharges/Fines administration	Recharges/Fines administration
		Housing Estates Management	Full Housing Estates Management	Full Housing Estates Management
		Full Internal Budgeting (Housing)	Housing Estates Management	Housing Estates Management
		Formal Links to Social Housing Team	Formal Links to Social Housing Team	Formal Links to Social Housing Team
			<b>Corporate Services</b>	<b>Corporate Services</b>
			Full asset management services (as above)	Full asset management services (as above)
	Total facilities management services - service lines to be separately identified, e.g. cleaning, reprographics, maintenance, catering, etc	Total facilities management services - service lines to be separately identified, e.g. cleaning, reprographics, maintenance, catering, etc		
		Highways (Amey contract) - services to be separately identified, e.g. streetlighting and power, all waste including commercial, etc.		
Potential Value: £8.0m (est)	Potential Value: circa £18.0m (est)	Potential Value : £20.0 - £30m (est)	Potential Value: £30 - £40m (est)	Potential Value : >£40m (est)



**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 9th March 2015

**CONTACT OFFICER:** Dave Gordon (Scrutiny Officer)  
**(For all enquiries)** (01753) 875411

**WARD(S):** All

**PORTFOLIO:** All

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

**REFERENCES FROM OVERVIEW AND SCRUTINY – REAL TIME PASSENGER INFORMATION (RTPI) AND STREET CLEANING**

**1. Purpose of Report**

The purpose of this report is to ask Cabinet to consider the comments made by the Neighbourhoods and Community Services (NCS) Scrutiny Panel on RTPI for the bus service and street cleaning.

**2. Recommendations**

That the Cabinet approve the following points in relation to RTPI:

- That the Panel recommend Cabinet reviews the current level of accuracy of RTPI in order to set a target for RTPI accuracy and a suitable timeframe.
- That the responsible Cabinet member is recommended to report back to the NCS Scrutiny Panel in six months (summer / early autumn 2015).
- That the Panel recommends that no further capital expenditure on RTPI be made until the Cabinet is satisfied that worthwhile levels of RTPI will be achieved.

That the Cabinet approve the following points in relation to street cleaning:

- That the Panel recommends that, if financially viable, housing land be included in the next contract.
- That the Panel recommends that, to ensure improved monitoring of contractors' work, SBC monitor street cleanliness on
  - a) The day of the contractor inspection; and
  - b) The day of cleaning.
 This is in preference to the present system of random locations which has lacked sufficient focus.

**3. Slough Joint Wellbeing Strategy Priorities**

These recommendations relate to the following priority:

- Regeneration and Environment

#### 4 **Other Implications**

##### (a) Financial

The second recommendation regarding street cleaning may involve the allocation of staff resources. Officers at Slough Borough Council have suggested this may involve the addition of 1 FTE member of staff, although the NCS Scrutiny Panel have suggested that the matter could be resolved by a more restricted amount of time being dedicated by an existing employee.

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

There are no human rights act or other legal implications arising as a direct result of this report.

#### 5 **Supporting Information**

- 5.1 The NCS Scrutiny Panel raised concerns regarding the accuracy and usefulness of the RTPI system. Some routes were noted as particularly problematic, with the area around Langley Leisure Centre having only approximately 30% of buses providing RTPI. Whilst this had been improved by resolving technical issues, the costs of installing RTPI machinery precluded against their installation on all buses. Other developments had caused delays in the implementation of RTPI, such as software upgrades on ticket machines, the replacement of other machines and the replacement of some of First Bus' fleet.
- 5.2 Routes which were not yet covered by RTPI would be integrated into the system. Whilst other developments such as the Mass Rapid Transit Scheme would also have an impact, it was intended that mobile phone technology and a native app would help boost the impact of RTPI. The final decisions on Mass Rapid Transit would be made by the summer of 2015.
- 5.3 The rate of bus journeys covered by RTPI was rarely above 30% in the period April – September 2014. In the rest of the cases, the electronic display boards at stops displayed bus timetable information which may, or may not, reflect the reality of bus travel on that day. Equally, local residents were not aware of the difference between RTPI and timetable information displayed at bus stops, and were thus confused when buses were not present at the times displayed and were losing confidence in the system.
- 5.4 Since September 2014 there had been some improvement in RTPI rates, which had risen to around 50%. However, the fact that the fitting of RTPI equipment had often been taking place at the smaller Bracknell depot had proved a further impediment to progress. The fact that other councils and bus companies used other equipment could also prove problematic. The fact that not all buses in the fleet would be running at any given time and substitute buses would be used when repair work was being undertaken could make a rate of 90% hard to achieve.
- 5.5 SBC was adopting a gradual approach to applying RTPI on its various bus routes, given the expenses involved and the issues faced by those areas who were first to adopt the technology. By the spring of 2015, it was anticipated that 50% should be the minimum rate for bus journeys providing RTPI. The Service Level Agreement between SBC and

First Buses included the fixing of RTPI machinery; however, members questioned whether a rate of 50% would significantly bolster confidence in the system amongst local residents.

- 5.6 In relation to the first recommendation, SBC officers have stated that they expect a 70% rate of accuracy by the end of May 2015. This was agreed with the service provider for RTPI (JMW). The detection rate during the final week of September 2014 was averaging at 26%, whilst for the last few weeks the average detection rate has been 42%.
- 5.7 The second recommendation is for the Cabinet to decide.
- 5.8 In relation to the third recommendation (no further expenditure until Cabinet satisfied on progress), SBC officers have responded that there will be an impact on major schemes including improvements at the Curve and Slough, Burnham & Langley stations amongst other developments currently contributing to RTPI.
- 5.9 On street cleaning, the current contract has always been run on an output basis. This meant, in essence, that Amey would identify the streets in need of cleaning and then complete the required work (rather than implementing a predetermined cleaning plan). The basis of Amey's decision was the Environmental Protection Act 1990; should the street have fallen below 'grade B' as defined in the Act, it would be cleaned to 'grade A' standard.
- 5.10 Initially the contract had specified that all streets would be visited once per week. However, street cleaning had been integrated with other services (e.g. park cleaning) to make efficiency savings, resulting in the termination of the weekly visit policy. Existing information had been used to target key areas, with some areas visited weekly and some once every four weeks. SBC officers, ward Councillors and members of the public could all supply intelligence which would assist in the selection process.
- 5.11 Housing land had not been included in the original contract. Amey covered part and SBC's neighbourhoods team another part; this had led to some confusion amongst residents. The contract would be retendered in 2017 and would need to review whether this should be integrated to simplify the situation; however, this might potentially raise the cost.
- 5.12 To monitor Amey's work, SBC undertook weekly tours of random locations. However, the ability of this to challenge Amey's work could be limited as it did not necessarily take place on the day of cleaning. The town centre was of particular interest in this process. However, the arrangement was not explicit in the current contract and was a point under consideration for the 2017 retender.
- 5.13 On the first recommendation regarding street cleaning (inclusion of housing land in next contract) the Environmental Services team and the Waste & Environment team agree with this in principle. It is imperative that this recommendation is understood and recognised at a commissioning level for the re-provision of the 'Housing Maintenance' contract currently delivered through Interserve. Currently the scope of the re-provision of the 'Housing Maintenance' contract might consider grounds maintenance currently delivered through the Environmental Services contract which if delivered would split housing land into a separate contract. As such, this recommendation would be formally advised to Neighbourhood Services. This financial viability element is also understood.

- 5.14 On the second recommendation (monitoring of contractor's work) SBC officers have stated that the additional costs may be the appointment of one additional monitoring officer. However, the Chair of the NCS Scrutiny Panel has indicated that he suspects this could be covered without any additional recruitment, but through dedicating (at most) one day per week from an existing member of staff to the task. This difference of opinion is based on differing estimates for the time spent travelling to find a crew actually working to be able to assess what the standard is after cleaning. SBC officers felt this would be an issue, whilst the Chair of the NCS Scrutiny Panel argued that this could be minimised by co-ordinating the work with the schedule. SBC officers will investigate option for systems where the driver messages that a street has been completed and the Monitoring Officer goes to check.
- 5.15 The recommendation would be included in the compilation of the new specification for crews reporting in real time that streets had been visited and either cleaned or not. The Monitoring Officer can then make a decision as to whether they are going to monitor the cleaning of a street that has been cleaned or monitor the decision as to whether a street should have been cleaned or not if the contractor has decided not to do so.

## 6 **Conclusion**

- 6.1 On the basis of the supporting information in section 5, the NCS Scrutiny Panel concluded that there were major concerns in relation to the RTPI service. The current level of accuracy, as well as the fact that residents were unclear as to which information they were given was RTPI and which simply an electronic display of generic timetable information, was causing local residents to lose confidence in the system. As a result, targets need to be set to ensure that there is a measurable improvement in performance and until such time as that is forthcoming expenditure should be suspended and reviewed.
- 6.2 In terms of street cleaning, the NCS Scrutiny Panel were satisfied regarding the use of the output system having been unclear of its implications beforehand. However, they concluded that some of the current ambiguities about responsibility for tasks needed to be resolved, and also that a more regimented approach to monitoring work would benefit the local community.

## 7 **Background Papers**

- '1' - Agenda papers, NCS Scrutiny Panel (2<sup>nd</sup> December 2014)

**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 9<sup>th</sup> March 2015

**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 MARCH 2015 TO 31 MAY 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 - 9th March 2015

Item	Portfolio	Ward	Priority	Contact Officer	Other Committee	Background Documents	New Item	Likely to be Part II
<p><b><u>Welfare Policies for 2015-16</u></b></p> <p>Following regular review of the Council's policies in relation to Welfare Benefits and Council Tax, to approve the following policies for 2015-16:</p> <ul style="list-style-type: none"> <li>• Council Tax Hardship Policy;</li> <li>• Discretionary Hardship Policy; and</li> <li>• Local Welfare Provision Policy.</li> </ul>	F&S	All	All	Joseph Holmes, Assistant Director, Finance & Audit Tel: 01753 875358	-	None		
<p><b><u>Better Care Fund Pooled Budget</u></b></p> <p>The report presents the proposed Pooled Budget (section 75) agreement for the Better Care Fund 2015/16.</p>	H&W	All	Health & Wellbeing	Mike Wooldridge, BCF Programme Manager Tel: (01753) 477214	-	None	√	
<p><b><u>Carbon Management Plan April 2015 - March 2020</u></b></p> <p>The Carbon Management Plan April 2015 – March 2020 will set out how Slough Borough Council intends to meet its carbon reduction and energy reduction targets over the next 5 years.</p>	E&O	All	Regeneration & Environment	Kathryn Horsepool, Environmental Management Officer Tel: (01753) 875912	-	None	√	

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**Bold** – Key Decision      Non-Bold – Non-Key Decision      *Italics* – Performance/Monitoring Report

<b><u>SRP Partnership Business Plan</u></b> To consider a report seeking approval of Slough Regeneration Partnership's Partnership Business Plan.	N&R	All	All	Sarah Richards, Strategic Director, Regeneration, Housing and Resources Tel: 01753 875301	-	None		
<b><u>Children's Services Organisation Decisions</u></b> To consider a further report on the progress of the establishment of the new Children's Services Organisation.	E&C	All	All	Ruth Bagley, Chief Executive, Slough Borough Council	-	None		
<b><u>Five Year Plan Projects Funded Through the LEP</u></b> To provide members with a full summary of the current and historic projects which have been submitted by Slough Borough Council for consideration by the Thames Valley Berkshire Local Enterprise Partnership (TVBLEP).	S&E	All	All	Savio DeCruz, Head of Transport Tel: 01753 875640	-	None	√	
<b><u>Asset Disposal of Ledgers Road</u></b>	N&R	Chalvey	All	Stephen Gibson, Head of Asset Management Tel: 01753 875852	-	None	√	Yes, p3 LGA
<b><u>Asset disposal of Arbour Park</u></b>	N&R	Elliman	All	Stephen Gibson, Head of Asset Management Tel: 01753 875852	-	None		Yes, p3 LGA

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<p><b><u>Transitional Relief Policy</u></b></p> <p>To agree a policy for Business Rates Transitional Relief for small and medium size businesses for 2015-16 and 2016-17 following the announcement by the Chancellor in the Autumn Statement that the government would extend the scheme.</p>	F&S	All	All	Joseph Holmes, Assistant Director, Finance & Audit Tel: 01753 875358	-	None	√	
<p><b><u>Parks Strategy</u></b></p> <p>To consider the Parks Strategy which will define Slough Borough Council's vision and priorities for parks and open spaces over the next five years up to 2019.</p>	E&O	All	All	Andrew Stevens, Assistant Director, Community & Skills Tel: 01753 875507	-	None	√	
<p><b><u>Progress report on the Commissioning of the Maintenance &amp; Repairs Service</u></b></p> <p>The report seeks permission to extend the timeframe available for the commissioning and procurement of a maintenance solution, to enable more time to undertake a more detailed exploration of the options available in relation to scope and the vehicle delivery. This to succeed the current Interserve contract which expires on 31/03/2016.</p>	N&R	All	All	Andy Grant, Project Manager Tel: 07742 690915	-		√	Yes, p3 LGA
<p><b><u>Care Act Charging Policy</u></b></p> <p>To consider proposals for the charging policy as part of the implementation of the Care Act 2014.</p>	H&W	All	Health & Wellbeing	Alan Sinclair, Assistant Director, Adult Social Care Tel: (01753) 875752	-	None	√	

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<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 - 13th April 2015

Item	Portfolio	Ward	Priority	Contact Officer	Other Committee	Background Documents	New Item	Likely to be Part II
<b><u>Subsidiary Housing Company Update</u></b> Further to the Cabinet report of 19 <sup>th</sup> January 2015, to take further decisions in relation to the establishment of a Subsidiary Housing Company.	N&R	All	All	Stephen Gibson, Head of Asset Management Tel: 01753 875852	-	None		Yes, p3 LGA
<u>Contracts over £250k</u> To report those contracts in excess of £250k likely to be awarded in 2015/16.	F&S	All	All	Catherine Meek, Head of Democratic Services Tel: 01753 875011	-	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		

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<u>Notification of Forthcoming Decisions</u> To endorse the published Notification of Decisions.	F&S	All	All	Catherine Meek, Head of Democratic Services Tel: 01753 875011	-	None		
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