

Cabinet – Meeting held on Monday, 19th September, 2016.

Present:- Councillors Munawar (Chair), Hussain (Vice-Chair), Ajaib, Bal, Matloob and Sharif

Also present under Rule 30:- Councillors Anderson, Bains, Bedi, Coad, Dar, Amarpreet Dhaliwal, Arvind Dhaliwal, Plenty, Rasib, Shah, Smith, Swindlehurst, Wright and Nazir

Apologies for Absence:- Councillor Sohal

PART 1

42. Declarations of Interest

Councillor Bal declared that his daughter worked for Slough Borough Council.

Under Item 4 – Procurement of Environmental Services, Councillor Bains (Rule 30) declared that he worked for Amey, but not in the highways division.

43. Minutes of the Meeting held on 18th July and the Special Meeting held on 5th September 2016

Resolved – That the minutes of the meeting of the Cabinet held on 18th July and the Special Meeting held on 5th September 2016 be approved as a correct record.

44. Future delivery of the Council's education related functions and children's centres

The Commissioner for Education & Children introduced a report that set out revised proposals for the future delivery of the education related functions, early years and children's centre services currently delivered through the Council's contract with Mott MacDonald Ltd (Cambridge Education).

The Cabinet was asked to agree that all services within the current contract with Mott MacDonald Ltd should initially revert back to the Council, providing time for the Council and Slough Children's Services Trust (SCST) to review the best long-term options for designated service areas in partnership with other stakeholders, including schools. The revised proposals followed the Department for Education Ministerial agreement issued on 6th September 2016 to revoke the Second Direction, reflecting the increased Ministerial confidence in the improved working relationship between the Council and SCST. The Cabinet welcomed the revised proposals and emphasised its full commitment to working positively and co-operatively with the Trust to deliver improvements to services for the benefit of children in Slough.

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The Interim Director of Children's Services detailed the staffing issues and timetable, with a phased transfer planned through to 1st December 2016. The Council had appointed a permanent Head of Education and the recruitment of a permanent Director of Children's Services was in progress. The Chief Executive of SCST highlighted the importance of building on the progress made in recent months with the Council and Trust working closely together. The Cabinet sought reassurance that the Council was ready and equipped for challenge of bringing the services back in house and it was confirmed that the motivation and commitment was there from all sides.

Speaking under Rule 30, Councillors Arvind Dhaliwal, Bedi, Bains, Swindlehurst and Rasib commented on the proposals and asked a number of questions. It was clarified that the reason for the phased approach was due to the timing of the Ministerial decision, made on 6th September, and the practical requirements such as TUPE. It was not possible to confirm the level of savings at this stage, however, a Steering Group had been established to lead further service transformation to improve the effectiveness and efficiency of services.

At the conclusion of the discussion, the Cabinet welcomed the positive progress made in recent months to enable the services to return to the Council; agreed the recommendations as set out in the report; and thanked the Members, DfE Commissioner, Officers and the Trust for their work, particularly the Interim Director of Children's Services who shortly be leaving the authority.

Resolved –

- (a) That all services within the Council's contract with Mott MacDonald Limited (Cambridge Education) be brought in-house by the Council, in line with the timetable set out at paragraph 5.9 of the report.
- (b) That arrangements for the short-term extension of the existing contract with Mott MacDonald Limited (Cambridge Education) be delegated to the Interim Director, Children's Services in order to allow time for consultation with staff and schools on the new proposals.
- (c) That the Council and Slough Children's Services Trust Limited (SCST) jointly explore further opportunities to improve education, early years and children's centre services, including the potential benefits of voluntarily transferring any functions to the Trust, with a particular focus on children's centres.

45. Procurement of Environmental Services

The Cabinet considered a report that recommended that an in-house model be developed for the delivery of Environmental Services and Highways from December 2017. This would rescind the decision made by Cabinet on 14 March 2016 to procure a contract for external delivery. The in-house delivery vehicle would be a 'Teckal company', limited by shares with the Council as

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the sole shareholder. The new approach had been driven by a review of the commercial considerations which had identified opportunities from an in-house model, in addition to the benefits arising from local authority ownership and accountability.

It was noted that the Overview & Scrutiny Committee had considered the issue at its meeting on 15th September and had supported the in-house model via the 'Teckal company', making some further comments about the engagement with staff and a strong preference to have the new model operational by 1 December 2017.

The process undertaken to date in procuring these services was detailed and the Cabinet noted the options appraisal, financial implications and risks as set out in the report. Commissioners felt that an in-house model provided an opportunity to achieve service benefits for residents as well as providing commercial opportunities not possible with an outsourced model. The original decision to outsource the services fifteen years ago had been justified by the improvements secured by Amey and its predecessors, but it was felt that the time was right to take a more commercially astute approach. Engagement had taken place with Amey and Officers were confident of a smooth transition.

It was noted that several other local authorities were moving in a similar direction to that proposed in Slough, and the Council would proactive to seek to learn lessons and share best practice. The staffing issues were discussed and it was confirmed that existing terms and conditions would be protected through the TUPE process and HR support would be provided as part of the process. Speaking under Rule 30, Councillors Bains, Arvind Dhaliwal, Anderson and Swindlehurst raised a number of issues including the implications on the savings plan; the approach to workforce issues; and the risks and potential cost if the timetable slipped and an extension was required. The detailed points were noted and would be further considered if the Cabinet agreed to proceed with the in-house model.

After due consideration, the Cabinet agreed to instruct Officers to proceed with arrangements of the services in-house via a Teckal company from 1st December 2017 and to provide a delegation to extend the existing contract if required.

Resolved –

- (a) That Officers be instructed to commence to put into place arrangements for the delivery of Environmental Services and Highways in – house, thereby rescinding its decision made on 14 March 2016 for the procurement of a contract for the external delivery of Environmental Services.
- (b) That the Council delivery vehicle should be a 'Teckal company' limited by shares with the Council as the sole shareholder for the insourced provision of these services.

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- (c) That the necessary powers be delegated to the Strategic Director, Customer & Community Services to have the option (following consultation with the Head of Legal Services) to seek to negotiate an extension of the existing contract as a temporary contingency, if required.

46. Financial & Performance Report: 1st Quarter 2016/17

The Cabinet considered a report detailing the latest forecast financial information; a summary of performance against the balanced scorecard indicators; and an update on the progress of key projects for the period between April to June 2016.

The Council was forecasting an overspend of £1.19m as at Month 3 with increasing pressures being reported in the Adult Social Care budget, primarily due to increasing levels of needs of existing clients. Similar pressures were being reported by authorities across the country and the Assistant Director Adult Social Care explained the steps being taken to address the issue and provided an update on the four-year transformation programme that was underway.

Action was also being taken to review the capital programme to address the historic issue of slippage and seek to bring the programme closer towards a revised spend profile. Commissioners emphasised the importance of delivering the capital projects contained within the programme on time and supported the approach to be led by the Capital Strategy Board to conduct a detailed review of schemes, revise the programme accordingly and potentially set 'sunset dates' for each project. It was suggested that the role of scrutiny in reviewing the programme should be considered.

Councillors Anderson and Swindlehurst addressed the Cabinet under Rule 30. It was suggested that the comparative budget forecast chart under paragraph 6.1 of the report be re-based to take account of the fixed children's services budget to enable like-for-like comparisons with previous years. The Interim Assistant Director agreed that could be actioned. Assurance was sought that the required level of spending of right to buy receipts would be spent within the prescribed three months and the relevant Strategic Director gave this assurance.

It was considered that the format of the reporting could be more focused and streamlined and it was therefore proposed and agreed that the Cabinet receive a monthly report on the financial position, particularly the revenue budget, with a streamlined performance report being considered on a quarterly basis. The report was then noted.

Resolved –

- (a) That the current financial forecast position, balanced scorecard and update on Gold projects and performance be noted.

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- (b) That the Cabinet receive future finance reports on a monthly basis and that performance reports continue to be reported quarterly in a more concise and focused format.

47. Revenue Support Grant - Efficiency Statement

The Interim Assistant Director Finance & Audit introduced a report on the Government's four-year Revenue Support Grant (RSG) funding offer to local government. The Cabinet had noted the offer to the Council at its meeting on 18th July 2016 and had decided to defer a final decision closer to the October deadline once there was further clarity on the Government's post-Brexit spending plans.

Accepting the Government's offer would give the Council a greater degree of funding stability for the four year period between 2016-17 to 2019-20 and it was considered unlikely that the Council would receive a higher RSG settlement in future years if it did not accept the offer. The Council would be required to submit an Efficiency Statement if it accepted the offer and it was proposed that delegated authority be given to the Interim Assistant Director to finalise and submit this document following consultation with the Commissioner for Finance & Strategy.

The Cabinet agreed that accepting the offer would be advantageous to the Council's financial planning as it provided greater certainty at a time of substantial and continued reductions in Government funding. Speaking under Rule 30, Councillor Swindlehurst asked for clarity about the possible action the Government may take if the Council did not adhere to the Efficiency Statement. It was responded that the Government had not set out its approach to scrutinising and monitoring Efficiency Statements.

At the conclusion of the discussion, the Cabinet agreed to accept the offer of funding stability through the four-year settlement as detailed in section 5.2 of the report, and gave delegated authority to the Interim Assistant Director to finalise the Efficiency Statement.

Resolved –

- (a) That the Government's offer of funding stability in respect of Revenue Support Grant over the period 2016-20 be accepted.
- (b) That the final efficiency statement document be delegated to the S151 officer and lead commissioner to review, based on previous information presented to members setting out the Council's financial plan.

48. Refresh of Slough Joint Wellbeing Strategy

The Cabinet considered the refreshed Slough Joint Wellbeing Strategy 2016-2020. The current strategy was due to expire in 2016 and it was a statutory responsibility for Health & Wellbeing Boards to publish a new Joint Wellbeing Strategy. The Slough Wellbeing Board had undertaken an extensive

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programme of activity to review and refresh and strategy and priorities and would be recommending the document to full Council on 27th September 2016, as at Appendix A to the report. The Cabinet was asked to consider the strategy and endorse the SWB recommendation.

The strategy included four high level priorities which partners had agreed they could work together on to maximise impact. The partnership had recently undertaken a review to improve its effectiveness in delivering the strategy. Commissioners welcomed the clear vision and direction that the new strategy set for the Council and partners and agreed to endorse the recommendation to Council that the strategy be approved.

Resolved – That the Slough Wellbeing Board recommendation to Council to approve the Slough Joint Wellbeing Strategy 2016-2020 be endorsed.

49. References from Overview & Scrutiny

The Chair of the Neighbourhoods & Community Services Panel introduced a report arising from the recommendation of the Panel meeting of 8th September 2016 in relation to the Hollow Hill Lane Experimental Scheme. After scrutinising the decision made by Officers under delegated powers to close Hollow Hill Lane at Chequers Bridge on 2nd August 2016 under an experimental traffic order, the Panel made the following recommendation:

“... that Cabinet review the experimental scheme as soon as possible, with a view to terminating the closure of Hollow Hill Lane after 3 months (2nd November 2016) provided that Slough Borough Council have compiled sufficient information by this date to make an informed decision on the matter.”

The NCS Scrutiny Chair explained the reasons for the recommendation, most notably the severe traffic congestion in the vicinity that had generated a negative response from local residents and road users. Assurance was also sought that the Council was compiling the facts and figures to support the case for a replacement road/bridge if the road was closed in the longer term. Councillors Coad and Amarpreet Dhaliwal, ward Members for Langley St Mary's, addressed the Cabinet and highlighted a wide range of problems that residents had raised with them including increased traffic on local routes, pollution, disrupted trade for some local businesses, ineffective communication and fly-tipping.

The Assistant Director Assets, Infrastructure & Regeneration explained the background to, and reasons for, the closure under the Experimental Order. Whilst the Order lasted for 18 months, it was not intended that the closure would be for this lengthy period. He explained that with the possibility that the road would be permanently closed in the future, the Council had a duty to residents to understand the wider traffic implications in order to develop and secure the best possible mitigation package from HS2, Network Rail and the Department for Transport (DfT) as appropriate. The Council would need to

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follow DfT guidance on the appraisal of schemes to ensure that robust data was compiled to support any proposed mitigation package. The professional opinion of the Assistant Director was that it would be helpful to have the additional neutral month to gather information on the closure and that Cabinet consider extending the closure to the end of March in order to provide a robust case to the relevant Minister. The NCS Scrutiny Chair expressed dissatisfaction that his Panel had been informed that the maximum period of closure was six months.

The Cabinet noted the comments of the Scrutiny Panel, ward Members and Councillors Anderson and Swindlehurst speaking under Rule 30. Commissioners were sympathetic to the concerns raised on behalf of local residents and recognised the disruption that had been caused. Members considered a number of options to determine the way forward and seek to minimise the disruption. The Cabinet agreed that it was important to ensure a robust set of data was collected that met the requirements set out in regulations to secure the best possible mitigation package, but that the period of closure should be minimised. It was therefore proposed and agreed to authorise the Assistant Director Assets, Infrastructure and Regeneration to write to the relevant bodies to seek clarification on the minimum period of time required to collect the necessary data on which to base future decisions on the mitigation package. An update would be provided to the Cabinet at its next meeting on 17th October to decide the period of closure.

Resolved –

- (a) That the Neighbourhoods and Community Services Scrutiny Panel reference on the matter of the decision to close Hollow Hill Lane at Chequers Bridge under an experimental traffic order be noted. The wording of the resolution was as follows:

“The Panel recommend that Cabinet review the experimental scheme as soon as possible, with a view to terminating the closure of Hollow Hill Lane after 3 months (2nd November 2016) provided that Slough Borough Council have compiled sufficient information by this date to make an informed decision on the matter.”

- (b) That the Assistant Director, Assets, Infrastructure and Regeneration be authorised to write to the relevant bodies to highlight the concerns raised by Members and residents of the significant disruption caused by the closure; and in view of this, to seek clarification on the minimum period of closure required under the relevant regulations to obtain sufficiently robust data to develop the mitigation package necessary to address the long term traffic issues.
- (c) That the Cabinet receive a further report on the timescale for the closure of Hollow Hill Lane at its meeting on 17th October 2016.

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50. Notification of Forthcoming Decisions

Resolved – That the published Notification of Decisions for the period between September to November 2016 be endorsed.

51. Exclusion of Press and Public

Resolved – That the press and public be excluded from the meeting during the consideration of the item in Part II of the agenda as it involved the likely disclosure of exempt information relating to the financial and business affairs of any particular person (including the authority holding that information) as defined in paragraph 3 of Part 1 the Schedule 12A the Local Government Act 1972.

Below is a summary of the matters resolved during Part II of the agenda.

52. Part II Minutes - 5th September 2016

Resolved – That the Part II Minutes of the Cabinet meeting held on 5th September 2016 be approved as a correct record.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 9.31 pm)